

MATTACHINE: SERIALIZED STORIES IN GAY HISTORY
EPISODE 10: "TAKE THIS CROWD ON"



A podcast dedicated to exploring the overlooked, forgotten,
or often-untold stories in gay history.

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Dedicated to Albert Williams

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

Pestana: Mr. Harry Hay... Are you now or have you ever been a communist?

Harry Hay: I must decline to answer that question on the first and fifth amendments.

Pestana: Are you now a homosexual, or have you ever been associated with a homophile organization?

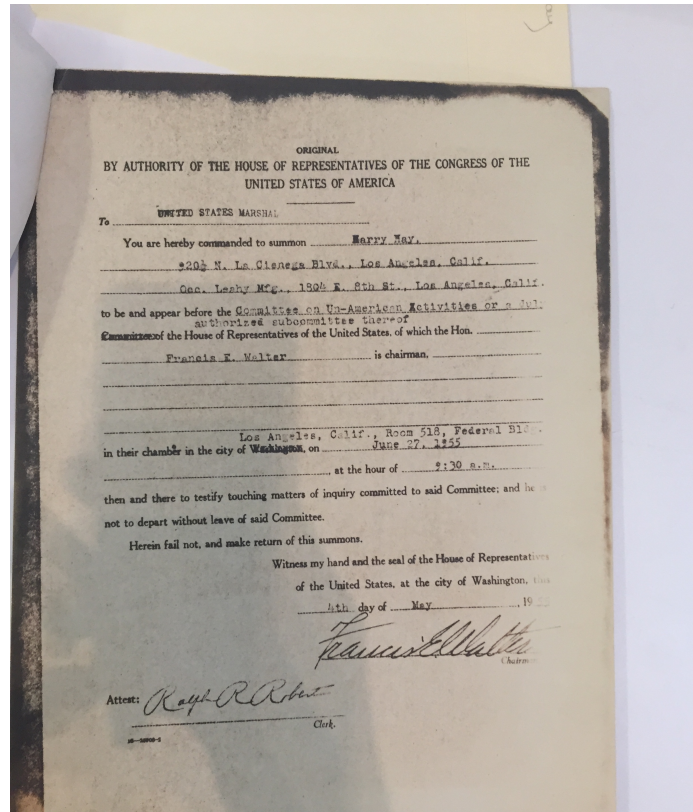
Welcome to Mattachine.



Harry Hay swearing in at HUAC.

Harry Hay was closeted and married to a woman when paranoia swept through Washington, D.C. Hundreds of homosexuals were losing their jobs. The reasoning? Homosexuals working in Washington could be blackmailed with their sexual secret by foreign governments for American federal secrets, thus leading to communist infiltration. Was anyone ever blackmailed? No. Harry Hay saw the fear spreading through the nation as a movement against queer people. He heard a call to action. Harry created a secret society to protect his queer community from a fearful and angry nation. Three years later, Harry Hay was ousted from his secret society by homosexual members who feared the angry nation and believed they would be best protected by assimilating with the nation – dressing like them, modeling their relationships heteronormatively, and following a similar moral and political code. Harry Hay is left on his own, completely disconnected from Mattachine and nearly impossible to be contacted by his former friends who founded the society with him. It's quite possible that they don't know Harry Hay has been contacted by Congress and a United States marshal with a statement: "You are hereby commanded to summon Harry Hay 920 N. La Cienega Blvd. Los Angeles,

California, to be and appear before the Committee on Un-American Activities..."



From the ONE Archives at the USC Libraries.

Harry is, of course, worried about his ties with the Communist Party, but he disconnected himself from the party five years ago. What really worries him is the organization for which he left the Communist Party, the Mattachine Society, and whether HUAC's questioning will lead the federal government discover that Mattachine was founded by former communists, which would lead the federal government to take serious action against the growing homosexual movement, because of Harry Hay's communist ties. As far as he knows, the FBI and HUAC have not connected him with Mattachine. But **FBI Director J. Edgar Hoover** does have Harry in the Security Index for former connections to the Communist Party, and also Hoover is swift in taking action against homosexuals – all subversive criminals in his eyes.

As you might recall from our episode 4, "The Lavender Scare," prior to the Scare, FBI Director J. Edgar Hoover used his bureau to incite fear of the homosexual in the nation. Large-scale sex crime panics found someone to blame. The sexually strange, the queer, were an easy group to pin the crimes on, largely because that group was

essentially invisible. It could be anybody. The fear became so potent that rumors even began to spread into the FBI. Rumors about Hoover and his number two man, **Associate Director Clyde Tolson**. We'll never know if they had a sexual relationship, but there is also no evidence proving them as hetero- or asexual. What we do know: They dine together often, Hoover lives with his mother until her death when he's 43, he wills most of his estate to Tolson, and they will be buried near each other in the Congressional Cemetery. There are also photos Hoover took of Tolson sleeping. If anyone ever suggests Hoover is homosexual, he sends FBI agents to intimidate them, telling them to "put up or shut up." Hoover likes to say that to his enemies: "Put up or shut up." And sometimes he makes people who comment on his sexuality sign a statement denying their claim - even going so far as to pressure a woman who made a comment about his sexuality to her bridge club in Cleveland. She was a forced to apologize. Director Hoover is not going to let rumors about him spread and affect his power.

July 26, 1955.

That's when Harry Hay is up for removal from the FBI's Security Index. He's been inactive with the Communist Party for 5 years. But in the decade prior, an FBI informant was sent to infiltrate the Communist Party and bring back information. And just before July 26, 1955, just before the date Harry's name is to be removed from the index... that informant delivers. He publicly testifies that one of his teachers in his Marxism classes was Harry Hay, a music teacher who advocated an "overhaul" of the U.S. election system. It was in those music classes where Harry taught his students about the French Mattachine, masked bachelors, fools who spoke against oppression. While his removal from the bureau's index is pending for less than a month away, Harry Hay is called to testify.

Several other people are subpoenaed, and everyone is lawyering up. Harry doesn't want get a lawyer someone else is using, worrying he might 'mark' someone else on trial. Because he knows he isn't just going to be asked about communism, and the question of his sexuality will leave a stigma with his lawyer that could affect their other clients that day. He seeks out his own attorney.

He's known a lawyer, John McTernan, for quite a while, but John says, "We're not going to condone queers, you know." So Harry asks whom John suggests he might go see instead. "Well, that's not my business," he says, "You find your own lawyer." Harry has 6 weeks to find a lawyer and prepare himself. While everyone else is rehearsing their statements, Harry is turned away by every lawyer he meets or he's passed off to someone else who will also turn him away. Near the end of the fifth week, he meets **Frank Pestana**. Frank typically represents racial minorities in LA. He tells Harry, "This is one of the greatest studies in courage I've ever run into. Of course I'll help you." They rehearse Saturday to Thursday with every question the committee can possibly throw at Harry.

Pestana: Mr. Harry Hay, do you uphold contact with sexual deviants?

Harry Hay: Mr. Chairman, it appears to me that you are attempting to intrude upon areas of personal consciousness and conceptual opinions, an area in which the Supreme Court has ruled you have not the right to investigate.

Pestana: Are you now a homosexual, or have you ever been associated with a homophile organization?

Harry Hay: Mr. Chairman, I'd be obliged if you'd refresh my memory by reading that section of the act under which this committee operates, which empowers you (reluctantly, of course) to investigate the private perceptions, inclinations, and/or associations of citizens in regard to nonpolitical intimacies.

If pressed about his association with any homosexuals, he has a lengthy answer prepared to back up an argument that everyone is associated with homosexuals, whether they know it or not.

He is slated to testify on Thursday, but sits through testimonies until taking the stand Saturday, **July 2, 1955**. He's nervous, "gabby as all hell," in his words. He believes the committee really thinks they're going to get some info out of him.

Mr. Hay: May I beg allowance of this committee to have counsel sit on the right hand side. I have very poor hearing in the left.

Mr. Doyle: Yes, indeed. Counsel should always be in the right. Let's adjourn for 5 minutes before you are sworn in.

(Brief recess.)

Mr. Doyle: Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Hay: I do.

Mr. Doyle: Thank you. Let the record show that the committee reconvenes after the recess and that a legal quorum of the committee is here, Mr. Scherer, of Ohio, Mr. Moulder, of Missouri, and Mr. Doyle, of California.

Mr. Tavenner: Will you state your name, please, sir?

Mr. Hay: My name is Harry Hay.

Mr. Tavenner: It is noted that you are accompanied by counsel. Will counsel please identify himself.

Mr. Pestana: Frank Pestana, P-e-s-t-a-n-a.

Mr. Tavenner: When and where were you born, Mr. Hay?

Mr. Hay: April 7, 1912, in Worthing, England.

Mr. Tavenner: When did you first arrive in this country?

Mr. Hay: My father and mother were American citizens at the time of my birth and the family returned to the United States at the end of 1916.

Mr. Tavenner: Therefore you are an American citizen.

Mr. Hay: Yes, sir.

Mr. Tavenner: Do you now reside in Los Angeles?

Mr. Hay: We came here to Los Angeles in 1916, and we have been here ever since.

Mr. Tavenner: What is your occupation, please, sir?

Mr. Hay: I am a production control engineer.

Mr. Tavenner: In what industry?

Mr. Hay: We make burners and boilers for basic industry.

Mr. Tavenner: Will you tell the committee, please, what your formal educational training has been?

Mr. Hay: (nervous chatter) Yes; I would say that in the beginning the position of production control engineer up until about 1947 or 1948 did not have regular university training so that my education for that is partly formal and partly applicatory in the field. I will do the best I can in that field, 6 years of grade school, 3 years of junior high school. Because I was graduated from high school before I was 14 I went through 3 years and dropped back and took 2 additional years of electives so I had 5 years of high school. Two years at Stanford; financial difficulties made it impossible for me to continue, so that in preparation for the type of work I do now, I had approximately 2 years in historical research, 1 year in record research, 1 year in market analysis, 1 year in actual practice as a foundry man, 3 years, 1 year in architectural--

Mr. Tavenner: I didn't mean for you to go into the detail of stating your curriculum.

Mr. Hay: I suggested these things because to speak of yourself as a production control engineer without a degree sometimes seems a little strange. Would you like me to stop now?

Mr. Tavenner: If you have covered in a general way, that is sufficient. If you have not, I don't want to limit you.

Mr. Hay: I would simply want to mention 3 years as a small tool analysis and material planning and 2 years in production planning.

Mr. Tavenner: Have you also engaged in the profession of teaching in addition to the other occupation which you mentioned?

(The witness conferred with his counsel.)

Mr. Hay: Mr. Chairman, I must decline to answer that question on the first and fifth amendments.

Mr. Tavenner: Have you had any training in music?

(The witness conferred with his counsel.)

Mr. Hay: I must decline to answer that question on the first and fifth amendments.

Mr. Tavenner: Investigation by the committee discloses that under the schedule of classes for the winter of 1950 of the California Labor School you were an instructor of a class in music and the people's struggle through the centuries. Did you actually teach such a course in the California Labor School?

(The witness conferred with his counsel.)

Mr. Hay: Mr. Chairman, I am compelled to answer by declining to answer your question for the reason of the first and fifth amendments.

Mr. Tavenner: Do you know whether the Communist Party in Los Angeles on a county level selected those who were to teach in the California Labor School?

Mr. Hay: I beg your pardon. Is that the whole question?

Mr. Tavenner: Yes.

Mr. Hay: Would you repeat it?

Mr. Tavenner: Yes, I will try to repeat it. Do you know whether or not the Communist Party in Los Angeles on a county level selected those who were to teach in the California Labor School?

Mr. Hay: I decline to answer that for the reasons previously stated.

Mr. Tavenner: Were you given instructions by the Communist Party to conduct classes on any occasion?

Mr. Hay: I decline for the same reasons, sir.

Mr. Tavenner: Mr. Wereb, who appeared as a witness yesterday, and also this morning, stated that you had been sent by the educational director of the Communist Party in Los Angeles to the Hawthorne Club of the Communist Party to give a course of instruction. Was that an accurate statement by him?

Mr. Hay: Mr. Chairman, you are asking me to give an opinion, I believe, in this case. I wish to state that I have neither opinions nor recollections to give to stoolpigeons and their buddies on this committee.

[Courtroom laughter.]

"That's when the shit hit the fan," Harry will later recall.

Courtroom mumbles: What did he say? Did you hear that?

Host: Mr. Tavenner stands up, holding the edge of the oak desk and accidentally pushes it over. The courtroom crowd can't hold back their giggles.

Mr. Tavenner: Let's put the question in a different form. Were you instructed by the educational director of the Communist Party to conduct classes in the Hawthorne group of the Communist Party?

Mr. Hay: I decline to answer that based upon the first and fifth amendments.

Mr. Scherer: You called Mr. Wereb a stoolpigeon. Is anything he said about you untrue?

(The witness conferred with his counsel.)

Mr. Hay: I decline to answer that based upon the first and fifth amendments.

Host: Harry will later recall, "They couldn't make me repeat it, and the poor little closet queen who was transcribing couldn't find it in the reams of paper ribbon jumbled up on the floor around him."

Mr. Scherer: It certainly comes with ill grace to tag a man like Mr. Wereb as you have and then refuse to say whether what he said about you was untrue or not.

Mr. Hay: Mr. Chairman, this is your opinion. You may keep it.

Mr. Scherer: It certainly is and it is opinion founded on a little testimony and a little experience on this committee.

Mr. Hay: Mr. Chairman, some of the altercation that went on with the last witness-- I might suggest a question in that direction.

Mr. Doyle: May I have that statement? What do you say, please?

Mr. Hay: In effect, Mr. Chairman, what I said a moment ago was that some of the altercation concerning the last witness in this chair might suggest a difference of opinion on the matter.

Mr. Doyle: Altercation? I wasn't aware that there was any altercation with the last witness.

Mr. Scherer: I think I know what he means.

Mr. Tavenner: Mr. Hay, did you in January or February of 1947 conduct a Marxist school in Los Angeles?

Mr. Hay: I decline to answer that question based on the first and fifth amendments.

Mr. Tavenner: Were you a member of the Communist Party in 1947?

Mr. Hay: I decline for the same reasons, sir.

Mr. Tavenner: Are you now a member of the Communist Party?

Mr. Hay: No.

Mr. Tavenner: Were you a member of the Communist Party in 1950?

(The witness conferred with his counsel.)

Mr. Hay: I decline to state on the first and fifth amendments, sir.

Mr. Tavenner: Were you a member of the Communist Party in 1954?

Mr. Hay: I decline to state on the first and fifth amendments.

Mr. Tavenner: Were you a member of the Communist Party yesterday?

Mr. Hay: I decline to state on the first and fifth amendments.

Mr. Tavenner: Well, is it just on Saturdays that you are not a member of the Communist Party?

(The witness conferred with counsel.)

Mr. Hay: I decline to answer that, Mr. Chairman, on the first and fifth amendments.

Mr. Tavenner: Were you a member of the Communist Party this morning when you entered this hearing room?

(The witness conferred with his counsel.)

Mr. Hay: I decline to state on the first and fifth amendments.

Mr. Tavenner: Is it a plan of the Communist Party that when a Communist Party member is called to testify before this committee that he is to deny membership for the period of time he is on the witness stand?

(The witness conferred with his counsel.)

Mr. Hay: On the advice of counsel I decline to answer that one on the first and fifth amendments.

Mr. Tavenner: I have no further questions.

Mr. Doyle: Any questions?

Mr. Scherer: No questions.

Mr. Moulder: No questions.

Mr. Doyle: No questions. Thank you very much.

(Whereupon the witness was excused.)

Harry's fingers are so locked up, he needs the bailiff to help him loosen them in order to sign himself out. He can barely hold the pen. And he realizes, the committee didn't ask about the Mattachine. The information they have on him is five years old. Harry will later tell historian Jonathan Katz he's disappointed they didn't ask. **"I was going to handle it on the basis that Gay is proud," he'll say.** He believes they didn't press him further because he had exuded what he calls a "gay consciousness." They were uncomfortable with his demeanor, and they needed to maintain order with all of the laughter. Though difficult to explain, certainly many of our queer listeners understand this defense mechanism. But Harry's attorney is perplexed over the stool pigeon joke. "My God," he says, "I can't get you out of this one. I just hope to God they don't find the transcript."

Of course, we just performed the transcript for you. It exists. And it lands on Director Hoover's desk shortly after the hearing. As the document makes its way through the FBI, an agent apparently notices a mix-up in the dates that informer reported on Harry. "As of early 1950," it says. That is still contact with the Communist Party within the last 5 years, the agent notices. So a form is filed and Harry is listed on the Security Index once again.

ONE Magazine is printed in the basement of **Dale Jennings's** sister Elaine. The small operation that she and her husband call Abbey Lithographers prints about 5000 of each issue and then loads them up for distribution. While ONE, Incorporated awaits an injunction against the postmaster for seizing and impounding the October '54 issue on the grounds that it's obscene, they are mailing small, discrete amounts of the issue at a time and driving around the city of Los Angeles, slipping issues into subscribers' mailboxes themselves.

As well as they can, the FBI continues to collect issues of ONE. They file them all in the Sex Deviates File, which lives in the Crime Records Division of the bureau. They put these magazines alongside the Mattachine file and a transcript of **Paul Coates's** *Confidential File* talk show episode "Homosexuals and the Problem They Present," discussed in our episode last week. On January 26, 1956, **Unit Chief Milton Jones** from the Crime Records Division, forwards a memo to his superior. He has anonymously received an issue of ONE Magazine from two months ago, the November '55 issue. The memo Chief Jones writes to his boss describes an essay in ONE Magazine titled "How Much Do We Know About the Homosexual Male?"

"Homosexuals have existed in all parts of the world, among all peoples and all cultures, since man's emergence in the watered valleys of our young planet," it begins. The writer describes the homosexual community divided into three groups, all of which are in revolt against society, which concerns Unit Chief Jones. The writer describes the Revolutionaries: men swishing down Hollywood Boulevard. "They have rejected society, because society has rejected them..." They can also be found "among the ranks of the social workers, the labor leaders, the left-wing political or religious organizations." The writer goes on to describe the next group, the Liberals. Essentially the artists and day-job homosexuals - the actors, dancers, psychiatrists, lawyers, the "man of understanding" who will lead us into a new era, the writer says. And then there are the Tories. "The Tories are the elegant ones who have decided to express their social hostility by being more correct than the foremost representatives of the dominant (and dominating) culture. They work for TIME magazine or the NEW YORKER. They are in the diplomatic service; they occupy key positions with oil companies or the FBI (it's true!). But perhaps most of them sell men's

accessories in the Campus Shops of large department stores and ostentatiously vote Republican.”

The ONE Magazine issue is sent up the chain, and Jones’s superior decides that this magazine “should not be dignified” with a response. He sends the memo – which you can read on our social media or website, @mattachinefiles or mattachinepod.com, respectively – to his superiors. “Recommendation: That no reply be made to this magazine.”

The memo lands on the desk of Hoover’s #2 man, whom Hoover dines with almost daily, whom Hoover has taken photos of sleeping, Associate Director Clyde Tolson. Tolson reads the essay, “The Tories are the elegant ones who have decided to express their social hostility...they occupy key positions with oil companies or the FBI (it’s true!)” and this time it is Tolson who writes on the memo: “I think we should take this crowd on and make them ‘put up or shut up,’” quoting Director Hoover’s phrase. He sends the memo up to Hoover, who draws a line from Tolson’s statement and adds, “I concur.” The bureau begins their investigation with the byline of the essay: by David L. Freeman. They don’t know that this is a pseudonym – an alias for former Mattachine Founder **Chuck Rowland**.



Promotional image for the podcast.

Director Hoover sends an airtel, the highest priority message, to the LA Field Office ordering them to “have two mature and experienced Agents contact [Freeman] in the immediate future and tell him the Bureau will not countenance such baseless charges appearing in this magazine and for him to either ‘put up or shut up.’” Hoover wants it done within a week. The LA Field Office struggles to figure out who

David Freeman is, searching through their records of ONE, Incorporated *and* the Mattachine Society. They find no one.

By the end of January '56, in their search for Freeman, two agents show up at the offices of ONE, Inc, on 232 South Hill Street, downtown Los Angeles. They enter room 326 and find a man named William Lambert, better known to us as **Dorr Legg**, whom we met in past episodes. Dorr is now ONE, Incorporated's business manager. The agents ask him who he is. He declines to answer. The agents ask for David Freeman. Dorr says he doesn't know anything about him, and even if he did, he wouldn't be authorized to share information about ONE employees.

The agents leave, returning two days later to find Dorr right where they left him. They show Dorr their identification as requested, and Dorr takes one of the agent's credentials, beginning to write down the name.

Agent: Might you be William Lambert?

Dorr: "I might and I might not."

Agent: Are you the editor of ONE Magazine?

[Long silent pause.]

Agent: Do you know anything about this article, "How Much Do We Know About the Homosexual Male?" or it's author David L. Freeman?

Dorr: I know you could speak our attorney, Eric Julber.

Agent: [frustrated] Do you have any information that the FBI employs "a homosexual or a sexual deviant?"

Dorr: "Do you have information that there are none?"

Agent: The "FBI will not tolerate any such baseless statement in this or any other publication."

Dorr: "That's an interesting statement."

The agents turn to walk out.

Dorr: "By the way, gentlemen, would you have any objection if this interview had been taped?"

They say they have no objection. In their reports, they note the cheap offices and the unlikelihood that they were being taped. However, given the detailed reporting on Dorr's comment, it's evident that they are a bit worried. After all, it isn't typical for someone confronted by FBI agents for comments on an agent's or Hoover's sexuality to fight back like that. The bureau believes that this guy, William Lambert, who we know is Dorr Legg, they believe is likely the editor or author of the essay.

Chief Jones in the Crime Records Division doesn't think they should persist, worrying they might embarrass the bureau. Clyde Tolson disagrees again. He says, "I think we should open an investigation on Julber [ONE Magazine's lawyer] and also get a line on Lambert."

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols
FROM : M. A. Jones
SUBJECT: ONE
THE HOMOSEXUAL MAGAZINE

DATE January 26, 1956

The Bureau has received anonymously a copy of the November, 1955, issue of this magazine. On page 4 and 5 in an article by David L. Freeman, Circulation Manager, it is indicated that "The Tories," one of the three main groups of homosexual society, work for Time Magazine or the New Yorker; they are in the diplomatic service, they occupy key positions with oil companies or the FBI.

The Mattachine Society, publishers of this magazine, is a homosexual group in Los Angeles with membership in other west coast cities. The Bureau opened an investigation in July, 1953, in view of the possibility that this group was communist controlled or infiltrated. A closing report was submitted by Los Angeles on December 31, 1953, when it was found there was no internal security interest. (100-403320)

In view of the nature of this publication, it is believed "One" should not be dignified by a reply to the completely baseless and unfounded writings as noted above.

RECOMMENDATION:

That no reply be made to this magazine.

ENCLOSURE

I think we should take this crowd on and make them "put up or shut up"

RECORDED

See let Soc
LA 2/15/56
John - Nichols
memo 2/15/56

100-403320-150

FEB 2 1956

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/3/84 BY SP4H/14

EX-108

Check out the little handwritten paragraph: "I Think we should take this crowd on and make them 'put up for shut up.'" That's Clyde Tolson.

The line drawn off of the paragraph on the right side: "I concur." That's Hoover.

They're stuck for a long time trying to figure out William Lambert's other identity, likely hoping to connect him to the David Freeman name. But still they have no suspicion of Chuck Rowland. The FBI investigates ONE's business and their funding. And here's the thing: As they look into the organization and all of its employees listed on the magazine's masthead, agents collect their information in the Crime Records Division, effectively making this case part of the Sex Deviates File. They soon interview post office officials in order to try to catch ONE Magazine on obscenity laws for mailing lewd content. And they find that a case is already open on the subject. And it seems the FBI has found their way in.



As discussed last week, **Los Angeles Postmaster Otto Olesen** deemed the October 1954 issue of ONE Magazine "obscene, lewd, lascivious, and filthy." Under the Comstock law, ONE Magazine was deemed unmailable and the issue was impounded. Homosexual rights have not come very far since Henry Gerber's firing in 1925 for "conduct unbecoming a postal worker." The United States Postal Service tells ONE, Incorporated to "show cause why the publication should not be declared nonmailable."

So they *do*. ONE files an injunction with the Federal District Court in LA against the postmaster. When the FBI gets in contact with the postmaster Olesen, he agrees to review the next issue of ONE he can get his hands on, in order to try and stop the magazine overall.

This case will soon take the small magazine all the way to the Supreme Court and will affect all gay publications forward.

ONE's lawyer, **Eric Julber**, submits an argument that the post office's claim lacks merit. The magazine has even previously stated they are not publishing sexual material. "ONE is concerned with populations rather than pairs," they had said. Both sides request a summary judgment. The District Judge Thurmond Clarke rules in favor of the post office. "The suggestion advanced that homosexuals should be recognized as a segment of our people and be accorded special privilege as a class is rejected." Julber goes up the next step and appeals the decision with the US Court of Appeals for the Ninth Circuit.

While Julber and ONE wait, the FBI continues their hunt for Lambert and Freeman. ONE Magazine hasn't applied for a new second-class mailing permit, so the FBI assumes they're still mailing the issues, just in small amounts, and likely driving around the city distributing the issues in mailboxes. When word comes down that Julber is appealing the District Judge's ruling in favor of the post office, the bureau sends ONE's November and December 1955 issues to the Department of Justice "for an opinion relative to its obscene nature." If the DOJ determines the issues obscene, the FBI will track down the magazine's lawyer, Julber, about the "slandorous statements about the FBI," and they will tell *him* to put up or shut up.

The bureau is even trying to figure out if Julber is homosexual. He isn't, they determine. "No, he's all right," their source confirms. They're on the phone with Abbey Lithographers, the printers of ONE Magazine – Dale Jennings's sister Elaine and her husband **James** in their basement. Though it can't be said for sure, it's likely Jennings's brother-in-law who answers the phone. The FBI agent, using a pseudonym, is calling for a fake reason in order to attain information from James. It's called a pretext call, and it's how the FBI gathers information on several people, including Harry Hay. This time, the FBI manages to confirm that Abbey Lithographers prints ONE Magazine and holds "most of the back copies." James, the printer, later tells the agent on another call, this time knowing he's speaking to an FBI agent, that he has asked a man at the magazine named William Lambert – who also goes by the name Dorr Legg – about times when the magazine "might be viewed as obscene and improper for him to print." Dorr had assured James the printer that the lawyer Julber has gone over the issues. This confirms Dorr's true identity for the FBI. The printer James, probably nervous, tells the agent he is "anxious to cooperate with the Bureau in any matter." Perhaps he intends to assure the FBI that what he printed and, secretly, what his brother-in-law wrote, is legal. James and the FBI keep their relationship confidential, and he sends them the October, November, and December 1955 issues to complete their collection, along with confirming that he's printed 5000 copies of the upcoming **January 1956 issue**.

The Los Angeles Special Agent in Charge reports back to Director Hoover that they have collected nearly every issue of ONE to review. They are even determined to charge the magazine with violating federal laws of international transportation of obscene materials. Somehow, issues have surfaced in Copenhagen.

"Efforts to identify David L. Freeman have been unsuccessful to date."

But knowing Dorr Legg's identity, the bureau obsessively tails him. They go to his new address near Venice and La Brea, take photos, record his license plate number, and observe that he's living there with a person of color... but you can imagine what term they used instead. They discover Dorr's history of leaving addresses blank for post office boxes and using fake addresses to register to vote. The LA Field Office coordinates with offices in Detroit and Portland in order to find Dorr's entire history, including, of course, an arrest – for having oral sex with his then-boyfriend.

By **March 1956**, the New York Field Office collects two copies of a magazine called *The Mattachine Review* and sends them to FBI headquarters for investigation.

By then, ONE Magazine has a new editor. She's listed on the masthead as Ann Carll Reid, though her true name is **Irma Wolf**. The FBI sends agents to interview her... And she accepts the questioning. They speak in her office at ONE, Inc. for an hour and a half. Wolf explained that ONE's members are advised against speaking with FBI agents. But she also gives them some information they are seeking. She tells them that David L. Freeman is Chuck Rowland and that he did in fact write the 1955 essay accusing the FBI of employing homosexuals. She explains that Rowland was expelled from the Communist Party and that because he couldn't agree with many ONE Magazine staff members, especially about that essay in particular, he's resigned from ONE. Wolf is clearing the magazine's reputation with the FBI. She shows them that they are under new management – hers. Wolf gives the bureau Chuck's address and place of work, along with the real names of other people on the masthead.

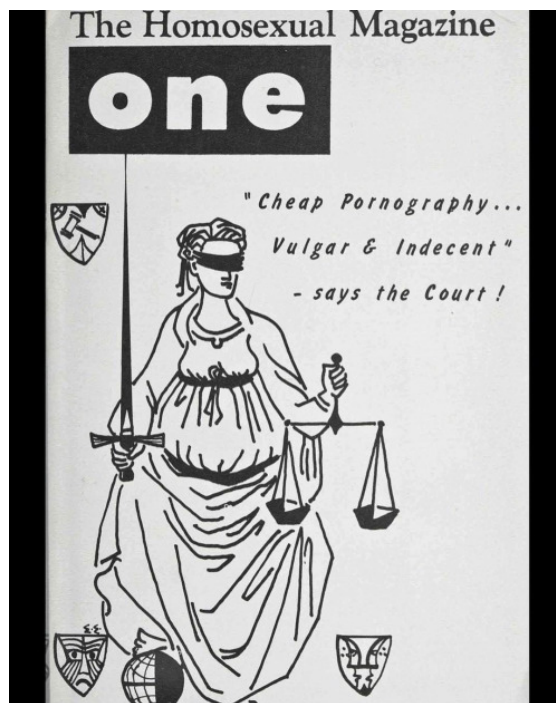
While the FBI and ONE Magazine continue to wait for the results of Julber's appeal – the appeal against the District Judge's ruling in favor of the post office – Hoover instructs for no one to interview Chuck Rowland. The Assistant Attorney General is in touch with Hoover about the two issues of ONE the bureau had sent to the Department of Justice. Those might be prosecutable as obscene, they say, pending Julber's appeal. And now they all wait. The case is placed on "pending inactive status." Director Hoover orders the LA Field Office to follow the appeal "closely" while the bureau continues to collect information on the homosexual movement.

About a year later, February 1957.

Three judges on a panel of the Ninth Circuit Court of Appeals uphold the ruling in favor of the postmaster unanimously, stating the magazine "has a primary purpose of exciting lust, lewd, and lascivious thought and sensual desires in the minds of persons reading it." Nevertheless, ONE Magazine persists. Julber files a petition with the U.S. Supreme Court on June 13, 1957.

The court delays the decision to hear the appeal until a case for two nudist magazines is heard. The cases are apparently similar enough that they are all to be heard together, but the court never does hear them. Instead, on January 13, 1958, the Supreme Court accepts the case and votes to reverse the Ninth Circuit. *One, Inc. v. Olesen* is the first ruling in the Supreme Court dealing with homosexuality – and it is in favor of their publication. While the government is still encouraging a witch hunt on homosexuals, the Supreme Court now allows gay publications to be mailed. The community can continue to flourish – legally. Though that doesn't mean there won't be challenges ahead.

In their next issue, ONE Magazine announces: "For the first time in American publishing history, a decision binding on every court now stands...affirming in effect that it is in no way proper to describe a love affair between two homosexuals as constituting obscenity."



This will not stop J. Edgar Hoover and the Federal Bureau of Investigation. As the movement thrives in the late 1950s and early '60s, the bureau will only crack down harder.

But because of this ruling, Chuck Rowland is never made to "put up or shut up." He'll definitely never shut up. He starts The Crusaders, a gay youth group that meets at the First Universalist Church, where the early Mattachine conventions were held. Working with ONE, Inc., Chuck starts a guidance center of gay counselors and provides job placement and vocational counseling. Also with ONE, he leads the development of a much-requested group for religious counseling, which becomes

the Church of One Brotherhood. Like the magazine, it is also named after the Thomas Carlyle quote: "A mystic bond of brotherhood makes all men one." Chuck declines to run the church, likely believing that a church is a means toward respectability from greater society. He may have also created the church as a First Amendment "shield" to work behind. In any case, he'll soon after receive his own resignation letter from ONE, which he did not write. Chuck will struggle with addiction, possible FBI blacklisting, a failed business, debt, and the suicide of his friend, former lover, and Mattachine co-founder Bob Hull. Chuck will return to the Midwest to teach theater. And upon coming back to Los Angeles in 1982, Chuck Rowland, Jim Kepner, and former Mattachine member Martin Block will found Celebration Theatre. It'll be billed as "the only theatre in Los Angeles dedicated exclusively to productions of gay and lesbian plays." Jim Kepner will host the debut in his storefront for the National Gay Archives in Hollywood, which will later merge with ONE, Incorporated's archives. Celebration Theatre will continue to run in Los Angeles through 2018 and beyond, recently putting up two plays starring Drew Droege: a campy production of *Die, Mommie, Die!* and, now playing off-Broadway, *Bright Colors and Bold Patterns*, a play about gay marriage and the assimilation of the gay minority. Sound familiar?

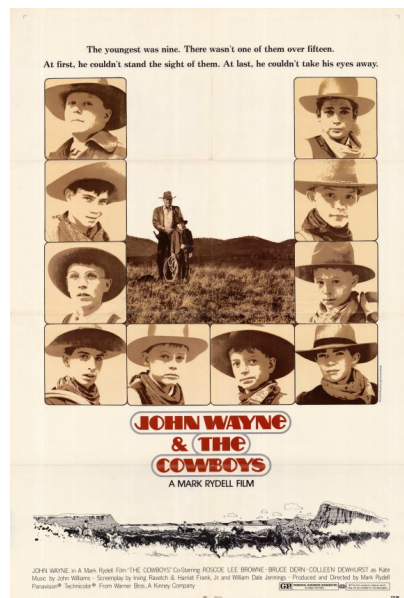
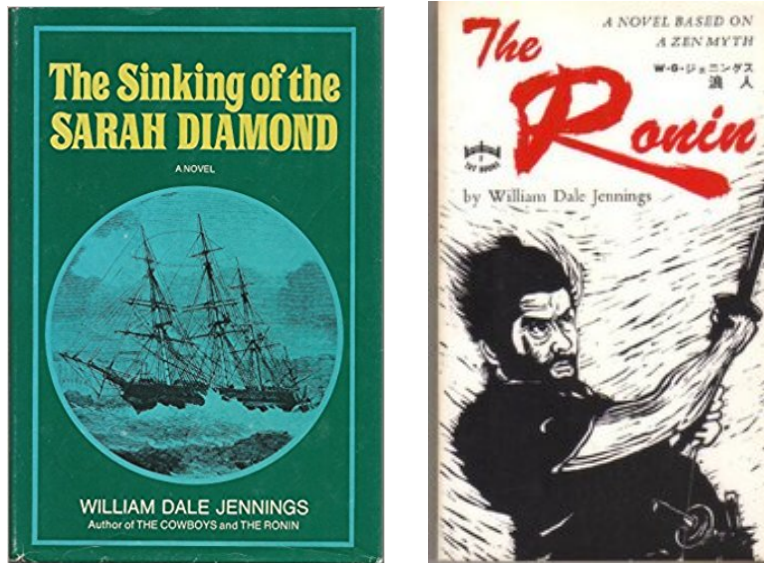
Chuck Rowland died in December 1990 of prostate cancer.



Chuck Rowland

After Dorr Legg pressures Dale Jennings out of his job editing ONE Magazine, Dale goes on to write and publish the books *The Ronin*, *The Sinking of the Sarah Diamond*, and *The Cowboys*. He also writes the film treatment for *The Cowboys*, which he sells to Warner Brothers. Of course the gay subtext is challenged before it's made into a movie starring John Wayne, which you can still catch on TV. Yet another little reminder that there were gay cowboys... Dale will later reconnect with Don Slater, who also left ONE and started the Homosexual Information Center in LA. Dale gives all of his work – about 125 unpublished novels, scripts, treatments, critiques, and his personal library – to the HIC, now housed at California State University.

Dale continues to write until his death from respiratory failure in May 2000.



Dale's books and the movie starring John Wayne based on one of his books. He also wrote the film treatment for the movie adaptation of The Cowboys.



Dale Jennings

Despite all of Harry Hay's work creating, running, and handing off the Mattachine, his reappearance in the Security Index, and his testimony for HUAC while the FBI had reopened an intense investigation of the Mattachine Society, Director Hoover never connected Harry with the gay rights movement. There is no mention of Mattachine in Harry Hay's file, nor any mention of Harry Hay in the Mattachine file, except for a single mention of his mother's name, Mrs. Henry Hay, on a Mattachine letter sent to the FBI by an informant. And because Harry had been out of the Mattachine for a few years by the time the FBI began their second investigation, few members of the organization really knew who he was, so the FBI didn't put together that Harry Hay started the Mattachine movement.



Harry Hay

Harry remains out of the movement for several years. He opens a millinery shop in LA with his lover, and will later spend years traveling the country to study homosexuality in other cultures. He'll get back into the movement, in his own way, of course. Harry publishes an article in ONE Magazine in 1963, he starts the Circle of Loving Companions, speaks on the Council on Religion and the Homosexual, and on the Committee to Fight the Exclusion of Homosexuals from the Armed Forces, and he speaks for the Southern California Gay Liberation Front, and at the 20th anniversary celebration at Stonewall, and for the Committee for Traditional Indian Land and Life... and, the next big chapter of his legacy, he starts the sexual revolution group the Radical Faeries. The Faeries are an alternative to the assimilationist side of the queer movement, which begins as a group gathering in Arizona to redefine queer consciousness through spirituality. Harry studies the culture of two-spirit. He challenges heteronormative assumptions in queer relationships through his writing and work with the Radical Faeries, which he founded with his longtime lover John Burnside, the inventor of the teleidoscope, a type of kaleidoscope. Harry obsessively researches Marxist history and the history of social boundaries that created queer identities in order for him to better understand the social roles queer people can fill now and in the future. As I connect all the stories I find in our history, I understand Harry's passion for our culture.

Harry tried to convince the Mattachine that there was a place in the world for queer people to serve a greater purpose than assimilating. He proved that to be true with the Radical Faeries, which still exists today. His ideals of radicalism and embracing the deconstruction of gender were not brand new, and they have been reiterated by many leaders following him, including another well-known name in our culture, RuPaul. In 2011, Ru told an interviewer "That's what drag is. In fact, throughout the ages, the shaman, the witch doctor, the court jester, is the drag. It represents the duality of the material world and the fact that this is all illusion, it's not to be taken seriously." After Mattachine and HUAC, Harry stops wearing "hetero" outfits. He puts on jewelry, pearls, skirts, and other flowing clothing. **He says, "I never again want to be mistaken for a hetero."**

Harry Hay died of lung cancer in October 2002.



Harry Hay

“The study of history is never wasted. It’s preparation for the work ahead.”

My friend Bill sent that to me on November 6, 2016 as I was researching for *Mattachine*. I sat at a long table at the ONE Archives in Los Angeles, opening countless manila envelopes of documents, laughing at hilarious drawings, even sitting in awe my own Indiana hometown’s *Mattachine* documents, and reading transcripts from *Mattachine*’s constitutional convention. I know how this convention will end before I’m finished reading it because I am a product of it, and other events like it. You heard how it ended in our episode 7. The stigma against men who swish will prevail. Much of our community will assimilate. Despite a *Mattachine* chapter in my hometown, I will still spend most of my time out of the closet fighting my femininity. While I was initially drawn to this research out of curiosity, and became driven to continue by the 2016 election, I realized by the end of it that the “work ahead” is not just against a presidential administration, but also within myself.

We spend most of our time focusing on issues we’re experiencing in the present, which is obviously important. We talk about government-supported suppression, gay marriage, intersectionality, masculinity, and the gender binary, but sometimes these issues are made clearer to us when we read the same problems discussed in our often-untold history. So I’m grateful that you’ve joined us for these 10 episodes.

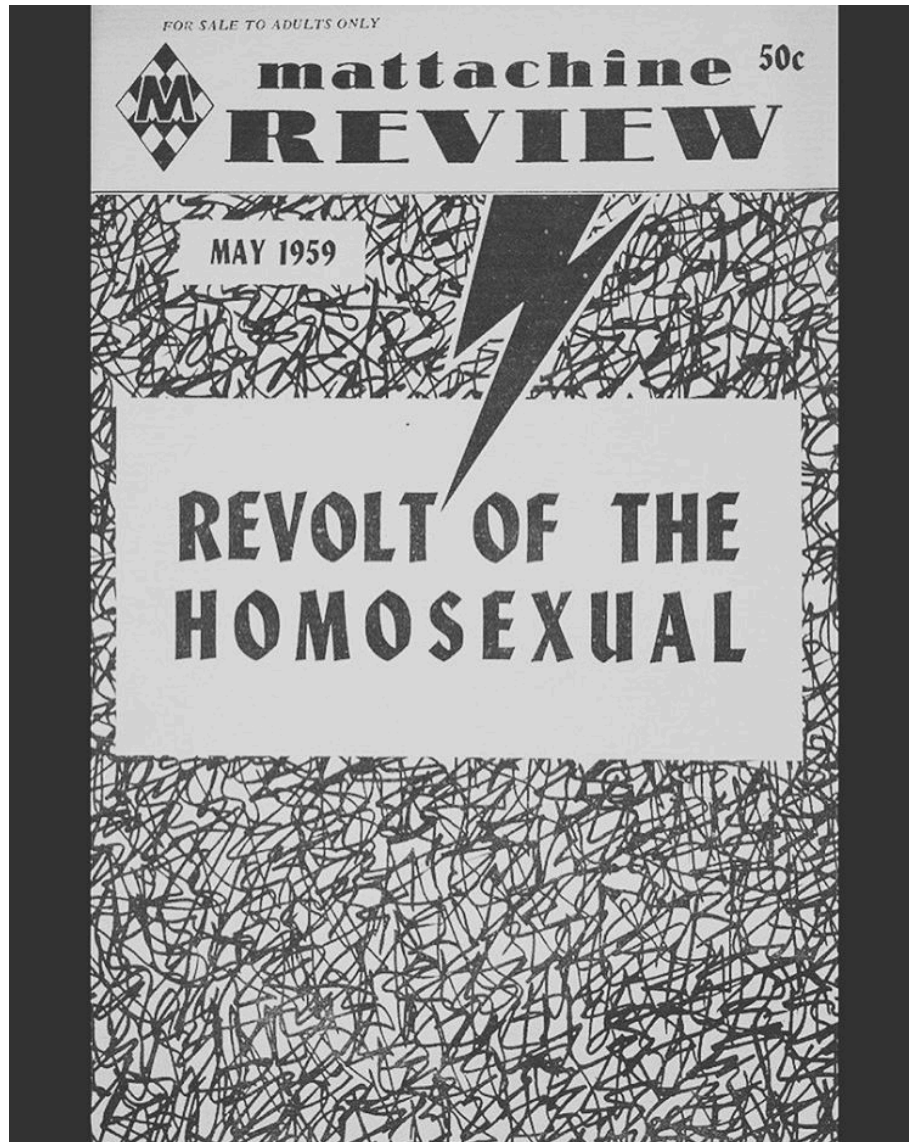
Harry's story, like many others, has been largely overlooked in our community. If rights and liberation in our history are discussed in the queer community at all, they're generally related back to the Stonewall Riots of 1969. That riot is a landmark in our history — a landmark. Not a destination. Countless stories lead up to Stonewall and countless stories follow. Stonewall wouldn't have happened without the politics and activism of the '50s and '60s leading the community there. Like Harry Hay. But were those riots at Stonewall led by homosexual white men? Absolutely not. That riot, which catalyzed the queer rights movement as we know it today, was a bar riot led by trans women of color. Not gay men. While Harry Hay's actions, his writing of *The Call*, his establishment of a movement beginning with two men in a diner and later 5 men huddled in the bushes dreaming of amending the Constitution, his efforts to declare homosexual, femme men as ethical — while these actions were an essential piece of the movement's beginning, and simultaneously, ahead of their time, and whether or not he was ousted from his own society in a dramatic fashion, Harry could not have and did not lead this movement to Stonewall on his own. Mattachine was created by and mostly for men. Particularly only homosexual men. Particularly homosexual cisgender white men. But homosexual cis white men were not the only "secret" minority living among the cis hets, overlooked by society. The white homosexual movement will charge forward from the 1950s. Organized under names like Mattachine and ONE, with the power of their own press to spread their message and cultivate our culture, gay men will continue to rise up and make sure the heterosexual people among them see them. But others shout out for liberation, too.

Harry Hay said, "We are people who have been thrown up generation after generation throughout the millennia by the forces of natural selection, and through that...we are able to act as a mirror to see certain things that the straights can't possibly see." He said that a long time ago, when much of our community was still learning. We now know that this idea applies to many kinds of queerness.

Queer perception is difficult to grasp in a hetero and cisnormative society. It's unique by definition, it's often difficult to express the queer experience, and, frankly, it's far more interesting than not being queer. But seeing queerness in the history books makes those hard parts in the present easier to see clearly.

And maybe hindsight isn't 20/20 because many of the problems we confronted over these 10 episodes haven't been solved, not in our government, not in our community, not in ourselves, but we make steps toward solving them when we understand where our battles began, and how they've been fought, and how we can improve upon those fights. We've come a long way since Henry Gerber in 1924, and the many centuries before him. But we wouldn't have come this far without the steps our ancestors took. And the steps that our ancestors took following the splintering of the Mattachine Society. But we'll put a pin in that until next season.

When we return from a short break, we'll explore the rise of the lesbian movement, we'll journey into San Franciscan bar raids, we'll follow transgender leaders, and we'll uncover conflicts of interest breaking down the queer community. We'll find Hal Call pushing his magazine in gay bars, and the sexual awakening of the Mattachine, while picket signs are made and Washington wages war on new queer leaders – all before the Stonewall Riots of 1969. When we return, we explore “the Revolt of the Homosexual” and the radical rise of their fellow minorities. Soon on *Mattachine*.



A NOTE TO TEACHERS:

I talk during this series about how schools don't teach us gay history. If you learned anything about gay history in your school, you're one of the lucky few. This is changing because of programs like HISTORY UNERASED. Check out www.unerased.org. Not only is bullying still an issue, but nearly half of homeless youth are queer. 1 in 5 queer kids of color attempt suicide. Young queer kids are even more likely to drop out of school. This is why I'm talking about HISTORY UNERASED, not because this is a paid ad - it's not. This program is doing important work, and they're bringing educators in K-12 classrooms proper training and resources to include LGBTQ history and queer inquiry in Social Science classes, Fine Arts, and Health courses, among others. And language is always expanding for the queer community with new terms and complexities that educators want to understand and apply in their classrooms. For instance, how do I use the word "trans" properly? What does "nonbinary" mean? Teachers want to help students feel safe and understood by using the proper terminology, so the people at History Unerased are helping with that, too. If all kids in school learn about our history, then we can get rid of misperceptions about queer people and fix the real problems those misperceptions create: queer kids quitting school because they don't feel safe, homelessness, suicide. If you're an educator that wants to help your classroom be a safer space for your LGBTQ students, check out www.unerased.org for more information. You could save your student's life. You could improve the safety of your community. And you could teach your kids some fascinating history.

[Audio: phone ringing]

Phyllis: Hello?

Rose: Hi, Phyllis? This is Rose.

Phyllis: Hi, Rose—

Rose: Listen, we're starting a group — there's six of us. Would you two like to be a part of a group of women like us?