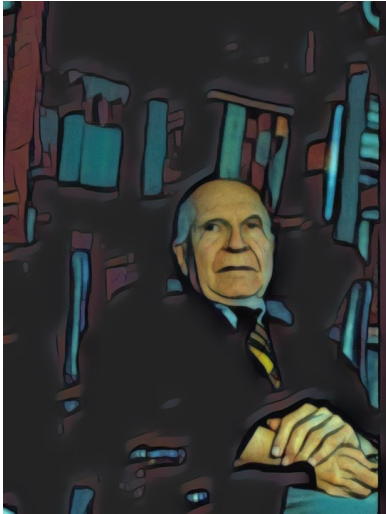


Arthur Cyrus Warner



Arthur Cyrus Warner was a gay rights activist and law school graduate who played a prominent role in overturning anti-sodomy laws and other anti-gay and lesbian laws.

Born in 1918 in Newark, New Jersey, Warner grew up in a well-to-do family. He received his AB degree from Princeton in 1938, and shortly thereafter entered Harvard Law School. However, his legal education was interrupted by World War II, when he served in the Navy, attaining the rank of lieutenant. Yet, he was dishonorably discharged after soliciting another gay man. Eventually, he returned to Harvard and obtained his law degree in 1946, but the military discharge barred him from ever practicing law, even after he managed to get his discharge changed to honorable.

After law school, Warner entered Harvard Graduate School to study English history. He received a masters degree in history in 1950 and his doctorate in 1960. Throughout the 1950s and 1960s, Warner taught history. After twelve years of teaching at various universities Warner resigned in 1968 to devote his life to reforming laws adversely affecting homosexuals.

Warner was one of the first history scholars to raise the issue of homosexuals in history at an annual meeting of the American Historical Association. In March 1972, an article in the [New York Times](#) stated:

“Gay Liberation, while as yet unrepresented on a panel, repeatedly made its case from the floor. Arthur Warner, a historian who is co chairman of the National Committee for Sexual Civil Liberties, noted that historians often ignore the homosexuality of major figures, such as Edward II and James I of England. ‘There is a pervasive puritanism in our profession which prevents us from dealing frankly with matters of sex and history,’ he declared.”

Warner lived most of his life in Princeton at the home of his parents which he inherited when they died.

In the late 1940s, Warner began attending meetings of the New York City homosexual rights group known as “The League.” From 1954 on he was active in Manhattan New York, serving as chairman of the legal committee. He founded the [National Committee](#)

[for Sexual Civil Liberties](#) in 1970. The committee (later renamed the American Association for Personal Privacy) consisted of a small group of elite attorneys and scholars dedicated to homosexual law reform. In addition to cofounders Warner and law professor Walter Barnett, the group included ACLU legal director Melvin Wulf, William Reynard of the ACLU's Colorado affiliate, and two young, openly gay law school graduates Thomas Coleman from California and Craig Patton from Ohio. Prominent social scientists also joined the committee, namely Evelyn Hooker, whose work helped to persuade the American Psychiatric Association to remove homosexuality from its list of disorders, and Laud Humphreys, whose book *Tearoom Trade: Impersonal Sex in Public Places* documented the participation of apparently heterosexual as well as homosexual men in public restroom sex. Another member of the committee was Dr. Michael Valente, chair of the Department of Theology at Seaton Hall University, author of *Sex: The Radical View of a Catholic Theologian*.

Warner's described the National Committee for Sexual Civil Liberties as,

“directed toward the dismantling of the entire structure of criminality which surround private sexual conduct between consenting adults. It is equally concerned with the pattern of economic and social discrimination in such areas as employment and housing which results from the perdurance of these laws on the statute books.”

Warner from the very beginning focused on legal reform, particularly with repealing sodomy statutes across the United States. He testified before the Judiciary Committees of both houses of the Ohio legislature during a hearing which in 1972 led to the decriminalization of private homosexual conduct between consenting persons above the age of sexual consent.

National Committee members also lobbied the American Bar Association (ABA) and by 1973, the committee – with the help of lawyers with the ACLU lawyers and the newly formed Lambda Legal Defense and Education Fund – convinced the ABA to call for the repeal of laws against private sexual conduct between consenting adults.

From 1976 to 1978 Warner worked with the New Jersey State assembly to remove the sexual solicitation provision from the New Jersey Penal Code. Similarly, he helped to remove the solicitation provision from the Nebraska criminal code.

In 1979, Warner assisted attorney Thomas F. Coleman to win [Pryor v. Municipal Court](#), a case in which the California Supreme Court acknowledged the discriminatory enforcement and conflicting interpretations of the state's statute against sexual solicitation and lewd conduct, deemed it unconstitutionally vague, and judicially rewrote the statute.

Coleman wrote the brief for the defendant while Warner and attorney Jay M. Kohorn wrote an amicus curiae brief for the National Committee for Sexual Civil Liberties.

In 1980, Warner helped jumpstart the Pennsylvania lawsuit of *Commonwealth v. Bonadio*, which decriminalized the state's sodomy and solicitation statutes. Warner also consulted the lead attorneys in the [People v. Onofre](#) (1980) case and *Uplinger* (1983) case, which went on to strike down the New York sodomy and solicitation laws respectively. It was these legal wins that would pave the path for the eventual success in *Lawrence v. Texas* (2003), where the United States Supreme Court ruled that sanctions of criminal punishment for consenting adult homosexual conduct is unconstitutional.

Arthur Cyrus Warner died in Princeton, New Jersey on 22 July 2007 at the age of 89. His will directed that his estate be used to establish the Sentience Foundation, headquartered in Freehold, New Jersey.

Warner's voluminous papers document his involvement in law reform and other issues involving homosexual civil rights for decades. Most of his papers consist of legislative and court documents about sexual civil liberties, and related memoranda, correspondence, and writings. The papers, mainly covering the period from 1946 to 2000, are preserved in the Mudd Manuscript Library at Princeton University.

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