



mattachine **REVIEW**

75c

NOVEMBER-DECEMBER, 1964



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COVER

Three Youths, drawing by Chuck Arnett

**TENTH YEAR OF PUBLICATION—CASTING
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After the Fact

Earlier this year, a legislative committee in Florida issued a scathing denunciation of the homosexual. It was called, "Homosexuality and Citizenship in Florida," and because it contained some far-out photos allegedly depicting homosexual activities in public places, the report was quickly declared obscene by the Prosecuting Attorney of Miami (Dade County), and circulation of the booklet halted.

Obtaining copies was next to impossible. Assemblyman Johns (who headed the committee until he was succeeded by Assemblyman Mitchell) and John E. Evans, staff director, evaded every request for a copy. But finally some copies leaked out, and one of them got reprinted in the East.

Reaction to the report in Florida itself was such that the committee was severely chastized by the press and other responsible spokesmen in the state. This criticism mounted throughout the summer until the committee chairman and the working staff all resigned recently. Another report indicates that the remaining appropriation of the committee not expended was withdrawn from the project of investigating homosexuality in the state.

Following is a copy of a letter sent to the committee earlier from Mattachine Society, after the report had been studied and its biased bibliography had been checked with a fine comb. Needless to say, Florida taxpayers got one of the biggest gyms ever handed out anywhere when the so-called "Johns Committee" turned in its handiwork.

OPEN LETTER TO THE FLORIDA LEGISLATURE'S "JOHNS COMMITTEE"

As president of the Mattachine Society, Inc., I would like to join with other responsible Americans in expressing my shock and concern at the report on homosexuality recently issued by the Florida Legislative Investigation Committee. No wonder that I was unable to obtain a copy of the report from the office of the staff director or that the committee seems now—despite its original intent to do precisely the opposite—to be doing everything in its power to prevent further circulation and discussion of its notorious masterpiece. Rarely do legislative bodies come up with material that is so irresponsible, inaccurate, inflammatory or obviously biased.

The committee did not perform its appointed task of presenting evidence on the "extent" that homosexuals have "infiltrated" agencies supported by public funds, the effect of this infiltration, or the policies of various state agencies (except for the State Department of Education) in dealing with this infiltration. Instead, it came up with a report which is naive and recommendations which are unjustified. The committee affirms the necessity of understanding homosexuality, but its own efforts have only contributed to a further confusion and misunderstanding of the subject. The committee's criticism of others for "a serious lack of responsible research" are words which can best describe its own efforts. Recent articles on homosexuality to be found in Harper's, Greater Philadelphia Magazine, Maclean's, and Life reveal how feeble and irresponsible in comparison was the committee's undertaking. And those magazines did not spend five years and heaven only knows how many tax payers' dollars in doing their studies either. The colossal abdication of responsibility by the committee is most blatantly revealed in its statement that it would not study or weigh the conflicting theories, contentions, or claims regarding homosexuality, but would rather let each individual "choose" that view which best "jibes" with his own. This is the height of legislative irresponsibility. But then, to compound that irresponsibility, the committee emotionally suggests the Biblical term "abomination" has stood well the test of time. I submit that such an approach would not be tolerated on any other important issue reflects an inadequate knowledge of the religious position, and makes more difficult an effective treatment of the problem. Any responsible treatment of the subject of homosexuality must involve a scientific rather than an overly moral or religious approach if it is to have any meaning.

I was quite disappointed in the incompleteness, misinterpretation, and emotional slanting of the material in the article as a whole. If only the "homosexual" organizations had but a small portion of the power and influence attributed to them, we would be able to do a better job in educating the public, in reaching large numbers of homosexuals so as to help them live more satisfactory lives, and in creating a better atmosphere between all elements in society. I fear the truth is we get more support from scientists, social scien-

tists, ministers, lawyers, and judges than from homosexuals and that these groups have often helped the homosexual and society to understand each other better than homosexuals themselves.

The examples the committee cited to show who homosexuals are and what they do were deliberately chosen for emotional and propagandistic purposes. Any serious consideration of the great bulk of homosexuals is excluded except for a grudging and low-key statement that some are "constructive and contributing members of their communities."

The committee's report unfairly and incorrectly implies that homosexuals spend all their free time frequenting special hangouts where repeated and/or unending sexual acts are committed, devote the major portion of their energies to "bringing out" the young, spreading venereal disease like wildfire, etc. Actually, most homosexuals are just as responsible and moral as anyone else. Most of them live quiet lives and are circumspect in their activities. It is doubtful that homosexuals have any greater interest in youth than others in our youth-centered culture; it has not been proved that one or more homosexual acts converts a normal male into a homosexual though the opposite has been proved time and again; it is pure fantasy to say that a homosexual gets "more stimulation" from pictures in physique magazines than a heterosexual male gets from the fold-out of Playboy; and it is not quite the proper chronological designation to describe high school boys as "extremely young." Nor is it justifiable to use quotations which are incomplete and taken out of context as was done when just as the reverse is true in some cases" was omitted after the words, "The urge for a younger companion is almost basic to the gay life."

Especially distressing was the committee's failure to quote the "authorities" (except for Kinsey, Bergler, and Guttmacher) by name. The use of "faceless" and nameless men in a supposedly serious study raises doubts about the data and the sources as well as the purpose for which they are used. This uncertainty is further reinforced when extreme statements are not balanced by moderate ones. People today are becoming more and more knowledgeable on many subjects. It behooves legislators and public officials to recognize this crucial fact. Ignorance and prejudice, as recent activities in this country show, are not so easily fostered as they once were.

It is a bit surprising to a thinking person to observe what strong, condemnatory, and self-righteous views are expressed when homosexuals do wrong, but what total lack of concern when homosexuals become victims of blackmail, assault, battery, and the like. Somehow or other, Christian morality and a sense of decency seem to be lacking here—causing some suspicion as to the sincerity of those who so loudly profess their principles. The report again manifests irresponsibility in its charges that homosexuality is a factor in other forms of sexual deviations, in major crime occurrences, and in security matters. Each of these allegations is serious enough to warrant careful documentation and discussion. Yet, as before, the committee runs away from important and difficult matters which do not lend themselves to gross oversimplification or to popular and emotional treatment and limits itself to those lesser and isolated bits of information which do.

Noteworthy, after pages of hellfire and brimstone, is the climax of the report. Out of 40,000 teachers in Florida we learn that so far 54 have lost their teaching certificates (with 83 cases pending) for "morals" charges. For some odd reason, the report deliberately

chooses to omit any figures on the number of those teachers who were dropped for the commission of homosexual acts. One wonders how many were guilty of adultery, fornication, drunkenness, forgery, lewd and lascivious acts with women, etc. We know that two of these teachers, as the newspaper clipping reveals, were specifically charged with misconduct against six high school girls. What about the rest of them?

The committee's recommendations are open to considerable doubt as to actual intent. Under the guise of protecting young people—most states already have plenty of laws to do this—the committee proposes to deny certain basic rights, to harass homosexuals because they are different, and to deny them the possibility of employment at other than menial jobs. The use of psychiatric examinations and outpatient treatment for persons convicted of homosexual acts with minors seem reasonable enough recommendations. The implication of the proposal to keep a first arrest confidential until the individual has pleaded guilty or has been convicted and the automatic elevation of a second homosexual offense to a felony causes consternation. There is, for example, no indication what the specific nature of the offense might be. It would seem that any homosexual act, even one engaged in by consenting adults in private, would fall within the language of the committee's recommendations. If the committee had really wanted to show its sincere and enlightened concern, it would have come out firmly for the recommendations of the Wolfenden Committee, the American Law Institute, and a number of church groups. But this the committee most assuredly did not do. The proposal to create a central records repository for all homosexuals arrested and convicted in Florida and to make these records available to public employing agencies smacks of the police state, of self-incrimination, and of denial of an individual of a right to earn a living in accordance with his interests and abilities. The result of such a policy would be a further stigmatization of an individual whose homosexual offense may not have involved acts committed against a minor, by force, or in public. I am confident the good people of Florida will not permit the committee's rash measures to be enacted into law or to create a new group of "second class" citizens.

The Appendices are as irresponsible and out of focus as the body of the report and the tasteless photographs. Only about one-third of the material in the section on Florida laws has anything whatsoever to do with homosexuality. One can only conclude the remaining two-thirds was included in order to associate homosexuality with everything else that is considered abnormal or arouses emotional responses. The glossary of terms is so written up and arranged (inconveniently in non-alphabetical order) as to shock and provide very little that is constructively pertinent or informative. Its approximately 120 terms include 14 which appear twice and 47 which are either neutral or have no special association with homosexuality—e.g., complex, creep, cute, fetish, flagellation, libido, nymphomania, pyromania, sadism, etc. Worst of all, because it cannot be seen through as readily as the other appendices, the bibliography is anything but as "complete and responsible" a list as can be compiled on the subject. It is limited for some reason to an incomplete coverage of material published between 1933 and 1959. Perhaps the list was thrown together at the request of the committee back in 1959 and has never been altered since. Its 338 items include 43 books (only 5 specifically on homosexuality), 20 reports (only 6

specifically on homosexuality), and 275 articles (only 45 primarily on homosexuality). Thus 56 items, or less than one-sixth of the total, are wholly pertinent to the subject of the report. The rest of the bibliography is stuffed with material dealing only in part with homosexuality and with material on such subjects as adultery, prostitution, incest, rape, alcoholism, obscenity, pornography, and psychopathology. Omitted from the list are the pioneer studies of Freud, Havelock Ellis, Wilhelm Stekel, Edward Carpenter, and Krafft-Ebbing. Specifically missing are 34 books published no later than 1963 dealing wholly with homosexuality, and hundreds of articles on the subject. Any college freshman could have found most of this data by consulting card catalogues and standard guides. For example, a quick check would reveal the following items: Psychological Abstracts—491; Reader's Guide to Periodical Literature—43; Education Index—20; International Index to Periodicals—41; Subject Index to Periodicals—29; and Index to Periodicals—29; and Index to Legal Periodicals—32. These 656 references, some of which are duplicated, all deal directly with the subject of homosexuality rather than with a variety of other subjects. Diligence and persistence would probably produce several hundred more articles, books, and pamphlets on the subject. (For the committee's convenience, a short list of some of the many omitted references is appended to this letter.) But even more serious than the magnitude of its omissions is the obvious failure of the committee members, as revealed in the report, to read or comprehend most, if any, of the works included on their modest list.

If the committee is to pursue the subject of homosexuality further, I should like to suggest that it carefully consider (1) factors contributing to homosexuality (e.g., the possibility of a biological "predisposition," the role of the family—especially the parents, and the implications of the "emancipation" of women), (2) what can or cannot be done about these contributing factors, (3) those facets of homosexuality which can or cannot be considered constructive and acceptable, (4) psychotherapy as a practical as well as theoretical form of treatment, (5) revision of the law to remove homosexual acts between consenting adults in private from the roster of illegal and punishable acts, and (6) ways in which society can best accommodate homosexuals and homosexuals can best adjust to society without undue discrimination or recrimination by either party. Further, if the committee and other public officials would consult and cooperate with responsible homosexuals, as well as with recognized specialists and persons of good will, I am sure, in view of our experiences over the past fifteen years, that greater understanding and significant gains can be quickly achieved. We recommend this approach to you for your most serious consideration.

Sincerely,

Hal Call

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DIRECTORY OF HOMOPHILE ORGANIZATIONS AND PUBLICATIONS

- ALBANY TRUST (Homosexual Law Reform Society) 32 Shaftesbury Avenue, London W. 1, England. Publication: Man And Society
- ANTHEMUM SOCIETY, INC., P.O. Box 2278, Miami 1, Florida. Publication: Antheum Review, monthly.
- ASSOCIATION FOR SOCIAL KNOWLEDGE (A.S.K.) P.O. Box 4277, Vancouver 9, British Columbia. Publication: ASK Newsletter.
- DAUGHTERS OF BILITIS, INC. (National Headquarters) 1232 Market Street, Suite 108, San Francisco, Calif. 94102; Telephone: (415) 863-8196. Publication: The Ladder, monthly.
- DAUGHTERS OF BILITIS, (Chicago Chapter) P.O. Box 4497, Chicago, Ill.
- DAUGHTERS OF BILITIS, (New York Chapter) P.O. Box 3629, Grand Central Station, New York, New York.
- DEMOPHILE CENTER, 15 Lindall Pl., Boston 14, Massachusetts.
- DIONYSUS, P.O. Box 804, Huntington Beach, Calif. Publication: Dionysus Newsletter.
- DORIAN BOOK SERVICE, 693 Mission Street, San Francisco, Calif. 94105, Publications: Dorian Book Quarterly, Dorian Vignettes, Dorian Newsletter.
- EAST COAST HOMOPHILE ORGANIZATIONS (ECHO) P.O. Box 6038, Mid City Station, Washington 5, D.C.
- GAY PUBLISHING COMPANY, LTD., 980 Queen Street East, Toronto, Ontario, Canada. Publication: Gay HOMOPHILE INTERNATIONAL, 134 S. Woodside Road, Glasgow, N.W. Scotland.
- JANUS SOCIETY, 34 South 17th St.,

(continued on next page)

BOOKS *in review*

THE HOMOSEXUAL AND HIS SOCIETY: A VIEW FROM WITHIN, by Donald Webster Cory and John P. LeRoy. N.Y.: Citadel Press, 1963. Pp. 276. \$5.95. Reviewed by William Parker.

Cory, in collaboration with LeRoy, has turned out another informative and reflective book on homosexuality. He and his co-author, employing both psychological and sociological data and methods, seek to avoid distortion of their subject by regarding it as but one of many facets of human sexuality and by pursuing a middle course between those who think of it as only good or only evil. In order to provide frank and factual data which will lead to intelligent discussion and to an eventual improvement in the lot of the homosexual, an attempt is made to answer the following questions about homosexuals: who are they, what do they do, why do they do it, what do they feel, and how do they feel about their own

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Telephone: (212) 924-7743, Publication: *New York Mattachine Newsletter*
MATTACHINE SOCIETY of WASHINGTON, P.O. Box 1032, Washington 1, D.C. Publication: *The Gazette*

NATIONAL LEAGUE FOR SOCIAL UNDERSTANDING, 414 Sunser-Vine Towers, Hollywood, California. Publication: *NLSU Newsletter*

ONE, INC. 2256 Venice Blvd., Los Angeles, Calif. 94106, Telephone: (213) 735-5252, Publications: *One*, *One Conf*, *One Institute Quarterly*
PAN GRAPHIC PRESS, 693 Mission Street, San Francisco, Calif. Publication: *Town Talk*

SOCIETY FOR INDIVIDUAL RIGHTS, (S.I.R.) P.O. Box 5526, San Francisco, Calif. Publication: *Vector*

STRAIT & ASSOCIATES, 471 Minna Street, San Francisco, Calif. Telephone (415) 362-6422, Publication: *Citizens News*.

Suggested revisions to this list by those concerned is invited.

feelings?

In surveying the present situation, major attention is given to the homosexual in the milieu of society in general, in the in-group, and in the organized group. The latter, aptly called "the voice of social protest," provide the leaders to whom this book is dedicated. Most of the many matters dealt with are thoughtfully treated, and the opinions and the interpretations of the authors seem pertinent and convincing, although there inevitably arise opportunities for disagreement. After all, serious study of homosexuality is still in its infancy.

The queens and body-beautiful boys are seen as but two sides of the same coin--each reacting in their own way to the seemingly insoluble problem of playing the masculine role expected of them by society. Similarly, hustlers and bisexuals are found in the disturbing middle position of being rejected by both homosexuals and heterosexuals and often of not knowing their own true preferences. Gay bars (and other such places) are viewed as necessary and helpful despite the outrage of upholders of traditional morality. The hypocrisy and futility of official governmental discrimination against homosexuals is strongly pointed out, as also are the inconsistency of the arguments used to justify the policy, the invalidity of the tests used to measure emotional instability, the irony of prosecuting individuals for desiring to commit acts they did not commit, and the absurdity of putting persons in the position of having to hide their condition and then punishing them for hiding it. A reasonable and workable five-point program to meet the problem of venereal disease is proposed, but its implementation is probably not possible because of the opposition of moralists. Albert Ellis' strictures on creativity among homosexuals are challenged as being vague, undefined, unscientific, and biased. Books and articles (especially the recent study by Bieber and associates) which talk rather flippantly about homosexuals being cured, if they really want to be, are criticized for the dangerous and misleading manner in which a few successes are being publicized as if they were many, and many failures are being disguised as if they were few. One of the last chapters, entitled "The Homosexual in his

own Behalf," discusses the courageous and dedicated leaders who have established publications and engage in other activities which make the voice of the homosexual heard. These organizations, the authors conclude, are probably here to stay; and their objectives are gradually beginning to be realized.

Some of the specific views expressed in this study are so worthy of careful reflection that they must be mentioned here: Informing the public of what homosexuals are really like will not necessarily result in increased toleration though it should lead to greater understanding. Both homosexuals and heterosexuals must reexamine their prejudices if sexual matters are to be dealt with more effectively than at present. The real task of society should be to eliminate personal and social unhappiness, to accept and reward people on their merits as individuals, and to isolate those patterns which encourage the development of neurotic and compulsive sexuality. Inverts must find new standards which will provide more emotionally healthful attitudes on love and sex. The eventual solution to the problem of homosexuals is not segregation and containment but acceptance and integration. Labeling certain homosexuals and homosexual acts active (masculine) or passive (feminine) is absurd and inaccurate; such terms as insertor and receptor should be used instead. In the growing new cult of glorification of maleness, which is itself a reaction against the increasing dominance of women in society, are to be found the seeds of inversion. Similarly, the present American family constellation seems to foster homosexuality. Those who call homosexuals as such sick and anti-social do so by definition and not by presentation of convincing proof. Rather than being immature and ineffective, homosexuals often--perhaps as a form of compensation and an attempt to overcome feelings of guilt--have a passion for excellence which raises their work above that of their associates. When the United States Supreme Court finally is faced with a case involving homosexuals, it will no doubt rule, as in the case of narcotics addicts, that this condition alone does not place an individual outside the laws of the human community.

Because so little is actually known about homosexuality,

(Concluded on page 19)

Calling Shots

THE SEASON OF "JOY TO THE WORLD"
IS AHEAD, BUT FOR THE EDITOR, STAFF
AND OFFICERS OF MATTACHINE SOCIETY
THERE'S A HEAVY PREOCCUPATION FROM
THE PRESSING BURDEN OF OPERATING
PROBLEMS

Here's a Hard Look at Reality, a Person-to-Person
Report of Great Progress Against Incredible Odds

... and some questions we seek answers to in the
New Year ahead.

(Too bad we have to lay it on the line at Christmas!)

As you know, Mattachine and other similar organizations have, it seems, been honored most in the lack of support from the general interest group they are striving to serve. This chronic and crippling poverty has resulted in a steady flow of fund appeals over the past decade so that the loyal members, friends, subscribers, contributors and pledgees

have wondered if our efforts ever go beyond holding our begging hand out for your help.

Fact is that two organizations--Mattachine and One--long ago were required by the press of organizational development and individual need to establish full-time staffs of personnel who are today in every definition professional servants and spokesmen for the homophile minority. The miracle of accomplishment through education, aid to research, social service to individuals, and public relations and information to all of society is a little-understood benefit of vast importance to homosexuals everywhere. But it is there, it continues, and it must continue. It is an idea whose time has come--an idea converted into action that has received serious attention far and wide across the U.S. and elsewhere.

Books, magazines, newspapers, radio and television, lecture platforms, university classrooms, church representatives and professional groups of behavioral scientists--all of these attest to the positive accomplishment made by Mattachine, One, Daughters of Bilitis, and a host of other organizations and enterprises more recently created. Changes which these groups have made through their publications have been reflected at an ever accelerating pace in our society. In spite of pressures to the contrary there exists today a greater freedom to read, assemble and speak than existed only 15 years ago. As a result topics--such as sexual expression, venereal disease, are today being stripped of the shrouds of taboo for the everlasting benefit of modern mankind. But this work is only begun; it is difficult but not hopeless as it once appeared. Signs of melting prejudice, enlightened attitudes, legal reform, and greater regard for human values and inherent human rights everywhere. Some credit for this must be given to the organizations which have struggled against tides of bigotry and ignorance, all the time against incredible odds.

It is no secret that all organizations in the field have been severely limited in what they can accomplish because support they deserve has not been forthcoming. This hard reality has been even more painfully applied to those two organizations (Mattachine and One) which have full-time staffs, and which organizations have long since progressed out of the "individual and group project" status into that of "continuous operation for service." At Mattachine, it means immediate, direct availability with offices open to the public almost 60 hours per week--with immediate information and referral, face-to-face counseling for hundreds of social service cases each month, and a direct approach to solving individual problems NOT when someone returns a call, but NOW.

Translated into other terms, it means that up to half of a an ordinary work week is spent by two or more staff members with a background of knowledge and experience aiding

individuals directly and immediately, and unfortunately, without revenue coming in to pay for this service. Taken a step further, it means that Mattachine is required to perform a \$50,000-a-year task on \$15,000 income. It takes no great accounting skill to realize that such an operation inevitably courts disaster.

To ward off this disaster, previous fund appeals, creation of a pledge system, and continued "selling" of memberships were called upon. At the same time expenses of operation were literally butchered to the bone. A reduction in the paid staff was made. While these measures helped, they only delayed the disaster somewhat while the operation sank more deeply into debt and at the same time production dropped to its lowest point.

Thus in April we had to suspend publication of the REVIEW and forget the continuation of INTERIM for the present. While this did cut down the expense, it also resulted in a further slash of income.

Sadly, this broke almost 10 years of continuous publication of the magazine and without doubt it did much to damage Mattachine's image to its members and friends across the nation and over the world. Ironically, this came at a time when some of the biggest and best public relations breaks were coming our way: the LIFE magazine article, creation of the Council on Religion and the Homosexual, hour-long documentary programs on Canadian Broadcasting Television, and San Francisco's KRON-TV, plus prestige-making attention in several books to name only a few.

But we didn't beat our heads against a wailing wall. An expected trust fund gift went elsewhere and didn't come to us. Our operation suffered a loss of almost \$1000, largely from a legal brief we printed for which we have never been fully paid. To our aid came the Tavern Guild of San Francisco during the summer which sponsored benefit auctions and other projects that raised exactly \$2000. That helped to meet our minimum overhead. Other efforts managed to keep 1964 income level almost equal to that of a year ago. But none of it erased any debt; we still were sinking deeper.

Among Mattachine's almost 600 member-subscribers, contributors and pledgees, not more than a "baker's dozen" are able to support us with more than \$100 per year on an individual basis. More than 75% of our support comes from the "little people" like ourselves. There is no grant-in aid, no endowment or trust, no wealthy angel supporting what we do. The day when these things--including bequests from wills, and large gifts--will come is not here yet.

Thus you realize that the haphazard schedule of the REVIEW since April was a decision over which we had no choice. Issues for April-May, June-July, and August-September are almost ready for the press. October came out. And now you have the November-December edition. Subscriptions will be extended four issues for those who are paid. In 1965, we are determined to produce the customary 12 monthly editions. But newstand circulation will be curtailed because of the 2000 copies put on the stands, only about half were sold and collecting the money for these is

not complete. Regrettably, when we should have resources to produce an improved and expanded magazine, we have to trim every possible corner because the \$1000 a month it requires just isn't there.

The limited personal resources of the officers and members of the board, plus the generous support of our loyal members, subscribers, friends, contributors, and pledges at this time is not sufficient for us to meet current expenses and do otherwise. We cannot commit a corporation of such nebulous substance to an indebtedness any greater than has already been done.

As you know, Mattachine is not alone in its plight. Recently One, Inc., stated its case: A \$7,000 debt with its printer has it on the brink of ceasing publication unless well-deserved help is forthcoming fast.

Unfortunately the many thousands of potential supporters of the homophile movement's organizations are not always reached by its publications and appeals for help. Like the threadbare minister preaching to a small congregation, exhortations fall upon the ears of those already doing their utmost--the ones we need to reach are paying little or no attention. Or they are afraid. Or they just couldn't care less. Or they are concerned only with self.

But is this really the case? Are we all doing our utmost not just through our own support, but, more importantly, selling the idea to others among our acquaintance? Do we convince our friends that they, too, have a stake in struggle for change that will enhance their self-esteem, integrity and worth? Must we today be so involved with our own personal lives that we cannot recognize that the greatest values lie in doing something for others and for generations yet unborn? Are we so self-centered that we care not for our less fortunate fellow men who need burdens lifted? Are materialistic creature comforts so important that we cannot share our good fortune to encourage others to cast off their feelings of rejection and inferiority to attain the dignity and happiness that is rightfully theirs as human being?

As the year ends and holidays of joy loom before us, hearts and minds open with consideration for others such as at no other time. Can we intelligently convince more of our friends that Mattachine and other groups similar to it perform a vital task which add much to the enrichment of our own lives? And are we willing to recognize that this work has worth which deserves more than token support from many who may not yet feel it is their responsibility to help pay for it?

These are searching questions which need thought and action, and they must be answered in terms of results if the work is to go on.

This message is scarcely the kind one would expect at the season of the year when expressions of joy in speech and song are everywhere. But it's hard to sing "Joy to the World" when creditors are hammering the doors of Mattachine and the bonds of poverty have it too strapped to meet its bills and function as it must for so many who come to it for help.

it is suggested that research should seek to discover the genetic-psychological-sociological conditions that produce inversion, the reason why there is so much hostility (both public and private) directed against homosexual males and so little against homosexual females, the conditions causing excessive effeminacy, the different kinds of variant sexual activities and the implications of them, the degree to which homosexuals are or are not security risks, and the ways and means for improving the sexual well-being and personal happiness of everyone. To these proposed topics for research might be added a critical examination of current concepts of masculinity and femininity, a consideration of the charges (and the disposition of them) and methods utilized by law enforcement officials in arrests of homosexuals, and a determination of the degree to which the leaders of society and the general public are being acquainted with recent views and studies dealing with homosexuality.

Mr. Cory makes the point in his introduction that he represents one generation and that Mr. LeRoy represents a younger generation which has grown up in a new society that has replaced the old. However, the specific and potential implications of this important fact have not been adequately made clear. One wonders what the differences between the two generations are. For example, how do they differ on such matters as knowledge of the subject of homosexuality, availability of help and guidance, self-acceptance or feelings of guilt and anxiety, attitude toward the heterosexual majority, and insistence upon recognition of homosexuals as individuals deserving considerate treatment and possessing certain undeniable rights.

The individual reader may want to quibble with the authors on a variety of minor points or disagree on a number of major ones. But the incomplete state of our knowledge and the personal bias brought to the subject by each reader makes this inevitable and unimportant. What counts is not that the authors have been unable to answer all questions or offer solutions to all problems but that they have dealt in a responsible and detailed manner with the phenomenon of homosexuality and have, in the process, revealed to us the homosexual as a very real human being deserving society's mature attention and concern.

WHOM DOES PROSTITUTION REALLY OFFEND?

PROSTITUTION AND MORALITY by Harry Benjamin and R. E. L. Masters. New York: The Julian Press, 1964. 495 pages, \$12.50. Reviewed by Rolland Howard.

Here is a book which, despite its foreboding thickness and title, proves to be entertaining, enlightening and easy to read.

The reviewer has to admit that, victim of an overstarched Victorian morality that he is, he too has more than once felt a pang of concern about the "plight" of the "fallen" woman in the clutches of a degrading "white slavery." As this book points out, however, if there is sex "slavery" at all—i. e., any enforced prostitution—it is extremely rare. Most prostitutes are so occupied because that is their choice, and I should have been able to see that for myself; after all, I have often enough said, privately, that with my affinity for men, if I were a woman I would certainly be a whore (though I doubt I could ever bring myself to charge for it).

Thus, the answer to the time-honored question, "What is a nice girl like you doing in a place like this?" is, in most cases, "Just what I *like* to do, and it's a nice place to meet nice men like you."

In a society where prostitutes (and everyone else who pursues his sexual needs honestly) are made to feel guilty and are treated as outcasts, sinners neurotics, or common criminals, prostitutes do often feel compelled to provide an "explanation" or excuse, and the rationalization most often used is the monetary rewards of whoring. Like the suppressed homosexual who can find sexual gratification only under a covering rationalization of monetary exchange, thus making himself simply another kind of prostitute, women in the brothels (and on the sidewalks) of life, are from all social strata, come in all colors, religions, and ages, and seems to persist in their trade even through all the hard-nosed treatment, the one-eyed legislation, the repeated arrests, and even harsher measures aimed at them periodically by the outraged and self-righteous societies of which they are members.

PLEASE NOTE: There will be additional columns on Literary Scene by Gene Damon in the three make-up issues of Mattachine REVIEW which will be off the press soon. READERS WRITE department will be resumed in the January issue.

In a chapter on the male homosexual prostitute, or "hustler," there is included a segment written by Hal Call, president of the Mattachine Society. There are things revealed in this chapter that even I didn't know about these boys, having had little experience with them. My attitude toward them has long been to dismiss them as merely another variety of bum, or social leech, too lazy to do an honest day's work. I still cannot totally rid myself of this notion. Yet, as in the case of the female prostitute, there is an obvious social need both for her services and for those of the male prostitute—on the part of those who require brief, relatively impersonal, and, often, paid-for sexual relief—and these professionals provide those services.

Indeed, Dr. Benjamin and Mr. Masters argue for "sex as service," and provide ample evidence to indicate that the very sanity—such as it is—of our over-regulated, prohibitive society, may be credited to the failure of prohibitions; credited, in other words, to the persistence of both prostitute and customer in seeking one another out despite the barriers constantly being erected to keep them apart. Man is, on fundamental levels, a sexual being, and his sexual needs, while amenable to certain degrees of control or delay, *cannot* be denied.

Over and over, the authors present evidence that a terrible social price is paid for the attempts to maintain a spurious kind of "moral superiority" and "spiritual purity." Spectacular increases in the incidence of venereal disease; moral disintegration of prostitutes and of the law enforcement officers who must persecute them; corruption of our very agencies of law; the forcing together of the otherwise unrelated worlds of the prostitute, the narcotics pushers, and the alcoholic; the appalling incidence of sex-crimes; even the spread of homosexual participation; all these and more are shown to increase in direct relation to the suppression of prostitution.

If all these serious allegations are true, then why is there the suppression on the part of officialdom in the first place? Well, it would seem that a large segment of the population is, if not downright neurotic, then at least senile, fanatically devoted to some "sex substitute" of their own (religion, et al), impotent, or motivated by a misguided "do-goodism." Or they may be married, with (in at least some fortunate cases) regular sex-gratification thus provided them. And this is the element too often found among legislators, priests, ministers, and women's clubs, all of which make, or are instrumental in making, official public policy.

One further thought, not brought out in this book: Dr. Benjamin and Mr. Masters raise the question, "If the sex-need is universal and undeniable, why is there so much fear of it, condemnation of it, and effort to suppress it?" In answer, they tend to place the blame on certain groups, or members, of society, as listed above. I would like to suggest that it is more a problem of man alienated from himself. If this is so, it will be better understood as an unfortunate as-

pect of the long, historical evolution of human civilization, than as a mere cantankerousness on the part of certain individuals.

We long ago began to think of ourselves as a "spirit" in and, too often, "opposed to" a body with physical needs. So many of our cultural institutions have been built around this dichotomy, and have endured for so long, that when release from this conflict is attained, it is done on an *individual* basis, by coming to understand one's own multi-facetedness, and integrating all the segments under one-individual-roof.

On a social level, it will take much time and a lot of doing, to come round to a more realistic, integrated, approach to psycho-physically united man, as the authors of the subject book admit.

As a homosexual, I stand as testimony to the authors' contentions about the effects of sex-suppression. I am both a product and a victim. As such, I understand the sexual needs of the frustrated. For the sake of survival--and of civilized social cohesion--I can summon little enthusiasm for ranting futilely against a rigid and unlistening official morality; I stand ready, instead, to sympathize in my own, "substitute" way. If, in certain instances, I can't, I think I know someone who can.

Anyway, whether the reader is or is not oriented toward the viewpoint of this book, anyone with an iota of social awareness, will enjoy the usual sparkling, lucid style of these authors, and, as a bonus, will have his eyes opened wider. If the book falls on deaf ears among the authorities, it can nevertheless help to support the individual who finds himself human in opposition to crowds who insist he should not be. In taking such a stand, the authors are in a minority position among even scientific spokesmen. They are to be commended.

---roland howard

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LITERARY *scene*

An informal column of reviews of fiction and non-fiction books on themes of sex variation

GENE DAMON

The special books are too well known; the others too little known. This month I've deliberately chosen male titles which I personally like. For a variety of reasons they have had far less attention than they deserve. Many of them have been entirely ignored. All are recommended to the serious reader and collector and no really minor titles have been included unless they are specifically marked minor.

Mary Renault's first treatment of homosexuality, **PROMISE OF LOVE**, Morrow, 1939, Popular Library, 1963, is rightly considered a major Lesbian title but the male homosexual is one of the kind all men long to be and all men long to love. It presents a philosophy and an approach and attitude she later expanded in her masterpiece, **THE CHARACTER**.

The paperback original novel always runs the chance of being ignored. Robert C. Ackworth's, **THE MOMENTS BETWEEN**, Hillman Books, 1959, can still be obtained at

The Committee.



Priceless scene on this new record is "GAY BAR"—8 minutes of conversation between a man who is drinking Scotch and another who is drinking Pansy Punch...leading to an inevitable date. Other episodes equally witty include Introduction to Sex on the Campus; Summer Vacation; Course in Failure 101, and so on...All hilarious. Mon'l, 4.98; Stereo 5.98

Dorian

BOOK SERVICE

second-hand outlets and is easily worth many times its cover price of 35¢. Paul Curry, a business administration instructor, head of a male dormitory and faculty advisor, is a homosexual. His friend, Ted Gaines, is a physical education instructor at the same university. Paul is pursued by a female teacher, and the two men discuss this situation and many other situations relative to the dangerous position of being homosexuals and teachers. They are, incidentally, friends only and not lovers. Paul's adventures will be familiar to many readers: the pass at the man who seemed to be inviting it but wasn't; the overheard confession of guilt; all the little and momentary agonies of the imagination. The overall handling is extraordinarily sympathetic.

The virtually unknown novel, *THE SEEKER AND THE SOUGHT*, by Marie Baumer, Scribner's, 1949, is wholly permeated with male homosexual allusions. The hero feels he may be homosexual, and indeed, his reactions to a young desirable boy make the reader feel he has reason to believe this. It is a fascinating odyssey of one man. Since nothing is explicit, except for one scene, this must be considered a minor title.

A. J. Cronin's beautifully written, *THE SPANISH GARDNER*, Little, Brown, 1950, Bantam, 1951, et al, tells the often-told story of an older man, not too actively alive, and his fascination with a young, very virile boy. The difference in this book (from the many other tellings of the same tale) is mainly the quality of the writing--it approaches poetry in some passages and sets the trite story in a special light.

Criticism of theater novels, "literary set" novels and Hollywood novels tends to be barbed and bitchy. Possibly because the critics are talking about things too close to home. Many of these novels contain buried but excellent homosexual portraits and themes, a fact apparently deliberately ignored by many reviewers. Hugh Wheeler's, *THE CRIPPLED MUSE*, Rinehart, 1952, contains humor, pathos, satire, a charming story about an art colony and some generally delightful camping around as well. It is primarily referred to as a Lesbian novel but the male homosexual aspects are major enough to make this a must for collectors.

THE SIEGE OF INNOCENCE, by Eugene MacCown, Doubleday, 1950, should be considered among the most substantial

of all titles. Young Bruce Andrews inherits some money enabling him to go to Paris and study painting. He studies all right and he learns a lot -- but not on an easel. The title is a literal recipe -- take one innocent and lovely boy and send him out among a charming group of men and women with only one goal in life: to go to bed with him. Add to this delightful characterization, witty and campy asides, a little Compton Mackenzie satire and beautiful scenery. It adds up to a delightful book and includes that one irresistible extra: a happy homosexual marriage.

QUICKSILVER, by Fitzroy Davie, Harcourt, Brace, 1942, remains the last of the theatre novels to really cover the homosexual aspects of theatre life in a believable manner. The book suffers from tedious overwriting, but it's worth a word-for-word examination. Every kind of possible relationship is discussed and in this the author is most talented and obviously knowledgeable.

Last March (1963) in an article on male homosexual short stories I neglected to include two very good titles, curiously really, since they are both superior in writing and major in content. Both stories are available in one volume, *CROSS SECTION*, 1945, edited by Edwin Seaver, L. B. Fischer, 1945, one of the few volumes which appeared in this magnificent series of "new" writing. As seems inevitable with quality anthologies, the series died for lack of an audience.

The first story, "The Prisoners," by C. Hall Thompson, is set in a Japanese prison camp and is a skillful blend of many kinds of prejudice: racial, class, and sexual. Mason tells the story of Miguel, a strong, squat, thick-set, curly-headed Mexican who befriends the frightened Langlos, an olive-skinned, melting-eyed and beautiful boy. The Japanese major has the boy, Langlos, stripped for his perusal. When Miguel attempts to defend him, he is badly wounded and the major takes the boy away while Miguel watches, pinned to a post by a bayonet through his arm. The events that follow take a surprising turn and the reader is left wondering whether Miguel's subsequent actions stem from love and jealousy or outrage. A shocker.

"Show Me The Way to Go Home," by Donald Vining, the next story in the book, is very special. All about a handsome young boy in Navy blues who likes to roll queers --

and how he gets his. Three cheers.

A new title, apt to be overlooked because of a poor medium of presentation, is the novella "Emanuele, Emmanuele," by Caroline Gordon, in her collection of short stories with the uninspired title of OLD RED AND OTHER STORIES, Scribner, 1963. Robert Heyward becomes the secretary of elderly French "man of letters" Guillaume Fay. He is young enough to be consumed with intellectual passion for the famous man and overcome with curiosity about his personal life, particularly his strange relationship with his wife. They live apart and Guillaume writes copious letters to her. Literary gossip says that the letters will be used to supplement the famous "journals" of Guillaume Fay after his death. It is, of course, based on Gide's life, and is a magnificent short novel with a tragic denouement. This is not the first time Mrs. Gordon has expressed interest in historical homosexual men of letters and if you have not read her earlier novel, THE MALEFACTORS, Harcourt, Brace, 1956, you will want to do so soon. It is a minor title, where the present novella is definitely major, but the earlier book is a fascinating roman-a-clef paralleling the life of the always interesting poet, Hart Crane.

Too much has been said about homosexuals as security risks. Far too many novels were written about Burgess-MacLean with an unnecessary emphasis on the homosexual aspects. Traitors and defectors can be any kind of man or woman and sex or pressure frequently has little or nothing to do with the problem. Since this viewpoint is hardly sensational enough to sell well, it is no real surprise to find that the finest book on the overall subject of traitors, whether homosexuality is a point or not, has never been published in this country. THE PRIMROSE PATH, by Peter Forster, London, Longmans Green, 1955, is the story of Edward Primrose, a most ordinary male. Because he lacks push, he fails here and there--sexually and in his work. He is heterosexual, moderately intelligent, faintly prejudiced against homosexuality -- an ordinary and gray little man of no particular worth but of no particular blame, either.

After a bumbleshoot series of adventures, Peter Forster's semi-hero, Edward Primrose, becomes friends with Bobo, a homosexual who loves (very much) a strong and ruthless

man who is an important communist. Bobo is as much an innocent pawn as Edward is. Bobo's love makes him no traitor but his lover uses his innocence and he is a "courier." Soon Edward is tricked into the same work. They perform on the fringes and their subsequent failure is a very small one, but it is enough to have them executed very quietly. Peter Forster makes it very clear that the way you sleep and with whom has little to do with good or bad, patriot or traitor. After the execution (only the reader knows they have been executed, the public thinks of this as a disappearance) the papers have a hey-day linking Bobo and Edward as communist spies and homosexual lovers. They were neither and it is a shame this title has not had the audience it deserves. Without preaching it carries quite a message.

Many of the finest novels from a literary standpoint contain minor homosexual episodes and themes. Taken alone these episodes may not be sufficient cause for purchase of a book; but often these minor incidents are so well-handled, so well-written and enclosed in such quality reading matter that they are well worth a trip to your library. One of these is the vigorous and humorous male-oriented novel, THE UNTIDY PILGRIM, by Eugene Walter, Lippincott, 1954. While there is only one extended significant episode, the novel has a male vigor which makes it wholly appealing.

Another is John Steinbeck's SWEET THURSDAY, Viking, 1954, Bantam, 1956, etc., in which there are two decidedly homosexual characters. No one, admittedly, comes out from behind the curtain and shouts "queer," but it's all there for the faintly intuitive reader. And, additionally, it's an entertaining book, really fun reading.

Sometimes a beautiful all male love story is told without the necessary expository scenes needed to classify it as major. Alexander Randolph's lovely novel, THE MAILBOAT, Holt, 1954, is a good example. Not one positive phrase -- Aunt Matilda could read it -- but she wouldn't get the message and you will. I don't know whether the male throat is as prone to tighten with unshed tears as the female throat, but this book is a "tightener."

John Kelly's ALL SOUL'S NIGHT, Harcourt, Brace, 1947, is another example of a novel too minor to advertise as homosexual -- yet it is that and just that. Another odyssey

and the hero will take you with him on a journey you both understand. You'll enjoy the trip.

Multi-talented Steven Allen's one contribution to homosexual literature is an outstanding one. His short story, "Houston Incident," in *FOURTEEN FOR TONIGHT*, Holt, 1955, Dell, 1956, 1957, is about a tramp type picked up by an aging and kind homosexual. Many stories have been written on this bitter theme of taking without giving but this one is a superior example. The author manages to make your feelings of sympathy extend to both the homosexual male and the cheating tramp, rather than limiting the viewpoint to the one character or the other.

Robert M. Coates, surely one of our finest short story writers in the "New Yorker" genre, produced in 1943 a realistic ugly and powerful story "One Night in Coney," in *ALL THE YEAR ROUND*, Harcourt, 1943 (also in *THE AMERICAN MERCURY READER*, Blakiston, 1944). This was years before the current run of polemic stories and has never been touched for accurate and poignant description of the cruelest of all homosexual dilemmas: the senseless wanton beating of a man simply because he is gay.

Readers who loved William Maxwell's, *THE FOLDED LEAF*, will equally enjoy David Cornell De Jong's sensitive evocation of boyhood and inter-male awakening, *THE DESPERATE CHILDREN*, Doubleday, 1948, 1949.

For years much has been made of the multiplicity of male homosexual symbols in Western movies and more recently in the television shows. Years ago Frederick Faust as his famous pseudonymous self, Max Brand, wrote *THE NIGHT HORSEMAN*, Putnam, 1920, Dodd, Mead, 1952, Pocket Books, 1954. It is an unusual western -- almost a fantasy -- and the hero is a strongly homosexual figure. His unexplained effect on other men can only be considered homosexual. This is decidedly a minor title and is mainly included because of the rarity of any homosexual content in the "Western," outside, of course, of the symbolic occurrences.

Today, with novels faithfully depicting every grunt and groan for the reader, subtle intense eroticism is lost. Robert O. Bowen's, 1953 novel, *BAMBOO*, Knopf, 1953, Signet, 1955, etc., is an unusually exciting and sensual book. It combines many odd facets -- it is a straight-forward

easily read narrative on the one hand yet it reeks with lush symbolism. It manages very specific, highly-erotic homosexual passages and yet keeps a little of the spice for the imagination.

William Laurence Coleman (Lonnie) is justifiably famous as the author of one of the most moving male love stories of all time in *SHIP'S COMPANY*, Little, Brown, 1955, Dell, 1957, etc., and also as the author of the somewhat sensational straight-forward, *SAM*, David McKay, 1959, Pyramid, 1960, 1962. Many years before the famous *SHIP'S COMPANY* his novel, *TIME MOVING WEST*, Dutton, 1947, (also as *THE SEA IS A WOMAN*, Dell, 1948) provided sure vision of his future books for it contains just as moving a series of sequences on all male love. Lonnie Coleman treats male homosexuality with an unashamed healthy romanticism which is so much more emotionally satisfactory than the lush teary items from the 1930's -- and considerably more satisfactory than the current "peep shows" of love behind the ash can, under the bridge and inside the garbage dump.

While it is common enough to meet or know an individual who leads a physically bisexual life, the truly emotionally ambivalent are very rare. Literary depictions are either sensational or wholly sexual; or the complete opposite -- so vaguely drawn that they pass unnoticed or not quite realized. An exception to this choice of unrealistic approaches can be found in James Chace's novel, *THE RULES OF THE GAME*, Doubleday, 1959, 1960. Peter Swain, the major protagonist, exhibits all of the characteristics of a repressed homosexual male. His affairs on an emotional and or physical level with women are clearly destroyed by his homosexual inclinations. He is an exception in that he knows the tendencies are there and he makes use of the male homosexual, Rupert, who loves him. The handling of the virtually insolvable situation is excellent, albeit unhappy. The portrait of Rupert is exceptional and this alone makes the book special.

As you go up and down the brightly lit aisles of your local paperback store, don't be overly put off by the hideous tasteless covers still used by the "sensation" paperback houses. Sometimes -- albeit not often enough -- a garish

front on a paperback original from a lower rate publishing house hides a really good book or at least a very intriguing story. The 1960 Chariot Book, *THE PARK JUNGLE*, by Robert Chessman (Hyman Lindsey), is an excellent example. The setting of the story is possibly more important than the action since Central Park in New York is an endless source of fictional recreation.

Among the good, bad and indifferent men and women whose lives cross and touch in this explosive little book are several homosexuals--all very well-drawn. They range from sensitive men who look for love in literal shadows among the "chino" boys to possibly more discerning men who look for love in less tight-fitting pants. There are also good portraits of the rough trade--a psychotic killer--a switch hitter. Sadly, this book is now hard to locate--but it is well worth searching your second-hand sources to locate it.

Sometimes a book hides itself by containing dual explosive issues. When this happens, the more volatile facets of the book tend to overshadow the other part or parts. Clifton Cuthbert's 1933 novel, *THUNDER WITHOUT RAIN*, Godwin, 1933, has been reprinted 10 times as *THE SHAME OF MARY QUINN* by Pyramid Books and is frequently available on newsstands. Primarily it concerns incest between a Catholic brother and sister, Peter and Mary Quinn. Into their relationship comes John, the dapper and somewhat mysterious man. Almost at once John becomes an influence on Mary although it is quite clear that he and Peter are homosexual lovers. John admits (obliquely) that his interest in Mary in that she is pregnant with Peter's child and he refers to his interest in Mary as a "new vice." Peter leaves home to become a priest and Mary goes to live with John. She soon adopts a series of new male lovers, one of them named Joseph. In a fit of madness she murders John and later in confessing to her brother, Peter, he becomes enraged and kills her. The religious symbolism coupled with the incest has all but obscured the strong homosexual aspects in the book and it is virtually unknown for this particular subject. It is a very powerful, disturbing and interesting book, well worth reading.

Despite the advice, literary and factual, of "you can't

go home again"--Robert Loomis goes back after 15 years to Carthage to unearth the secrets of his past in Thomas Curley's novel, *IT'S A WISE CHILD*, Putnam, 1960 (also as *THE CROOKED ROAD*, Avon, 1961.) There he finds a history of corruption, intrigue and bastardy but he also finds love with a girl who seems to meet his needs. He is helped and aided by Professor Herbert Lampson, a dear friend and tormentor, with whom he has had a homosexual affair. It is a good and major portrait of an admirable man whose influence on the more or less heterosexual protagonist is entirely beneficial. Herb Lampson's role is second only to the hero's role.

Roy Doliner's wise novel of the theatre and adjacent worlds, *YOUNG MAN WILLING*, Scribner's, 1960, Fawcett, Crest, 1961, contains several interesting homosexual portraits. The reviews were poor but undeservedly so--the usual fate of the "arty" novel. Bubber Frick, Broadway director, is a compelling portrait of a man driven by his love for a worthless boy, actor Tony Amali. It is a credit to Doliner that the handling of the fate of Tony and his affair with Bubber progresses logically from mutual attraction to mutual misery and back to a working compromise far more realistic than usually found in novels. It is true that Bubber's physical love for the boy at first reduces him to a blubbering fool; but the believable change to where Bubber controls Tony is far more realistic since the myth of weakness in the male homosexual is seldom true. Every fool knows that the rail-splitter is subjective to the lace petticoat and, even as Bubber thinks like a girl in bed, he also knows how to handle Tony out of bed. One in the eye for the stereotypists.

HARRISON HIGH, by John Farris, Rinehart, 1959, Dell, 1960, contains several minor specific instances of homosexuality; but, far more importantly, it contains a subtle relationship between an apprentice butcher, Chris Proud, and a high school boy, Griff Rimer. There is little doubt that both boys are exuberantly heterosexual in life, but there is equally little doubt that their effect upon one another is phallic and undeniably homosexual.

It is clear that one column will not stretch to include all of the overlooked and under-rated titles of value. I'll try to devote a future column to this theme soon.

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An Updated Penal Code

After four years of work comparable to rewriting a constitution, the State Commission on Revision of the Penal Law and Criminal Code has presented to the New York Legislature a finished product that represents significant improvements.

This first complete overhaul in nearly 85 years leaves unanswered, for the time being, the most immediate question facing the Legislature—whether capital punishment shall be abolished. A yes answer is expected from the commission shortly, however, and if it does come, it will carry weight at the Capitol.

While it is doubtful that the commission went far enough in broadening the definition of criminal insanity, a change in the right direction would find a defendant insane if "he lacks substantial capacity to . . . appreciate . . . the nature and consequence of such conduct or that such conduct was wrong."

Some commendable changes in laws relating to sexual conduct are proposed. The buyer as well as the seller in prostitution would be subject to penalty of the law, thus obliterating an old and unjust double standard. Adultery would no longer be a crime, nor would deviant sexual intercourse between consenting adults. The commission majority, two members dissenting, considered these "a matter of private morality."

A great deal of the commission's work was less controversial but highly constructive. Whole sections of old law were weeded out, or transferred as being administrative or civil. There is still a job for the Legislature to do in getting rid of antiquated law making it illegal for government officials to disseminate birth-control information. The commission merely shifted this prohibition to the Health Code.

A year ago the commission, headed by Assemblyman Richard J. Bartlett of Glens Falls and composed of lay lawyers as well as legislators, delivered a detailed preview report of its thinking to the Legislature. Though there has been some revision in the new report, the Legislature has had enough time to consider most of the recommendations so there should not be too much delay in acting on the proposed code. But if it is going to do so intelligently, it will have to bring more order and diligence into its procedure than it has been able to muster so far in this session.

Editorial, New York Times, March 17, 1965