



American LGBTQ+ liberation from day 1 to Stonewall.

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Season 2, Episode 11: “The Rejected, the Elected”

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For this episode, begin with posts starting September 28, 2020. (Click above.)

The original Mattachine Society jester logo is courtesy of ONE Archives at the USC Libraries.

This transcript includes text from real homophile-era publications, letters, organizational documents, et cetera. These texts contain **identifying terms** that may now be out of date.

AUDIO: *The Rejected* clip

JAMES DAY: I'm James Day, General Manager of KTV in San Francisco. The program you're about to see deals with a subject that is controversial, delicate, and to some, downright unpleasant. In dealing with this subject we were mindful of the fact that it is surrounded by a good deal of sensationalism and morbidity...

The problem of homosexuality is age-old. In Ancient Greece and Rome, this conviction was apparently accepted as a way of life. In this country the opposite is true. In fact, it is hard to find any subject about which the feelings of society are as strong. With all the revulsion that some people feel toward homosexuality, it cannot be dismissed by simply ignoring its presence. It cannot be swept under the rug. It will not just go away by itself. And quite possibly, an objective discussion of this condition might lead to a broader understanding of this subject. This program attempts to explore the problem of homosexuality, to cast light into an area in which the shadows have long been deep.

HOST: **September 11, 1961.** KQED in San Francisco airs a new documentary produced by producer John Reavis. He writes,

JOHN REAVIS: The object of the program—

HOST: —which he originally titles *The Gay Ones*—

JOHN REAVIS: —will be to present as objective analysis of the subject as possible, without being overly clinical. The questions will be basic ones: who are the gay ones, how did they become gay, how do they live in a heterosexual society, what treatment is there by medicine or psychotherapy, how are they treated by society, and how would they like to be treated?

HOST: He explores his questions of homosexuality in a series of smaller subjects, presenting assumed stereotypes and allowing experts to demystify the confusion and explain the facts of homosexuality. On a budget of less than \$100, Reavis and his co-producer Irving Saraf shoot the entire documentary in the KQED studio, except for one segment on location at the Black Cat with owner Sol Stoumen, but unfortunately that footage was lost in the cutting room. While commercial stations and sponsors turned down the program, KQED bought the idea under a new title: *The Rejected*.

AUDIO: *The Rejected* clip

NARRATOR: 18% of all American men for at least three years during their adulthood have as much or more sexual experience with other men as they do women. That's the estimate given by Dr. Alfred Kinsey in his book *Sexual Behavior in the Human Male*. In other words, approximately 15 million men in this country have or will have homosexual histories. When this fact about a person becomes known, he is rejected.

MUSIC: *The Rejected* opening music

NARRATOR: This is a program about homosexuality. What causes it? Is there a cure for it? What does the homosexual say about his condition? What does society feel about the homosexual?

Act 1

AUDIO: *The Rejected* clip

SPEAKER: The attitude of a lady at the time of the trial of Oscar Wilde may illustrate the trend which I am pointing to here. She is asked what she thought of so-called “deviate sexual behavior” engaged in by adults. And what she said was, “I don’t care what sort of sexual activity adult persons behave in or engage in, so long as they don’t do it in the streets and frighten the horses.” History has shown that these laws do not work to achieve the purposes claimed for them.

HOST: Public sentiment is shifting, particularly in San Francisco. Even though not one month ago, the city saw its largest gay bar raid in their history, the Tay-Bush raid, the one Ethel Merman almost got caught up in. Hal Call rushes into the Hall of Justice at nearly 4AM. More than a hundred have been arrested.

TIRED HOMOSEXUAL: Oh, there you are, Hal. The Mattachine’s on the job, right?

HOST: Hal spends the entire night into the morning hours talking to suspects, getting people processed, figuring out how each person will pay their bail bondsmen and attorneys. Mattachine has very little money, but Hal promises Pan-Graphic will print briefs free of charge for all defendants who are convicted and want to appeal to a higher court. Mattachine starts a defense fund for donations to cover the help needed. In these months leading up to Election Day, José Sarria has been pushing arrested gay men to plead not guilty and fight for their rights to assemble in the bars. Now it’s like Dale Jennings way back in the earliest Mattachine days, on a much larger scale. It seems everyone is pleading not guilty.

The *San Francisco Examiner* prints the names, addresses, and employers of many of the arrested, but just the—

REPORTER: actors, actresses, professional dancers, a State hospital psychologist, a bank department manager, an artist, and an Air Force purchasing agent.

HOST: Then the paper goes on to discuss this issue as a case of civil rights. The San Francisco media, in general, has been influenced by the many gay issues recently: the Wolden scandal in the 1959 mayoral election, the Vallerga decision in which attorney Morris Lowenthal defeated the ABC’s “resorts for sex perverts” rule with the help of the Daughters of Bilitis, and also the gayola scandal – cops taken down for blackmailing gay bars — and even Sarria’s run for Supervisor. Coming up on this election, a police raid of this size is no surprise. A raid of this size

is clearly a political move to make the mayor look like he's cleaning up. Legendary journalist Herb Caen writes for the *San Francisco Chronicle*:

HERB CAEN: Quick cut to a police raid on a café at Taylor and Bush. The Mayor is pleased. 'Something being done!' Nothing is being done: the fashionable Ones don't give themselves away...they wear elegant clothes, smell of expensive cologne, live at good addresses and are left alone... The only moral, if it's a question of morals: Don't be a poor One. Don't be a poor anything.

HOST: Lawyers, professors, and outraged journalists pressure elected officials to update the vagrancy laws and protect due process. More vagrancy arrests have been dismissed than prosecuted. It's an old law that is becoming increasingly difficult to justify using. Vagrancy laws are 14th century British laws that banned the migration of workers in order to keep cheap labor in less populated regions. They were then used to keep free slaves from moving around and using public spaces. At the beginning of the 20th century, they were used to by cops to stop sex workers, pickpockets, and people experiencing homelessness, as we heard in episode 2. Depression-era migrants leaving the Dust Bowl were arrested under these laws. Over time, the laws picked up homosexuals and more people of color – some them deemed “thousand-dollar vagrants” because that's how much their bail would cost. By the mid-50s, more than half of the thousand-dollar vagrants were people of color, incredibly disproportionate to San Francisco's population. And women in general were arrested as vagrants for wearing men's clothes. Basically, if you're a person of color, or live at the lowest level of class, or you defy the conformity of gender or sexuality, you pay to walk on the city's streets. You are *the rejected*.

AUDIO: *The Rejected* clip

SPEAKER: With respect to this area, the basic fact is that the laws which have been aimed at controlling such conduct are, and have proved to be, unenforceable.

PRIEST: The present-day legal and social approach to control homosexuality is based largely on the moral code of the Bible. God does not desire the destruction of the evil-doer, but rather the correction of the evil.

DISTRICT ATTORNEY: These crimes may be done with the full consent of both parties. They are still illegal.

MR. HUTCHINSON: The individual of course is subject to blackmail.

SPEAKER: Our laws refer to acts, rather than people.

MR. HUTCHINSON: These laws do not work against any group of people or any kind of person. They are against acts by whomever committed. These acts are unnatural and can have no proper purpose except the self-gratification of the individual.

PRIEST: It was therefore simply an evil to be punished.

MR. HUTCHINSON: It can lead to no useful end to tolerate it, and will simply reduce our moral standing, our moral determination.

PRIEST: There was no basis then for considering the problem as one involving the form of pathological behavior.

SPEAKER: As to enforcement, it may not be possible. There's another point of view, of course, and Mr. Lowenthal will present that.

HOST: The attorney who defended Mary's First and Last Chance and the Black Cat Café, Morris Lowenthal, goes onto KQED's *The Rejected* to present the homosexual's case.

NARRATOR: And against retaining these laws, Mr. Morris Lowenthal, San Francisco attorney, who has debated these issues often with Mr. Hutchinson before the California Supreme Court.

MORRIS LOWENTHAL: Now, Mr. Hutchinson has debated this subject with me on many occasions and is repeating many of the fictions and myths that we've heard on this subject for many years, and it's about time that we looked at the practical side. He indicates himself that it is impossible to enforce the laws. We've heard from some experts as to why. First of all, there are vast number of Americans involved here. Mr. Hutchinson said, 'Well, the people enforce the laws.' Is that true? Experts in the field say that there are 6 million homosexual acts for every 20 arrests. So we see that the laws are not enforced by the police department or the district attorney or by the people themselves. Why are the laws on the books? These laws were adopted before we had any knowledge of the true facts, facts developed by Dr. Bowman and Dr. Kinsey and others. These laws reflect certain fiction, some of which you heard a few minutes ago—the assumption, for example, that homosexuality survives by proselytizing, by teachers taking advantage of children, or adults taking advantage of children or other adults. But actually, only a small percentage of homosexuals, just like heterosexuals, attempt to seduce or assault or initiate relations with children. Now the fiction that we heard here that homosexuality is biologically unnatural is a very common fiction. Kinsey statistics have explored it. It's a common phenomenon among animals. Kinsey once expressed neither biologists nor animals were consulted when the laws were drawn. Homosexual conduct is generally harmless to society. Homosexuals are no menace to society. They do nothing to destroy the social structure or to disrupt the family, and as a legislative committee indicated, they are not anti-sexual individuals. And, strangely enough, they've exploded one other myth mentioned earlier: homosexuality did not cause the demoralization or decay of civilizations. They exist, homosexuals, in every occupation in every city. Now, it's not a disease, as some people have indicated or suggested. There is an increase in venereal disease, Hutchinson says that proves we should keep the laws. It proves the reverse, the

laws should be removed. Why? Because the increase is due to the fact that many homosexuals are hesitant to go to venereal disease centers or to their own physician. They don't know the information will be kept confidential. Government regulations and security programs in the armed services have made second-class citizens of these people and many fine persons have been dismissed from employment and stigmatized purely on gossip. These are other reasons why the law should be changed. The laws don't reduce the number of homosexuals nor the number of homosexual acts. As to the moral code, there again, Mr. Hutchinson is confusing, as the law does, sins, morals, and crime. The code is a mere codification of prejudices and superstitions and ancient taboos that no longer exist.

HOST: After the Tay-Bush raid, the vagrancy laws are overturned and replaced with anti-prostitution and public drunkenness laws. Governor Brown says, "We are saying, 'It is what a man does, not who or where he is, that defines the crime.'" Still, one judge calls the city a 'Parisian pansy's paradise' and threatens stiff penalties against the gay bars, but it becomes clear that these charges against the 101 arrested at the Tay-Bush won't hold. The bar's manager even pleads not guilty and says his establish *is* a "gathering spot for homosexuals." The public clearly won't tolerate this behavior by the police anymore. "Let this be a warning," the judge says in the Tay-Bush case, and drops most of the charges. San Francisco bars earn the right for homosexuals to assemble once again. And homosexuals earn the right to due process. And, now more than ever, there is even a voting bloc ready for Election Day. It's undeniable: we are a minority community.

Hal Call writes,

HAL CALL: Who declares that special pains must be made to arrest homosexuals? Who decided that 'gay bars' must have their licenses revoked? Do outraged citizens, political forces, church and clergy, or just a set of 'no faces' make this demand? Time and again the State Supreme Court has given the axe to state laws which have declared it illegal for homosexuals to congregate in a bar. It is NOT illegal, the court has said. Therefore Gay Bars are not illegal. Can a police official assume the authority to close such establishments as he sees fit in spite of what the courts have ruled? Or can the mayor assume such authority, in spite of his possible aim of having a record of strong 'law' enforcement practices when he runs for higher political office in another year? And finally, we can see no legal basis for the Alcoholic Beverage Control Department to ignite its own crusading fire about something which the people and the courts do not oppose nor consider a threat to the community.

HOST: Whether or not city official read Hal Call's writing, what he's written is true. As Election Day approaches in San Francisco, the city officials see that with so few people running for the five open Supervisor seats, this drag queen, José Sarria, who is funded by less than \$500 and campaigning almost exclusively on the weekends at the Black Cat, he can actually win a spot on city council. With just 10 hours left to file for candidacy, nearly 30 new people sign up to run, including a musician and a garbage collector. The city is nervous. Officials grab anyone they can

to run. It's the most people on the ballot ever. Come Election Day, José Sarria wins 6,000 votes! But the ballot is so watered down that he doesn't win the race.

JOSÉ SARRIA: Well, I came in ninth! Out of thirty-three, that's not bad! So, you see, that's what they did. I could have gotten more votes, but the gay community is our own enemy.

AUDIO: *The Rejected* clip

NARRATOR: What do other homosexuals think about these so-called queens?

HOST: The men of the Mattachine talk plainly about men like José.

NARRATOR: What are their feelings about themselves and their place in society? The Mattachine Society has its headquarters in San Francisco and offices in New York, Chicago, Boston, and Denver. Its aims: to help its members on legal advice and to attempt to educate the public on homosexuality. Here are three members of the Mattachine Society:

HOST: They are all three showing their faces on television.

NARRATOR: Harold Call, President—

HOST: Yes, president! Just days before, the San Francisco group declared Hal Call their president at the eighth convention, where five FBI special agents observed the event—

NARRATOR: Don Lucas, Executive Secretary. And Les Fisher.

HOST: Hal Call speaks to the camera:

HAL CALL: We think the “swish” or the “queen” represents, actually, a small minority within the homosexual grouping, but to the public, this is a stereotype by which all homosexuals are judged, it seems. These people, actually, in most cases, are not even liked by their homosexual brethren because they have perhaps rejected themselves and society has rejected them.

HOST: Despite the homophile message against swishy queeny gay men, Sarria's campaign teaches politicians to knock on the door of the gay community come every election following 1961. Votes mean power, and power is a persuasive reason to encourage people to come out of the closet.

JOSÉ SARRIA: I'd proved my point by saying there were 10,000 voting queens. And 10,000 voting queens is a good block. All we have to do is stick together.

AUDIO: typewriter

DEL MARTIN: In recent years there have been attempts to determine the strength of the homosexual vote in San Francisco. The homosexual minority is unlike any other minority group. Homosexuals cannot be bound together by tradition as in the case of Jews. They cannot be readily identified as can the Negroes. Homosexuals do not have a common ground in the areas of religion, politics or economics. Homosexuals are from all ethnic groups, of all religions, from every economic and educational level. They are Catholics, Protestants, Jews, agnostics, atheists, metaphysicians. They are republicans, democrats and socialists; they are liberals and conservatives. They are union workers and business management; they are professional and unskilled. And these various influences will have more to do with how they vote than their sexuality.

HAL CALL: We formed the Mattachine Society, which has worked for education, research, and social service for this whole homosexual problem...

FADE TO:

AUDIO: *The Rejected* clip

HAL CALL: ...The word "Mattachine" comes from southern Europe. It actually means "little fool." Mattachine in the medieval ages were the court jesters, the clowns, the soothsayers, prophets who stood behind the throne to speak the truth despite the consequences. The purpose of the organization is to publish a magazine, to hold public discussion forums, and to educate and to aid homosexuals, individuals and in groups, in various ways. It's not a pen pal organization, nor is it an organization for homosexual contacts. We are calling for a change of law because we know the number of homosexuals is large.

HOST: But his magazine is failing. And Hal's message excludes so much of his own community. As his magazine becomes less of the Mattachine's focus, it's mainstream media like this documentary that advertises the organization. But other more inclusive publications thrive, like *The Ladder*. José continues to work on *The League for Civil Education News*, LCE, or *Elsie*, which also hopes to provide job referrals, personal counseling, housing, and other services that LGBTQ Centers will one day have. He'll soon leave the paper, though, for grander plans on his mind. The people can't be liberated by newspapers alone. And they no longer need a court jester. They need a queen.

AUDIO: *The Rejected* clip

KARL BOWMAN: There's a great difference between these individuals – between the individual who is completely homosexual and the other individual who perhaps is predominantly heterosexual.

HOST: Dr. Karl Bowman, advisor to Virginia Prince at *Transvestia*, explains the Kinsey Scale on *The Rejected*, showing the audience that sexuality is a spectrum, and thus, many queer people are different.

NARRATOR: Dr. Karl Bowman, former director of Langley-Porter Clinic, past president of the American Psychiatric Association.

KARL BOWMAN: Therefore, when we are discussing the problem of homosexuality, we must not fall into the error of assuming that all the individuals so labeled are exactly alike. Generalizations become more difficult.

HOST: In D.C., an activist unlike any other runs for his own seat as president of the Mattachine Society of Washington.

FRANK KAMENY: Given the realities and problems of fighting the government on my own, the time has come to fight collectively.

HOST: **November 15, 1961**, the small D.C. group of five holds their first official MSW meeting in an apartment to establish their goals. They'll be independent of all other Mattachine groups. They'll behave as more of an activist group than the other homophile organizations. They aren't interested in scientific studies of homosexuals, they already know firsthand that discrimination exist. That's their focus. They plan to get a PO box, and they finalize their constitution and bylaws:

AUDIO: typewriter

JACK NICHOLS: ...to act by any lawful means to secure for homosexuals the right to life, liberty, and the pursuit of happiness, as proclaimed for all men by the Declaration of Independence, and to secure for homosexuals the basic rights and liberties established by word and the spirit of the Constitution of the United States.

HOST: And they elect Frank Kameny as their president.

FRANK KAMENY: We will not just focus on education of the homosexual, as that is an often-ineffective method of changing prejudice. We will not focus on social services and fixing short-term issues. We will look to the movement of African Americans fighting for their civil rights. We will demand change as they do. We cannot stand upon an ivory-tower concept of aloof, detached dignity. This is a movement, in many respects, of down-to-earth, grassroots, sometimes tooth-and-nail politics.

HOST: Frank is prepared to fight the radical legal battle. But he has no intentions of violent action or any sort of picket or riot. He's like Harry Hay in that he believes he is part of an ethical minority with its own culture, but he's also like Hal Call in that he was forced to fight in a war

for America and he feels he deserves to integrate himself and his community into American mainstream society. He deserves his job back. With nothing but time on his hands, Frank hits the Washington gay bars to pass out Mattachine information, and returns home, as always, to sit down at his typewriter, writing letter after letter after letter...

AUDIO: typewriting fading

AUDIO: phone ringing

WARREN SCARBERRY: I wish to furnish information concerning a newly formed organization in Washington, D.C. known as—

AUDIO: typewriter

CLERK: The Managing Society

HOST: The clerk at the FBI Washington Field Office misheard the word “Mattachine” on the phone. Their notes really do say ‘The Managing Society.’

CLERK: ...which he stated was supposed to be a homosexual society but instead has proven communist infiltrated.

HOST: Oh, that old chestnut.

CLERK: Can you come in to the field office tomorrow to be interviewed, Mister...

HOST: Because the redactor at the FBI will miss the informant’s name on a document just once before the Bureau released the records of this phone call, we know that the caller’s name was—

WARREN SCARBERRY: Mr. Warren Scarberry.

HOST: Scarberry visits the FBI Washington Field Office on **May 29, 1962**. He’s young, 19. He says he’s a member of the Mattachine Society of Washington, and he wishes—

WARREN SCARBERRY: to furnish the FBI a couple of names of members who are government employees.

HOST: The names he supplies are redacted in the record of this meeting, but a phrase after one of the names is not blacked out:

WARREN SCARBERRY: ...the president of this organization.

FBI AGENT: Why are you providing this information?

HOST: the FBI agent asks.

WARREN SCARBERRY: Let's just say I'm angry with the homosexual element in this town and that this is my way of getting even with them.

FBI AGENT: Can you provide any more names?

WARREN SCARBERRY: Most members use pseudonyms in the meetings and when they receive mail from the society. But the secretary has a list of all members, the addresses, and their assigned code names. I believe I can get this list for the FBI because the secretary has taken a liking to me.

FBI AGENT: Okay—

WARREN SCARBERRY: Also I'd like to provide the name of someone who applied for a job at the CIA with whom I had a homosexual affair.

FBI AGENT: Okay then.

HOST: Scarberry spends the rest of the interview spilling the tea on his own roommate, Ronald Brass. Brass is a member of the Washington Mattachine, an employee of the Dept of Commerce looking for a new job at the CIA, and Scarberry's lover. Anticipating infiltration, but perhaps not leaks from inside like Scarberry, the MSW has already cracked down on security after that very first meeting at the Hay-Adams Hotel. There are only two sets of membership records, one with the secretary and one with Frank Kameny. Any new members but have 2 sponsors, majority approval from the board, and a 3 month probationary period before they are even considered a member. And even still, they are allowed to use pseudonyms the entire time, including socially with each other.

Two days later, Scarberry attends the next MSW meeting with Ronald Brass, his roommate and lover. Afterward, Scarberry calls the agent.

WARREN SCARBERRY: I'm unable to get the membership list. But I do have a list of homosexuals who reside in the Metropolitan area. 85 names. And I will continue to work on the MSW list.

HOST: The list is in the agent's hands by the end of the night. Six days later, two agents arrive at the Department of Commerce. They take Ronald Brass to a private room and ask if he is a member of the Mattachine Society of Washington. They ask him to reconstruct the membership list by learning the other members' names. Brass asks if refusing this request will result in his dismissal. *No*, they say. *We're just here to investigate*. Brass declines their request for him to name names and he returns to work, waiting for the ax to fall. And soon, it will.

AUDIO: *The Rejected* music

KARL BOWMAN: Is it possible to diagnose a homosexual simply by seeing him and talking with him for a few minutes? Many homosexuals claim that they can do this. Psychiatrists who have worked a great deal with homosexuals can undoubtedly spot a great majority of them. On the other hand the average individual would fall down very badly in attempting to do this. There is a common idea that the male homosexual is detected by body build, dress, speech, general behavior. It is true that almost anyone can spot a certain group of homosexuals by their tendencies to ape feminine dress and feminine manners. The type of haircut, the use of perfume and even lipstick, the accepted amount of jewelry as well as the mannerisms and behavior may betray such an individual as homosexual to anyone. However, there are plenty of male homosexuals with broad shoulders, heavy build, who seem to be the epitome of masculinity. It has been claimed by many observers that homosexuality is more frequent among athletes and persons in the military service, the two groups that would seem to be the symbols of masculinity.

AUDIO: typewriter

PHYLLIS LYON: If you, as a new chapter, begin from the first to worry about the wrong people joining, or if you fear what may come about if the ‘wrong’ people join, you will find that your entire life as a chapter will be hamstrung by this fear,

HOST: Phyllis Lyon writes to the new Chicago Daughters of Bilitis chapter president,

PHYLLIS LYON: If you, as the founding members, project your fears to new people they will also be afraid. And this fear can permeate an entire chapter, sapping its will to venture into new fields, its very will to exist. One of the primary purposes of DOB is to help the Lesbian. And you can only help her by allowing her in so you have the chance.

HOST: As the Second Daughters of Bilitis Convention prepares to gather in Hollywood, the members across the country continue to discuss the requirements of conformity—or whether conformity is required at all. At their first convention, women were required to wear dresses or skirts in order to avoid police harassment. Two years later, West Coast women advise more tolerance for any lesbian looking to join. This is an issue for all homophile groups, including *ONE Magazine* and the Mattachine. These three organizations are advocating for homosexuals to be treated like everyone else. They push for integration into society as it is. As *Brown v. Board of Education* is still fresh in everyone’s mind, using phrases like “integration into” actually sounds pretty radical to most people. It sounds like a big step forward.

AUDIO: *The Rejected* clip

REJECTED GUEST: I just want to be like everybody else and not lead this double life. It’s no fun to have this job and always worry whether someone is going to find out that I’m a homosexual.

HOST: To join one of these groups, you must be radical and militant enough to break the rules. But once inside the groups, it's all about safety from government interference. Don't push new radical ideas or ask to draw attention to yourself or the group. Don't put on pants if you're a woman, don't put on heels if you're a man. The Daughters continue to work toward changing society's attitudes. At the second convention, **June 23, 1962**, they discuss religion, legislation, Dr. Evelyn Hooker speaks on mental health, and the women also discuss media representation, which they don't have as Lesbians in KQED's *The Rejected*.

AUDIO: typewriter

STELLA RUSH: As festivities of the DOB Convention were getting under way,

HOST: Stella Rush reports in *The Ladder*,

STELLA RUSH: the President-Elect of the Los Angeles chapter was interviewed by Paul Coates for later showing on the TV Networks.

HOST: He's back! Paul Coates. You might his discovery of the Mattachine Foundation or his show, *Confidential File*, from season 1 of the podcast.

AUDIO: *Confidential File* theme

AUDIO: typewriter

STELLA RUSH: Introduced to some twelve million viewers as "Terry", she gave a run-down the organization, its aims and purpose. When she estimated the membership between 125 and 150, Coates asked if she hadn't meant to add the word "thousand". Coates seemed intrigued that such a group would dare to put on a convention.

PAUL COATES: [on television] Aren't you inviting disturbance?

AUDIO: typewriter

STELLA RUSH: He asked and seemed surprised that the organization was receiving official recognition from law enforcement officers and professional people. He was particularly interested in the debate on the "Gay Bar" situation between Sidney Feinberg of the Alcoholic Beverage Control and Morris Lowenthal, Attorney, at the 1960 convention in San Francisco. It seemed to Coates that the Gay Bar might help on the one hand by isolating the Homosexual group, but might hurt on the other hand by enticing innocent youngsters into the group. To which Terry replied flatly,

TERRY: [on television] Innocent youngsters don't belong in bars.

AUDIO: typewriter

STELLA RUSH: She said she appeared on the program because she believed the organization to be striving for a worthwhile goal.

HOST: Fun fact: A married, heterosexual sociologist who has researched lesbian lives visits all the panels at the convention, and by the time it's her turn to do her presentation, she's fallen in love with a woman and makes plans to leave her husband. Worthwhile goals, indeed.

After the *Confidential File* episode airs, the DOB mailbox floods.

AUDIO: typewriter

DAUGHTER: Thank you a thousand times over for your publication! How elated I am to know that such a magazine exists. I can't begin to tell you how lonely it is walking alone...I have an intense longing to communicate with other persons like myself, who live on the outside. —L.L., California

AUDIO: *Confidential File* ad break

Act 2

AUDIO: *The Rejected* clip

SPEAKER: The attitude of some people is to treat it in an entirely punitive way. The idea that the more severe the punishment and disgrace, the less likely that this condition will occur, at least so far as overt behavior is concerned.

MARGARET MEAD: If you have one man in this society that would rather act like a woman, dress like a woman, then many others can follow his example if they wish to.

KARL BOWMAN: Others emphasize the effect of the whole cultural pattern and feel that it may very well effect the instance of homosexuality and particularly the amount of overt homosexuality.

HOST: A recent *Mattachine Review* cover is titled, "The Homosexual Swish: Does he deserve the scorn that society heaps upon him?" Readers respond:

AUDIO: dueling typewriters

MATTACHINO 1: He is a menace and decent homos have cause to resent him. I am not frustrated. I do have a sense of humor. I have a respectable position and would lose it immediately were I even suspect.

MATTACHINO 2: I cannot go along with you when you present the stupid, frivolous side of homosexuality, feeding material to those who will use it for selfish ends and hold us up to ridicule. I refer to the ‘Mary’ type of conversation in stories and articles. I know, enjoy and employ the jargon, but never outside the circle. It has its place and this precludes the general public. To give such information in black and white, making it available to scoffers, is a form of suicide. Don’t make things more difficult. Let us aim for respect.

HOST: It can’t be said for sure whether the writers of these letters know that the gay voting bloc in San Francisco was organized by drag queen José Sarria and the women wearing pants in DOB. *ONE Magazine* in LA prints an article titled “Swish or Swim.”

ONE JOURNALIST: ...cowardly-cruel...way in which most homophiles seem bent on currying favor with the cultists of hyper-maleness by continually throwing contempt on any who do not wear the present dismal male livery or carry themselves with the tough-guy slouch and so look, sound and smell indistinguishable from the mass. Homophiles need to tolerate their own kind. Everyone who believes in mental health should support the right to non-violent liberty of expression. The homophile that sneers at his fellow homophiles’ idiosyncrasies is doing almost the worst service to his own cause, the cause of liberty and the cause of life. Mental illness is encouraged by the refusal to let people play any but one stiff conventional jejune role.

HOST: Readers write into *ONE Magazine*:

HOMOPHILE 1: I am a man sixty-one years old who has worn feminine attire whenever possible since birth. I am not ashamed of it, in fact I enjoy being seen in one of my many pretty dresses. As I write this I am fully clothed as a lady, from the skin out—nylon stockings and white high-heeled shoes. I also am wearing ear-rings, necklace and bracelets. My friends all admire me and prefer to have me dress as a lady. Perhaps there are many of your readers who dress as I do. Why not let’s hear from them?

HOMOPHILE 2: I am quite sure that so long as we have ‘flits’ and ‘pansies’ who want *sympathy*, we will not have tolerance and understanding.

HOMOPHILE 3: The homosexual contributes so much of beauty and mind to our world that I am not ashamed of being one. I refuse to lie or make attempts to be a he-man, just to hold a job. I do not mean by this that I am one of those people that go out of their way to wiggle their hips, but I have a soft, cultured voice and a certain effeminate sensitivity that seem to tell people I am ‘gay.’ I have no intention of submerging my individuality for a lot of weak-kneed conformists who if they were honest with themselves would admit they admire me for having the courage to be a non-conformist, but it is easier for them to join the mob and agree with general condemnations than to stick their necks out.

AUDIO: *The Rejected* clip

NARRATOR: To answer these questions, here is Dr. Margaret Mead, world famous anthropologist and associate curator of the American Museum of Natural History in New York.

HOST: Anthropologist Margaret Mead touches on this topic similarly in the first segment of *The Rejected*:

AUDIO: *The Rejected* clip

MARGARET MEAD: There are American Indian tribes where a transvestite who can do everything a man can do and everything woman can do is regarded as superior... Throughout the world, it is the question of the relationship between teacher and pupil, as in Ancient Greece, or between pairs of young warriors or whether, as among some of the Siberian tribes, all religious practitioners, both men and women, were transvestites. We find that it's society that patterns homosexual behavior. It's society that tells young children that these are possible roles or impossible roles. It's society that treats these either as sacred or profane, as preferred, or as criminal. It's society that either says that these are either good or bad behavior. There are societies that are so aggressively heterosexual that they deny to individuals even love or tenderness or friendship toward their own sex. So as we look the whole world over with all that we know about people at each period of history, we have to say that homosexuality is a potential of human beings. That human beings are deeply bisexual and bisexual at different periods in their maturation. And whether this society is going to treat it as a crime and condemn those individuals with homosexual propensities to living a life as exiles and criminals. This is entirely a matter of culture. Society has set up the way sex is to be lived and it is within the power of each society, that is able to change, to change any one of their attitudes toward this question as they wish.

HOST: *The Rejected* is such a huge hit that KQED syndicates it to NET channels nationwide, on at least 40 stations. *Variety* says the station explained homosexuality in a "matter-of-fact down-the-middle manner, covering it quite thoroughly and, for the most part, interestingly." Almost all of the viewers' letters sent in to the station are positive. Dorian Book Service, Pan-Graphic Press, publishes a transcript that nearly 400 people order. Most homophiles are pleased at how well the Mattachinos presented themselves as normal folks. Others, like Randy Wicker, find it all very apologetic.

Remember young Randy Wicker? Formerly Charles Hayden, Jr., he dropped his father's name, changed it to Randy Wicker, he stole the Mattachine mailing list to make his own survey of homosexuals, and brazenly advertised the New York Mattachine so well they got evicted. When he attended Mattachine's West Side Discussion Group, one member said to him, "How can we expect the police to allow us to congregate? Let's face it, we're criminals. You can't allow criminals to congregate."

RANDY WICKER: It disgusts me. Why do I have to sit here and listen to idiots like you say things like that? You've let society brainwash you.

AUDIO: *The Rejected* clip

NARRATOR: There is one question left, and for parents, it'll be the more important one: What can a parent do to prevent his child from becoming a homosexual? And what should a parent do once it is obvious that his child is a homosexual?

HOST: Randy Wicker bursts into the WBAI New York radio offices. The listener-supported station has aired an hour-long special titled "The Homosexual in America," hosted by a group of psychiatrists who say homosexuals are sick and need curing, which they can provide in just a few hours. Wicker enters the office Dick Elman, the public affairs director.

RANDY WICKER: Why do you have these people on that don't know a damn thing about homosexuality? I spend my whole life in gay society.

HOST: He demands, and receives, equal airtime to respond, so long as he can find others go on the air with him. Of course, he does. The 90-minute special is titled "Live and Let Live," featuring Randy and seven other men. They sit on the floor of an apartment in the Village and discuss their issues in the workplace, police harassment, and acceptance in society. A reporter at the *New York Journal-American* writes before the program even airs that the station should change its call letters to WSICK for airing an "arrogant card-carrying swish." Randy Wicker alerts every paper in town of this attack on his program, assuring headlines once it airs, on July 15th, at 7 PM.

AUDIO: *Live and Let Live* clip

HOST: Do you think, Randy, that your choice of a homosexual role is partially attributable to your revulsion against normal domesticity?

RANDY WICKER: What do you mean "normal domesticity"?

HOST: I'm not saying normal, let's say bourgeois domesticity. That's a much better word. The kind of courting process you've just described.

RANDY WICKER: Quite honestly, there are two or three people here on the panel who are bisexual and actively so. Now, before I turn the whole thing over to them, I'm gonna say that every bisexual I've ever known is actually as much interested in women as in men because men, it's such an easier life. In other words, if you're tired and lonely and walk out into a bar, you call up a friend and you go over and you spend the night together. It's an uncomplicated, easy relationship.

HOST: And just as he hoped, the *New York Times* covers it – twice in one day. They call the show “the most extensive consideration of the subject to be heard on American radio.” *Newsweek* does a full page, saying it’s, “96 minutes of intriguing, if intellectually inconclusive listening.” Stations in LA begin rebroadcasting the program. Randy begins selling a tape of the program for \$6. *The Realist* takes several issues to print the entire transcript of the program, and the *New York Herald Tribune* and *Variety* also cover it favorably. Obviously complaints to the FCC follow, but fortunately they station doesn’t act on them. Calls flood the radio station. Suddenly, press about Randy Wicker is all over town. The homophiles at *ONE Magazine*, though, are not pleased with Randy’s honesty. They write,

ONE WRITER: No homosexual, no matter how well-trained, should ever allow himself to speak extemporaneously upon the subject.

AUDIO: *Live and Let Live* clip

RANDY WICKER: You can’t say—oh, I can’t say that on the radio.

HOST: A Daughter in *The Ladder* writes,

DAUGHTER: We must ask ourselves, is this crusade an upstaging of the more conservative homophile organizations? What is our answer to Randolfe Wicker’s truth-telling campaign?

HOST: In D.C., Frank Kameny writes to Randy Wicker for a tape of the program. He includes \$6 and requests to meet the young activist. To distance his past connections with the conservative Mattachine Society of New York, Randy Wicker launches the Homosexual League of New York – a one-man league of his own.

AUDIO: *Live and Let Live* clip

RANDY WICKER: And I said, ‘Hello, I’m Randy Wicker from the Homosexual League of New York and I’d like to talk to you about making homosexuality a legitimate political and social issue in our day,’ and even in the dim light you could see them go white.

AUDIO: *The Rejected* music

KARL BOWMAN: We may be able to help the individual control his behavior, even if we cannot alter his homosexual tendencies. Homosexuality is assuredly no advantage, but it is nothing to be ashamed of. Many highly respected individuals of ancient and modern times have been homosexual. Several of the greatest men among them. Plato, Michelangelo, Leonardo da Vinci, and others. It is a great injustice to persecute homosexuality as a crime, and a cruelty, too. It is clear, therefore, that this is a large problem and that we are going to have to live with it.

HOST: Back in San Francisco, paranoia about bar raids continues. There often seems to be steps forward with the issue, but then another raid happens. When business is slow on Tuesdays, San

Francisco gay bar owners meet for drinks, mainly to boost the business of whatever bar they meet in. But they end up discussing methods of improving the businesses and protecting themselves from police. Every week, they meet at a different bar. They set up a phone tree system to alert each other of ABC agents on their way to raid. After so many shut-downs by the city, they coordinate a loan fund for unemployed members of their group. By summer of '62, they incorporate their group as a nonprofit: **The Tavern Guild of San Francisco**. The bar owners agree on fixed prices to level the competition and work together. The Guild develops friendly relationships with their liquor and beer distributors so that when police do come knocking, the distributors announce public support of the bars in order to protect their own profits, and thus, protect the bars. Soon, the Tavern Guild is hosting Monday night auctions at the bars to bring in business and raise funds for the Daughters of Bilitis, Mattachine, LCE, and the many groups to come.

MUSIC: *The Rejected* clip

NARRATOR: But the laws are on the books. How are they enforced? Can they be enforced?

MORRIS LOWENTHAL: The penalties in this area are extremely severe. These laws are frequently, incredibly self-contradictory and incredibly irrational. Clearly, if we were going to enforce these laws strictly, we would turn the country into a police state, if not a lunatic asylum.

AUDIO: typewriter

FRANK KAMENY: Dear ACLU of the National Capital Area...

Dear Supreme Court Justice Hugo Black...

Dear Attorney General Robert F. Kennedy...

I write in regard to recent actions on the part of investigators of the Federal Bureau of Investigation, and the direction which some of their questioning has taken... We formally request that, in regard to the Mattachine Society of Washington, such inquiries and investigations as to membership and other facts, and other similar acts by the FBI and by investigative agents and agencies throughout the Federal government be brought to a halt immediately.

We will be pleased to discuss these and related matters with you personally, should you wish it. Your early reply is requested.

Thank you.

Sincerely yours,

Franklin E. Kameny

HOST: Attorney General Kennedy sends this letter from Kameny over to Director Hoover at the FBI. The letter explains the intimidating tactics performed by the Bureau and their investigations of Ronald Brass at the Department of Commerce. Hoover writes off these claims to Kennedy by

implying that the MSW is nothing but a group of sex crimes suspects he should ignore. Kennedy does not respond to Kameny. While Frank's Washington Mattachine joins the committees of the new ACLU chapter in D.C., Frank writes to the Director of the US Public Health Service to request that questions involving homosexuality be removed from Medical History reports. The acting director of security for the Department of Health, Education, and Welfare does not reply to Kameny. The letter is forwarded to Director Hoover at the FBI. Hoover's desk is piling up with information about this noisy new group.

AUDIO: typewriter

FBI AGENT: Mattachine Society of Washington

HOST: An agent in the Washington Field Office sends Hoover a memo. He explains that a "source," likely Warren Scarberry, has informed the office of "a hangout for colored homosexuals" called the Cozy Corner and another called Van Dyke's. The informant provides the names of three gay men of color. He also tells the agent that the MSW president

AUDIO: typewriter

FBI AGENT: plans to submit a letter, probably sometime in September, 1962, to all Members of the United States House of Representatives and of the United States Senate. He will decry alleged mistreatment of homosexuals and will ask for equality for homosexuals in our society.

HOST: Warren Scarberry is upgraded from the potential confidential informant to a trusted confidential informant. The agent contracts Deputy Chief Roy Blick to ask if he has any info about this MSW President Frank Kameny. Blick says, *yes, I've met him in my office. I even have a photo of Frank Kameny, and I'll send it to the Bureau.* Five copies are made of this memo, which signifies Hoover's intent to alert all leadership in the House and Senate ahead of Kameny's incoming letter.

AUDIO: typewriter

FRANK KAMENY: It is absolutely necessary to be prepared to take definite, unequivocal positions upon supposedly controversial matters. We should have a clear, explicit, consistent viewpoint, and we should not be timid in presenting it.

AUDIO: *The Rejected* clip

HAL CALL: He desires the same right to live his life freely and without interference, to pursue his happiness, as a responsible citizen, and to receive the benefits of constitutional rights, due process, and protections of the law that all of us enjoy.

NARRATOR: "Benefits and protections of the law." What law?

MORRIS LOWENTHAL: The chief argument, however, against these laws is that there is a great deal of blackmail, entrapment, coercion of individuals. Many people have committed suicide because of being involved in blackmail procedures, and this, in my opinion, is the basic reason that the laws must be removed from the books.

HOST: **August 28, 1962.** The Mattachine Society of Washington sends a press release to every senior government official from President Kennedy down to every United States representative. Senators, cabinet members, and Congresspeople read of the Mattachine's "primary effort" against the Civil Service Commission, military discrimination, "illogical" security clearance rules, and outdated laws. The MSW explains their overall mission,

AUDIO: typewriter

FRANK KAMENY: dedicated to improving the status of the homosexual in our society.

HOST: Each letter is signed Franklin E. Kameny. Kameny sends a copy directly to Director Hoover. Hoover does not respond. Meanwhile, Warren Scarberry sends a copy of the MSW constitution to the Bureau, which the FBI then shares with Deputy Chief Blick at Metro PD's Morals Division. Blick replies to the FBI with a photo of Frank Kameny.

Letters of introduction from MSW to the people of Congress are met with many different reactions. Two Democrats set up meetings with Frank. Another Democrat responds with a handwritten message:

AUDIO: cursive writing

CONGRESSMAN: I am unalterably opposed to your purposes and cannot see how any person in his right mind can condone the practices which you would justify. Please do not contaminate my mail with such filthy trash.

HOST: A Republican responds similarly:

AUDIO: typewriter

CONGRESSMAN 2: In all my six years of service in the United States Congress I have not received such a revolting communication.

HOST: Another democrat forwards his letter to Hoover, asking if anything is being done about removing homosexuals working in federal offices. The Navy Secretary and the Secretary of Defense also forward their letters to Hoover. Kameny receives two helpful replies, though. Congressman Nix from Philadelphia is a Democrat and the son of a former slave. He agrees to meet with Frank and support his organization. Frank writes to the Janus Society encouraging them to vote for Nix. New York Congressman Ryan also agrees to support the MSW, and Frank

writes to the MSNY encouraging them to support Ryan. True to their word, in September, a bill intended to help the Department of Defense strengthen security clearance and weed out homosexuals comes up, and Nix and Ryan vote against it. The bill loses by 6 votes. Kameny and the MSW have found two allies.

AUDIO: typewriter

FRANK KAMENY: Secretary of Defense Robert McNamara, Even if, for various reasons of prejudice, it should be felt that homosexuals are unsuitable for service in the Armed Forces, then those discovered should be discharged with fully honorable discharges. Reason, justice, and fairness call for no less. The present practice of giving less-than-fully-honorable discharges is needlessly vicious, and causes much totally unnecessary suffering and hardship. If you do not want a man, then let him go, but do not blight the remainder of his life in the process.

HOST: After forwarding this letter to Hoover, Secretary of Defense Robert McNamara responds directly to Frank with a special request.

AUDIO: *The Rejected* clip

DON LUCAS: It is a common misconception, I believe, that the homosexual is congregated in such large cities throughout the country as New York, San Francisco, etc. But I think that we can safely say that the homosexual is found everywhere, in every small community, every rural district throughout the country. Because we receive letters from such places as Wyoming, Nebraska, Tennessee, all of those places.

MUSIC: transition, *Transvestia*

HOST: In **October, 1962**, as Kameny awaits replies to his letters, and *The Rejected* is distributed to educational television stations across the country, Virginia Prince locks up the Chevalier Publications office in the back part of the building where her chemical business is run under her birth name. She packs her car up. Virginia and her wife drive 3 hours north of New York City to the Catskills.

AUDIO: *The Rejected* clip

RABBI: The problem of homosexuality is one of serious concern, not only for the individuals involved in it, but also for the entire community...

HOST: Virginia's new friend Susanna has a safe resort in the Catskills where she's decided to host a private transvestite gathering.

VIRGINIA: The Chevalier d'Eon Resort as she named it.

HOST: About 60 upper-class self-described heterosexual cross-dressers and their partners drive up and take rooms in a big old ranch house.

RABBI: It is a problem that bears directly upon the integrity of family life and the moral foundations of our society...

HOST: The transvestites in the Catskills, some of whom, like Virginia, will later identify as transgender, they put on skirts and sing songs with an old piano set up on a small stage in a big barn. Trans people who can afford to stay tucked away in places like the Catskills do so quietly and safely, while the white, conformity-minded gay activists make their case for acceptance on TV and radio. If they have the means and the privilege to, gender variant people often remain secluded, outcast, rejected.

RABBI: It is an extremely complex problem, about which we are coming to understand more than we used to know, but not nearly as much as we still need to know.

HOST: As the media, including the documentary *The Rejected*, continues to unravel the mystery of sexuality, those who are gender variant have even more difficult questions to answer. The rabbi monologuing on *The Rejected* speaks about the impacts of gay relationships on families, implying that it's not just the sex that corrupts relationships, but defiance of gender roles.

RABBI: We must be sure that those remedies and solutions should not only preserve the moral integrity of society, but they should also be based on an enlightened, moral concern for the individuals caught up in the problem of homosexual behavior. But moral problem that it is, we should regard and treat it as a psychological illness, rather than as a crime subject to legal prosecution and punishment.

NARRATOR: There are many doors that are closed to the homosexual. Government work is closed, teaching is closed. In fact, if a man is a proven homosexual, there are very few doors that are open.

HOST: But suddenly, one opens. Frank Kameny receives the letter from Secretary of Defense Robert McNamara. On **October 23, 1962**, Frank and three other representatives of the Mattachine Society of Washington enter the Pentagon. Over three hours, they sit down with defense officials to make their case for security clearances for homosexuals. Frank explains that the security clearance program is broken, actually creating risks of blackmail. He says that homosexuals with clearances live in fear of being discovered *by the Pentagon*, because if they were to be blackmailed by a foreign government they couldn't go to their superiors or they'd lose their job. One of the defense officials counters, saying homosexuals are mentally disturbed and their sex lives make them more likely to get arrested. Frank asks, "Are you going to castrate everyone to grant clearances?" The official says, "all homosexuals are unstable." Frank replies curtly, and do you think all Black people "are dirty and stupid?" Frank's entire argument is the same he made in his case to the Supreme Court: the government should have no authority over

what is moral. Frank says homosexuality is “not only NOT immoral, but it is moral and good and right.” If homosexuals believed that they were safe and believed that they were moral citizens, they would not have the threat of blackmail hanging over them. The defense officials say, then don’t ask us to help you. You need to change society. Frank argues that society is influenced by the government’s actions. The government officials thank him for his time.

NARRATOR: The role of the homosexual is established by his society. How prevalent is homosexuality in our society?

HAL CALL: The homosexual as a security risk is another thing of great concern to us. We believe that it’s the law itself, the public attitude, and the stigma that exists against homosexuality which in some instances makes a homosexual a security risk. By and large, if these laws were changed, we’d find, I think, that the homosexual is no different than anyone else, except, perhaps, in his choice of a love object... The doctors, the lawyers, and the clergy have all had their say about the social behavior and moral conscience of the homosexual.

HOST: The camera slowly pushes in on Hal Call. He looks directly into the lens, to everyone at home.

HAL CALL: But perhaps no one has asked the most basic and important question of all: Are homosexuals themselves satisfied with the way they are? From our observation, I think we’d have to say they are not. However, opinion is divided on this issue. Some people, many homosexuals indeed, have known no other orientation, no other way of life, therefore they have maybe no basis to make a judgment on whether they are or are not satisfied. However, we are all aware, I think, of the fact that legal and moral sanctions are against them throughout their lives, in their everyday behavior on the job, everywhere. These people, by and large, are unable to know and enjoy the benefits of family and the companionship which results from that. They have feelings of inferiority because of these sanctions against them. They are labeled security risks by our government, they are treated as undesirables in the armed forces and given less-than-honorable discharges from the armed forces if any trace of homosexual orientation, and sometimes even association, is discovered. Certainly, you can’t say that a person who has these sanctions against him is a person satisfied with his condition. Especially critical, perhaps, is the condition of the older, lonely homosexual, the old auntie. If he hasn’t established a number of other values in his life, in his earlier years, he can often wind up in a lonely and often dejected situation. In the *Mattachine*, we are seeking acceptance of the homosexual in society. Whether we approve of his type of conduct or not, the fact is, he is in our midst and in large numbers. We hope that by acceptance he may be spared much of the derision that society now points toward him, and that he may thereby be able to assume his full and equal place as a human being in the community.

AUDIO: Closing music of *The Rejected*

NARRATOR: These are the rejected. Millions upon millions, a few of them satisfied, many of them desperately unhappy. We have brought you some of the facts, have presented some of the arguments. Perhaps with more facts and more argument will come the beginnings of understanding.

HOST: Next week on episode 12, "The Pleasure of a Response."

NARRATOR: You wouldn't be able to tell, but the person you have just heard is a homosexual. His parents don't know it, his neighbors don't know it, his fellow workers don't know it.