

A. Cyrus Warner  
98 Olden Lane  
Princeton, New Jersey

Washington's Birthday, 1970

Dear Lou,

Again I must beg your indulgence for the long interval since the receipt of your letter of the 31st ult. The delay has been occasioned by the welcome news from Dallas, telling of the unanimous decision of a three-judge federal district court there declaring the Texas sodomy statute unconstitutional. This is really the first concrete accomplishment of the NACHO legal committee. While the case itself was McCluskey's own, my committee had been involved in it since last summer and had a hand in the final outcome. I am enclosing a copy of the court's decision, and I refer you to the copy of my letter to Bill Wynne, also enclosed, for further details. The consequences of this case have been an incredible amount of work for me and innumerable conferences with lawyers in New York and as far away as Hartford, Connecticut. As you will see, we are planning to mount a similar case in either New York or New Jersey, at which time we hope to have McCluskey, who is a member of the legal committee, come to New York to assist in the litigation.

Regarding your letter and the details it provided of the way in which you succeeded in having your seminar in homophile studies approved by the academic powers that be -- all I can say is that it is a tribute to your perseverance and high purpose. What you have done should serve as a model for all of us in the academic world.

You will be interested to learn that I visited Mr. John Lasso's office in New York about two weeks ago. (Unfortunately he was in Albany that day, attending to legislative matters, so I was unable to see him.) However, I left with his very knowledgeable assistant copies of all the material you sent me, including your course prospectus, and Mr. Lasso will call me as soon as he has had an opportunity to digest it all so that we can discuss the possibility of his attending the San Francisco meetings. I shall keep you informed of any developments.

I have also enclosed a copy of my revised paper on the homosexual solicitation statutes, which was recently submitted to the editor of Law & Society Review for publication in that journal. In this connexion I had occasion to write to Professor Humphreys, since it was he who suggested that this be submitted for publication in this journal. In my letter to Prof. Humphreys I took the liberty of mentioning your name as head of the N.A.C.H.O. religious committee, and I informed him of the seminar which you are organising in August in San Francisco. I mentioned that you planned to be in touch with him -- if you had not already been -- with a view to his attendance at and participation in your seminar. (Prof. Humphreys's book Tearoom Trade was published last month by the Aldine Press in Chicago.)

I read with great interest your little essay on homosexuality and the sickness theory, which I thought was very well done. I was surprised to see that it had been published by the Albany Trust. It is a shame that you had to go across the ocean in order to find some group to publish it -- a sad commentary on the state of the homophile movement in this country. I myself had occasion to discuss the "sickness theory" in a letter I wrote to the editor of the New York Times in 1967, in response to an article by one Webster Schott which appeared in that journal in November of that year. (The article is referenced in note 34 on page 27 of my paper on the homosexual solicitation statutes.) A copy of this letter, which the Times published anonymously at my request, is also enclosed.

I am very disappointed to learn that Tom Parker will be unable to attend the San Francisco conference and to participate in your seminar. This will be a real loss for he is certainly one of the luminaries of the movement. I had the privilege of staying

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as his guest at his apartment in Tucson for a few days last summer. Perhaps he can be persuaded to change his mind.

Please let me know of any developments in your arrangements for next August. For my part, I shall keep you informed of anything which transpires in these parts. In the meantime, let me commend you for all you have done to promote what promises to be a most rewarding conference.

All good wishes.

Sincerely,

*Arthur*