

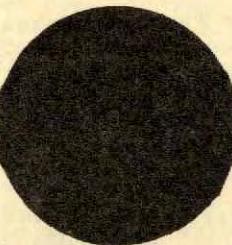
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# THE HOMOSEXUAL CITIZEN

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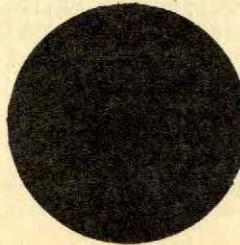
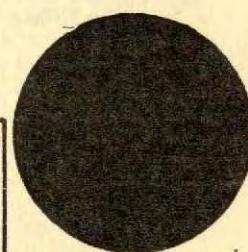
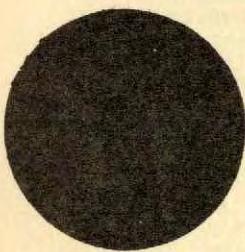
DECEMBER 1966

- NEWS OF CIVIL LIBERTIES
- AND SOCIAL RIGHTS
- FOR HOMOSEXUALS



**FEATURE**

What is  
Bieberism?



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Published by THE MATTACHINE SOCIETY OF WASHINGTON  
 Post Office Box 1032  
 Washington, D. C. 20013

Office Address: 1319 F Street, N. W.  
 Washington, D. C.

Office Hours: Weekdays, 6:30-9:00 p. m.  
 737-4959

## EDITORIAL STAFF

Lily Hansen, Editor  
 Ward Hudson, Circulation Mgr.  
 Michael Fox, Distribution Mgr.

THE HOMOSEXUAL CITIZEN is published monthly and sold on newsstands for 50¢ per copy. Back issues are available for 50¢ each from The Mattachine Society of Washington. One-year subscription: \$5.00, sent by first-class mail.

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# What Is Bieberism?

by Warren D. Adkins

"Homosexuality cannot be classified as an illness..." Sigmund Freud

Irving Bieber has earned himself a well-deserved reputation as America's leading antihomosexual theorist. He has presented his credentials for this dubious honor in the form of "research," which upon superficial examination seems to contain the necessary prerequisites for scholarly investigations. Thus, although less emotional on the surface than his antihomosexual predecessors (like Edmund Bergler) Bieber, for all his scholarly shine, is nonetheless as vicious an enemy of the homosexual as any of the strained voices of an earlier day. It is precisely this fact - that he presents his rabid theorizing in the form of a research project - that makes Bieber such a distinguished foe.

Dr. Bieber's immediate predecessor, Edmund Bergler (Homosexuality: Disease or Way of Life, 1956), was a man of another caliber. Highly emotional in his denunciations of the homosexual, he protested his freedom from bias and prejudice while asserting that "homosexuals are disagreeable people regardless of their pleasant outward manner." Bergler concluded, rather hysterically, that the only language understood by homosexuals is "brute force."

Dr. Bieber, on the other hand, is less bombastic. His writings lack the high drama which made Bergler an entertaining pseudoscientist. Bieber's works are dull and padded with graphs and charts which camouflage glaring errors in one of the least deserving and most slipshod pieces of publicized research compiled.

The principal error of which the Bieber study is guilty is that it violates the scientific method in reaching its conclusions. It resorts to the devices of those who rely upon intuition for the establishment of the truth. Bieber et al. - rather than beginning with facts, subjecting them to rigorous tests, gaining a representative sampling, taking into account innumerable variables, and reaching or corroborating a hypothesis only after the most strictly controlled testing of findings - have violated the rules of scientific research. They started out with conclusions and then chose from the evidence only those data supporting their prior conclusions. Thus, the entire Bieber study rests not upon science, but upon preconceptions and assumptions.

Psychiatrists and psychoanalysts are as united, or as disunited as any group of theorists. In this respect one may compare them with philosophers and theologians. It is well known that Freud's able pupils Adler and Jung disagreed with their master and set up their own schools of thought. What is not well known however, is that there are 36 major schools of psychotherapy.<sup>1</sup> Bieber's "research" represents nothing more than the theorizing of one group of men who gave lip service to science by a simulated arrangement of facts which they meant to fit their own moral and philosophical judgments.

It would be a grave error to assume that all psychiatrists are antihomosexual. This is far from the truth. Perhaps the doctors who regard homosexuality as a natural manifestation of human conduct are not as loud and vociferous as Bieber and his ilk. Perhaps, since they do not support the status quo, they have not yet received their deserved hearing. But there are, nevertheless, numerous specialists and medical authorities who take violent exception to Bieberism. Their positions have been quoted in a study aid prepared by the Mattachine Society of Washington.<sup>2</sup>

It would behoove us to forget that Bieber exists, were it not for the fact that his quackery is being widely disseminated as "findings." It is likely that his assumptions will be thrown into the faces of homosexuals and homophile workers for years to come. Therefore it is wise to understand the thinking of such a foe, in order to better to squash his unfounded allegations and accusations.

Bieberism is contained in a volume entitled Homosexuality: A Psychoanalytic Study. Nine other doctors who collaborated with Bieber claim credit for assisting with the volume, which was first published by Basic Books, Inc. in 1962. A paperback edition has been published by Random House in 1965.

Bieberism is based upon an untested, unverified article of faith, namely, that heterosexuality is a biological norm for all mankind, and that any variation from this norm by men or women is psychopathological. Bieber admits at the outset of his book that he and his co-workers "assumed that the dominant sexual pattern of the adult is the adaptive consequence of life experiences interpenetrating with a basic biological tendency toward heterosexuality." In short, they assumed, without question, that sexuality is meant to be heterosexuality, and life situations which lead humans away from hetero-

<sup>1</sup> Robert A. Harper, Psychoanalysis and Psychotherapy: 36 Systems. Englewood Cliffs, New Jersey: Prentice-Hall, 1959.

<sup>2</sup> Warren D. Adkins, "Is Homosexuality a Sickness? A compendium of Informed Opinion in the Negative," available from the Mattachine Society of Washington.

sexuality are pathological. Therefore, as psychiatric theorizers often do, Bieber turned to the early life histories of 106 homosexuals, compared them with 100 heterosexuals, and concluded that the familial backgrounds of the homosexuals were so unbalanced as to give rise to the so-called psychopathological condition of homosexuality. Consequently, this makes of homosexuality a disease and, as such, says Bieber, in logical consequences of his assumption, it naturally should be subjected to treatment.

Here, however, is another pitfall of Bieberism. Bieber et al. spoke over a period of years to homosexuals, but they were not typical homosexuals. All 106 homosexuals presented by Bieber were patients already in therapy and, hence, were already disturbed or neurotic in one way or another. Bieber made the foolish blunder of using atypical individuals for his sampling. He must never have heard the amusing story of a confrontation by the well-known psychiatrist and professor Ernest Van den Haag, with a colleague who declared, "All my homosexual patients are sick." Dr. Van den Haag countered, "So are all of my heterosexual patients."

There are many sincere doctors who truly want to help their homosexual patients, and because they have swallowed antihomosexual theorizing without questioning its foundations, and also because they are frequented only by disturbed homosexuals, they tend to think that all homosexuals are disturbed. They are not aware that many millions of homosexual people function as useful, capable, and mature citizens in our democracy. Dr. Bieber, unfortunately, is attempting to reinforce ignorance and misconceptions among members of his own profession. In this regard he does them and his fellow man a most decided disservice. As an antidote to Bieberism, these doctors would do well to study a much more carefully constructed research project, that conducted by Dr. Hooker.<sup>3</sup>

Bieber and his collaborators extended their study of these already disturbed patients over a period of many years, at a cost of about one million dollars. According to his own boastful report, Bieber claims to have "cured," or changed 29 of the 106 homosexuals into heterosexuals. Thus, he has taken the percentage of his "successes" (with these patients - not with all homosexuals) and has loudly touted his 27% cures as important indications of the "curability" of homosexuality. The way in which he boasts of this 27% figure, however, is highly misleading and extremely dangerous because he would have it seem that 27% of all homosexuals can be changed. Thus, gullible or prejudiced readers will place the onus of immorality on those homosexuals who either refuse therapy or fail to change after its application.

<sup>3</sup> See Bibliography.

Bieber does not let us realize, as he should, that when he speaks of 27%, he is referring to a minority of his already-in-therapy patients. These were people who desperately wanted to be changed to begin with. And yet, even with these cooperative subjects, let it be noted that Bieber has never produced for examination by other curious and well-qualified medical authorities even one of his "cured" patients. He has been repeatedly challenged to do so by eminent experts. It is also interesting that the Bieber studies contain no methodology for follow-up studies of the "cured" patients. There is no assurance that they remained "cured."

In addition, the 27% figure is also misleading because Dr. Bieber fails to point to a much more significant figure, his 73% failure. Even after a vast therapeutic effort tantamount to brainwashing Dr. Bieber was forced to leave the great majority of his homosexual patients exactly as he had found them. He lets this fact, however, slip under the table.

Let us examine the processes described by Bieber which resulted in his "successes" and "cures." Of the 29 persons who were supposedly changed, 18 of these (62%) were in therapy for 350 hours or more. Another 9 cases took between 150 and 350 hours. Bieber admits that of the 29 "cured" 23 consciously wanted to change beforehand. When he gives his audience the impression that 27% of all homosexuals can be changed, he does not take into account the millions of homosexuals who are unwilling to submit the sacred privacy of their innermost selves to a foreign "readjustment" by a theoretical therapist. It is obvious too that the task of reorienting the sexual impulses of millions of American homosexuals (according to Bieber's techniques) is an impractical and impossible task. No one can deny, however, that if homosexuals were convinced of the validity of Bieber's shoddy pseudoscience (which they are not) that psychiatrists would have found a never ending source of dollar bills. At \$25.00 per hour, in the already overcrowded psychiatrists' offices, fifteen million homosexuals, each in therapy for at least 350 hours, would be parting with no small amount of hard cash. In this particular instance, however, I will give Dr. Bieber the benefit of a doubt, and will assume that the profit motive did not enter into his theorizing. What did enter into it is equally lamentable, however: moral judgments disguised as science. Dr. Bieber was not interested in discovering the facts about homosexuality. He was interested in showing that homosexuality is what he himself thought it was originally, a psychopathological state. To prove his point, he used already sick people as his samples. Even these people, he was, in greatest measure, unable to change.

The tragedy of the homosexual and the psychiatrist is this: homosexuality is not, in itself, an illness. Homosexuals are taught to believe that it is, and some do. Psychiatrists are also taught the same doctrine, although many have discarded it

as utter nonsense. But those homosexuals who have accepted the moral dictates of a society which condemns them have often gone to psychiatrists who treat them over long spans of time for a nonexistent illness. At great expense and sacrifice, these misled homosexuals make heroic attempts to square their sexual orientations with conventional attitudes, believing for some strange reason that sexual uniformity is a necessity and that sexual diversity must be frowned upon. After many years of continued therapy, when they are still unable to change, their doctors tell them that they unconsciously do not want to change, that they are using therapy as a "cover-up," and hence have not changed. Such self-contradictory mumbo jumbo would be excusable if it were not passed to these poor victims of shoddy psychiatric theory as science. This medical quackery represents immorality of the highest order upon the part of the participating psychiatrist. He is accepting money for the proposed "cure" of a state of being which has not been shown to be a sickness.

The most authoritative attack on Irving Bieber's defective studies is contained in three successive issues of The Ladder, the publication of the Daughters of Bilitis (July, August and September issues, 1966). It is entitled "Research Through a Glass Darkly," and is written by the eminent Swiss psychologist Fritz A. Fluckiger, Ph.D. Dr. Fluckiger carefully examines the defects in Bieber's research techniques. "To use the language of a contemporary philosopher of science," writes Fluckiger, "the Bieber authors have done a piece of research designed to verify their initial conjectures, and they have paid scant attention to those findings which refute their conjectures." Fluckiger's stinging criticisms are a must reading for those who want to grasp the full measure of Bieber's errors.

Those professionals who support the position of The Mattachine Society of Washington and of other homophile organizations - namely, that homosexuality per se is not a sickness, but is an orientation not different in kind from heterosexuality - are legion. But this is no reason for complacency in the battle to rid men of the notion that homosexuality is a sickness. For sickness equals inferior status. A sick man is not considered equal to a healthy man. It is on the issue of homosexuality as a sickness that the homophile movement, in this author's opinion, will fight its most crucial and repeated battles. Knowledge of how to refute Bieber's errors will be a valuable weapon in the hands of homophile leaders.

Irving Bieber is not the first antihomosexual crusader in the medical field, nor will he be the last. He will have successors, as he himself succeeded Dr. Bergler. The homosexual community, as it presses ahead for equality in the society of its

fellow men, has yet to experience the full fury of a more terrible backlash which will receive the support of all of the pillars of a dying moral code which has no tolerance for sexual diversity.

The difference between research that is meaningful and that which is based upon assumptions will have to be clarified. The phony research that parades as real must be mercilessly exposed. Let us be done with medical quackery! Let us root up those theorists who disguise their own twisted sexual morality as medical opinion and pervert statistics to support the status quo.

The words of the great pioneer of sexual freedom, Dr. Rene Guyon, should ring in the ears of psychiatrists everywhere:

Psychiatry should refuse to bow down before the diagnosis of society as it has done, but should, on the contrary, start by examining the accuracy of this diagnosis. <sup>4</sup>

It is high time that men demanded of the psychiatric profession that they cease to attempt to adjust nonconforming but healthy human beings to the outmoded morality of a sick society. Rather, let them challenge the morality of such a society, and establish in its place a morality based upon realities.

As for homosexuality, and its much-vaunted cause and cure, let us listen to the wise counsel of Dr. Charles Berg, who offers a strange and humble contrast in his attitudes to the cock-sure platitudes of Bieberism:

Having read all the literature I could find on the subject, and having spent most of my life listening to my analysands (not all of them homosexual by any means), I would like to say that I could tell the reader in a few words the nature, cause and cure of homosexuality. It would then be superfluous for him to read any other book on the subject. I am sorry that I cannot do this. We all seem to be as far from being able to do this as we are from expounding the nature, cause and cure of heterosexuality or of love, or indeed of life and the universe itself with all its manifold phenomena. Indeed the latter task may seem to be as near to, or as far from solution as the former.<sup>5</sup> (Italics mine)

<sup>4</sup> Rene Guyon, The Ethics of Sexual Acts. New York: Alfred A. Knopf, 1934.

<sup>5</sup> Berg & Allen, The Problem of Homosexuality. (New York: Citadel Press), pp. 115-116.

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KEEP YOUR EYES OPEN for a one-hour documentary on homosexuality to be presented after the first of the year on "CBS Reports" (Tuesday night). The homophile movement has helped CBS find homosexuals willing to appear full face on the program. Among other events of interest, the documentary will feature homophile pickets and interviews with a young man, an older man, a married man, and a man in therapy.

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#### ANNOUNCEMENT \*\*\*\*\*

NEW HOMOPHILE ORGANIZATIONS — We are reliably informed that homophile organizations are in the process of formation at Columbia University (the first campus group of which we have knowledge) and in Norfolk, Virginia — the latter sparked by an ugly police situation. THC will report on further development.

# THE SUPREME Court Will Review

by David Wayne

The Supreme Court, November 7, agreed to decide whether a homosexual alien can be deported from the United States under the Immigration Act on the grounds that he is "afflicted with a psychopathic personality."

This phrase is one of the yardsticks for deportation set up by the U.S. Immigration and Naturalization Service. Two circuits of the U.S. Court of Appeals made conflicting decisions on the matter. The Supreme Court will hear arguments on a New York case and decide it later by a written opinion.

The New York appeal came from Clive Michael Boutilier, 33, who came to the United States from Canada in 1955. The Second Circuit Court of Appeals in New York City recently authorized the deportation of Mr. Boutilier, a building maintenance man, saying he should be deported because he engaged in sexual activities with both sexes since the age of 16.

In a 2-1 decision, the New York court interpreted the homosexual activity as being grounds for deportation under the 1952 Immigration Act, which bars any alien with a "psychopathic personality." Strongly dissenting, a third judge, Leonard F. Moore, described "psychopathic personality" as an unconstitutionally vague term that immigration officials blindly applied in this case without giving the man a medical examination. Judge Moore cited the Kinsey report estimate that at least 37 per cent of the American male population had at least one homosexual experience and said that the homosexual ban would have barred from these shores Leonardo da Vinci, Sappho, Michelangelo, Andre Gide, and maybe even Shakespeare.

In San Francisco the Ninth Circuit Court of Appeals reached an opposite ruling, allowing a homosexual alien to remain in the United States. The case involved another Canadian, who allegedly was a homosexual at the time of his entry into the United States and therefore (according to the government) was "afflicted with a psychopathic personality" as defined by the immigration law. The San Francisco Court rejected the term "psychopathic personality" as lacking explicit reference to homosexuals, and therefore considered the statute irrelevant.

The government has asked the Supreme Court to decide on the definition of "psychopathic personality" in reference to homosexuals.

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The Supreme Court on November 7 declined to rule on the constitutionality of entrapment procedures used by the police involving dressing and behaving as homosexuals in order to entice others to solicit them.

## ❖ The Government : From Within

by Evan Colodny

ATTENTION !! All you reservists and future reservists pay careful heed to the following case involving due process which was decided on 19 Aug. 1966. In this recent decision (United States v. Schuering, 16 USCMA 32, 36 CMR 480) the Court of Military Appeals denied court martial jurisdiction over a reservist who was tried under unauthorized circumstances by a special court-martial for a larceny offense committed during an inactive duty drill period. Although the offense had taken place during a time when he was subject to the Universal Code of Military Justice, jurisdiction was barred because the accused had not been subject to military jurisdiction when arrested and court-martialed.

In reaching its decision the court emphasized that reservists who commit offenses while on inactive duty training (either regularly scheduled drill periods or periods of special training duty) are subject to the trial by court-martial (or non-judicial punishment). However, the following conditions must be met:

1. The mandates of Article 2(3) of the UCMJ must be complied with.
2. The offense must have been committed during a regularly scheduled drill period.
3. Action must be taken against such persons during a regularly scheduled period of training.

Therefore, if you have committed, unfortunately, a punishable offense, try to have yourself arrested at the improper time, so that the procedure can later be invalidated. In any case, beware of any abridgement of due process.

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JUST WHY HAVE SOME FEDERAL AGENCIES, including those under the jurisdiction of the Department of Defense, arbitrarily taken to using Standard Form 89? Other agencies include the Small Business Administration, National Security Agency, Housing and Urban Development, Public Health Service, and The Library of Congress. Standard Form 89 was intended for use by patients in government hospitals.

## LOGIC & the ETHICS of SEX

by Foster Gunnison, Jr.

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The Civil Service Commission claims to be at a loss to explain how this form has come into general use. Congressman Sam Irvin, head of the House Subcommittee on Constitutional Rights charges that this form is being used illegally and as such constitutes a gross invasion of privacy -- and unnecessarily so.

Here is a sample of questions being asked:

Have you ever had terrifying nightmares? fits of depression? bed-wetting? or homosexual tendencies?

Have you, your mother, father, sisters, brothers ever had suicidal tendencies? had syphilis, hives, or been insane?

For women only Have you ever been pregnant? (Seven additional questions follow on the applicant's menstrual cycle.)

According to the Civil Service Commission, the only specifically authorized medical form is Standard Form 78, which includes a question on details of any disability which might affect your ability to carry out the duties of the job applied for. The rest of the form is to be filled out by a physician and pertains to the applicant's general health, as revealed by an examination.

The ever-paternalistic Civil Service Commission concedes that "some" agencies "may have been given permission" to use the form in question. They have indicated willingness to discontinue the use of Form 89.

I wonder how many complaints Irvin's committee will have to receive about this and other Civil Service and agency goings-on before the house of John Macy will be set in order.

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THOUGHT FOR TODAY: What society needs is a picture of homosexuals as responsible and trust-worthy human beings. Everyone of us can help promote such an image. And when people stop being afraid of us, they'll be more generous. Fostering trust is something the individual homosexual can and has to do. For when it comes to winning the sympathy of the public, we bear the burden of proof -- just or unjust, and whether we like it or not.

### book review

Sexual Morality by Ronald Atkinson. New York: Harcourt, Brace and World, 1965. \$4.50.

Sex is not the sole topic for morality, nor maybe in some absolute sense the most important one, but it concerns us all very nearly, and is above all others the area in which we have the opportunity to express our moral convictions in practice." (Atkinson)

If we can all agree that logic and reason are, at least for the short run, inherently limited as techniques of persuasion in consequence of a) limitations of the thinking process itself, and b) the intrusion of passion into issues as emotively charged as those pertaining to sex, and particularly sexual deviation, then we can with lessened risk of disappointment set ourselves to the task of perfecting our rational positions.

The ultimate justification for social acceptance of homosexuality, of course, will be that enough homosexuals finally kicked themselves out of bed, ripped off their masks, and diligently fought for their rights while the moral arguments fell, *ex post facto*, neatly into place.

Meanwhile, consciences can be soothed by recourse to reason and to this end Sexual Morality serves a useful purpose. Atkinson's stated intentions are twofold: a) "to show that abstract moral philosophy can have bearing on practical problems," and b) "to contribute to the rational discussion of the issues themselves of sexual morality." These follow from his observation that "moral philosophy is not the exercising of moral judgment, but the study of it."

The work is thus somewhat unusual in combining exposition in general logic and the logic of ethical analysis with application of analytic thought to specific areas of sexual morality including free love (promiscuity), divorce, homosexuality, contraception, and artificial insemination, with incorporated references to abortion, adultery, and incest -- enough fuel to keep any aspiring moralist functioning with a full head of steam.

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Foster Gunnison, Jr., is Vice-president of the Mattachine Society of Florida, Inc.

We have here what is fundamentally neither an attack nor a defense, but more or less a guidebook on what the issues are and how they can be handled. Thus evaluation of the work must focus on its adequacy as a primer of analysis rather than a reporting of events or a promotion of causes.

Where Benson (In Defense of Homosexuality) assumes a strong position on the particular issue of greatest immediate interest to homosexuals, Atkinson explores both sides of several related and frequently overlapping issues. Where Benson offers intensively argued counters to selected major propositions, excels in his exposition of the limits of rational argument, casts an eloquent plea for understanding and explores means of promoting it, Atkinson presents a confrontation of the two major ethical positions (authoritarian metaphysicalism and pragmatic utilitarianism) in a broad variety of propositions, excels in his exposition of the content of argumentation, and provides a useful manual for basic indoctrination in the principles of ethical analysis and their application in concrete circumstances. There is little duplication between the two.

While the first part of the book is devoted to a review of basic elements in logical analysis, the second part deals with the primary classes of "standard arguments." Here Atkinson holds the "Western Norm" -- the system of values expressed in post-Christian, Western Hemisphere civilizations -- to represent the status quo, the received moral principles, and principal object of authoritarian defense. The "norm" in sociosexual matters is defined as nonadulterous, nonincestuous, procreative intercourse restricted to life-long, monogamous, heterosexual unions -- a norm which, observes Atkinson, is extensively violated in fact and not immune to challenge even in principle.

The grounds of assessment are difficult. Every moral judgment proceeds from criteria of right and wrong. But such criteria can be judged only in the light of criteria prior and of higher order, the regression ending with first principles which, as in any system of thought and as Benson ably demonstrated, cannot themselves be proved. One could argue, observes Atkinson, that the "Western Norm" itself represents one such system of unprovable first principles. He holds nonetheless that the received morality in its totality may include bases for arguing against the detailed regulation of any particular area. In addition, cross-cultural comparison may stimulate utilitarian challenge to the absolutivity of authoritarian precepts.

But Atkinson holds also to a limited applicability of utilitarian criticism. Arguments from

consequence are generally applicable to little more than parts of a total norm. Predictability is inherently short-sighted. Only aspects of a total value system can be changed, and even value systems are interconnected. The entrenchment of vested interests supports the "functionalist thesis" that a change in aspect of any one system may result in unforeseen consequences to aspects of other systems, thus further limiting the scope of utilitarianism. Hence, while positive law, as in the proscription of homosexual acts, should in a democratic, morally pluralistic society be judged exclusively on utilitarian grounds (i.e., according to ascertainable harm, prudential or beneficent), it is an open question whether the whole of morality can be so judged.

In addition to the "primary" utilitarian arguments from prudence, beneficence, and justice, Atkinson reviews what he terms "additional but secondary" arguments which appear to consist principally of arguments from the other side of the fence, including those from natural law and religion along with a discussion on the use of positive law in the enforcement of morality.

In Atkinson's view, natural laws are little more than the extraction of implications from arbitrary definitions. Substantial moral questions cannot be closed by definition. Conclusions drawn from them have mere verbal rather than moral significance. The guilty ones, according to Atkinson, are the moralizing religionists who pass off moral (theological) conclusions as factual ones and the moralizing social scientists who attempt to derive moral conclusions from factual premises, thus committing the "genetic fallacy" of concluding whatever "is" therefore "ought to be."

Thus the principal ends of love, marriage, and sex are values objectified as facts (not unlike the secular declaration that all men are born equal) and reified in natural law. Yet grounds for rejection of conclusions drawn from metaphysical premises are grounds for rejection of the premises themselves.

Natural law theorists are in total opposition to utilitarians, but Atkinson believes nonetheless that common ground can still be found in the utilitarian considerations of prudence, beneficence, and justice. He is likely right, as the vague probabilities of consequences would seem to offer more opportunity for give and take than the often rigid absolutes of metaphysical morality.

The third and final part of the book is given over to the practical application of all that has preceded, the examination of propositions pro and con, and arguments stemming therefrom in respect to the aforementioned specific issues in sexual morality.

Atkinson bases his discussion of homosexuality on arguments encountered in the preparation of the Wolfenden Report and in the ensuing parliamentary debate over the Committee's recommendations. Presumably this somewhat narrow focus was chosen on the grounds that the bulk of hard-core practical arguments would have received thorough coverage by experts under the pressure of pending legislation -- an approach nonetheless generally in keeping with his stated purposes.

In opposition to the primarily utilitarian viewpoint of the Wolfenden recommendations were a variety of moralistic paternalisms thrown up by Lord Devlin in classic authoritarian style. However intellectually obnoxious thunderous appeals to righteous indignation, vague threats of social disaster, and the sanctity of majority opinion might seem to the sober social critic, Atkinson nonetheless regards Devlin's basic position as technically invulnerable to decisive refutation. One must therefore "choose sides."

In Devlin's view, society has the right to expect certain moral standards regardless of any absence of definable harm. Moreover, "positively immoral" acts even though not harmful to consenting individuals may prove harmful to others if adopted through social pressures on a larger scale. Finally, the burden of proof is declared to lie not with the majority who accept the laws but with those who desire to see them changed.

There may be some justification for giving the Devlin his due. His first two propositions are indeed immune to logical refutation. He has only to show their relevance to the specific issue of homosexuality. Premises are of practical value only to the extent they can support specific conclusions. But it is precisely this persistent absence of deductive connection that renders the authoritarian position rhetorical rather than logical. Irrefutability is confined to the premises alone. As for Devlin's observations concerning the burden of proof, the homophile movement may well learn that he is correct in fact, if ungallant in attitude.

Atkinson proceeds through a catalog of more specific objections to the legalization of homosexual acts: the arguments from health of society, decadence and decay, effects on family life, transitory relationships, encouragement of pedophilia, opening the flood gates, and so on. One by one the arguments are rejoined -- lack of empirical evidence, vagueness of definition, counterbalancing heterosexual abuse, counterbalancing statistics, negatively valued alternatives, negative effects of prejudice, indefinable causal order, and questionable efficacy of legislative restrictions in the first place.

Unfortunately the "sickness" argument is treated by Atkinson somewhat summarily. Pathology

is passed off as "probably invalid" partly in acquiescence to the Wolfenden observations, partly to his own. Little reference is made to the specific inadequacies of psychoanalytic theory and none to research methodology. Instead Atkinson, in keeping with traditional moral analysis, focuses on the derivative (though nonetheless vital) issue of responsibility. Thus if homosexuality is a sickness, then legal sanctions are inapplicable. If not, then they may be. This, however, leaves open the entire question of sickness together with value judgments presumed. Dedicated homophile workers may also be unnerved by the innocently bland speculation, "It is possible that more effective treatment will be developed in due course."

Happily, Atkinson concludes that consenting adult homosexuality conducted in private cannot be harmful on utilitarian grounds. Homosexuality is an unchosen condition, resistant to change, and abstinence might actually violate prudence. It involves no greater inherent abuse than heterosexuality. Both can be prudent, beneficent, and responsible, or not as the case may be.

In similar fashion Atkinson explores each of the other areas of sexual morality. It should be noted that many points raised in regard to one particular issue have obvious bearing on one or more others even though not specifically covered therein. This applies particularly to homosexuality. For example, in Atkinson's discussion of "free love" the recognized possibility of inherent psychological differences between men and women might suggest modifications in a code of ethics for homosexuals, assuming acceptance of homosexuality in principle; the ethical value of marriage and criteria for judging heterosexual interpersonal relationships could have bearing on the need for, or usefulness of, homosexual marriage and the judging of homosexual relationships (marital or extramarital); and his perceptive observation that what is less desirable is not of necessity immoral, as well as his recommendation that sex education avoid indoctrination of values, all have obvious import for homosexuality.

The sophisticated moralist may, however, be struck by what appear to be some important omissions. One of the most persuasive of all arguments against homosexuality holds it to be contrary to the realization of one's maximum potential as a human being. By committing himself to a way of life wherein, for example, the bearing and raising of children together with all the unique pleasurable, disciplinary, enriching and character-building experiences presumably attendant thereto are automatically precluded, the homosexual deprives himself of vital rewards and the satisfaction of vital needs.

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To object that homosexuals do not choose their way of life is irrelevant, as the question still has bearing on whether homosexuality is to be regarded as a secondary life and subject to elimination if and when the means present themselves, or whether it has positive value in its own right. To object that homosexuals can enjoy, benefit by, and contribute through experiences other than that of raising a family merely begs the question -- why not both? Nowhere does Atkinson appear to come fully to grips with the issue of self-realization and personal happiness.

Another argument is that from justice, which suggests a certain lack of fairness pertinent to all extramarital situations, homosexuality included, in that the pleasures of sex are to be had cheaply without "paying the price" in terms of accepting the responsibilities and hardships that go with raising a family. Here sex assumes a somewhat "commercial" aspect, no doubt unbecoming to it.

The argument is easily countered (most might hesitate to voice it in the first place). Yet it is not unlikely that it has considerable "de facto" force in helping to maintain the status quo and reserving sex for those who may tend to see themselves as "giving up" something for it.

Atkinson does, however, recognize the important question of the childless married couple as a somewhat comparable issue having significance for homosexuality and the other issues, especially when the absence of children is a consequence of voluntary decision. The problem has long been a thorn in the side of supporters of the "Western Norm."

The reader interested in a thoroughly systematic treatment of ideas may sense a somewhat abrupt cleavage between Atkinson's structure and classification of moral arguments on the one hand and his exploration of specific issues on the other, with rather random links between the two. The cleavage is legitimatized by his stated purposes in writing the book. But it may also account for what seems at times a slightly superficial coverage of certain issues, a lack of in-depth pursuit of some of the major arguments brought to bear.

This criticism, however, in no manner detracts from what is obviously a clearly written, competent enough introduction to sexual ethics -- a valuable condensed primer for those unfamiliar with technical ethical analysis who desire to broaden their understanding of the issues, and a handy review of arguments for the professional moralist.