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## “An Unusual and Peculiar Relationship”: Lesbianism and the American Cold War National Security State

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IN 1954 SECURITY OFFICIALS FOR the US Civil Service Commission questioned Ruth Windham, a former employee of the Federal Housing Administration (FHA), who had recently resigned due to an undisclosed illness. According to Paul Hussey, the FHA deputy personnel security officer, Windham’s mother had visited his office to explain that her daughter’s departure had been due to Ruth’s “homosexual activity,” which had resulted in the dissolution of her marriage.<sup>1</sup> When questioned by investigators, Windham described in detail her conflicts with her husband and her numerous sexual relationships with women during the preceding ten years. She also claimed that she had gained employment in the FHA after she had met Peggy Davis, a member of the FHA Personnel Division, who, according to Windham, was also a lesbian. Windham explained that Davis had hired other women with similar sexual inclinations to work for the FHA, including Doris Wilson, with whom Windham was having a sexual relationship. Worried that the FHA was awash with lesbians, Hussey ordered an investigation into the lengthy list of employees who Windham claimed were homosexual. He was following the directives issued in 1953 by President Dwight Eisenhower under Executive Order 10,450. Continuing the practice of banning individuals with questionable political beliefs and associations from employment with the federal government, Eisenhower expanded the grounds for dismissal to include security risks and other indications that the person did not possess the proper character to work for the government. The list of character traits deemed inappropriate included criminal or immoral behavior, mental illness, drug or alcohol addiction, and sexual perversion.<sup>2</sup>

<sup>1</sup> Security File, Mary B. Meyer (1954–55), 1, Oversize Personnel Security Investigation Case Files, 1928–82, box 1330, Civil Service Commission / Office of Federal Investigations, Records of the Office of Personnel Management, Record Group 478, National Archives at College Park, MD (hereafter Security File).

<sup>2</sup> US Civil Service Commission, *Handbook IN-203: Guides for Members of Security Boards under Executive Order 10450* (Washington, DC: US Printing Office, 1953), 3.

Following Windham's accusations, numerous FHA employees, including many of those Windham had named, resigned as a result of her allegations. However, some employees denied the charges, including, for instance, Grace O'Lone, a nurse at the FHA whom Windham described as "a very domineering and masculine individual."<sup>3</sup> When questioned by investigators, O'Lone acknowledged that she was, in the words of one security officer, in "an unusual and peculiar relationship" with Mary Meyer, another nurse at the FHA, whom O'Lone had befriended in 1932 when both were working at a local hospital.<sup>4</sup> Shortly after they became friends, O'Lone had invited Meyer to move with her into her father's home; the two women then shared the same bedroom and, for a period of ten years, the same bed. Both acknowledged that during this time they frequently engaged in disreputable activity. As Meyer explained, "There were occasions from around 1934 until approximately 1944 . . . that we would place our arms about each other while lying in bed, and on occasions, one would place her knee against the other, causing pressure, which brought about a certain amount of sexual gratification."<sup>5</sup> Claiming they no longer engaged in what the legal counsel for the FHA referred to as "this knee business," O'Lone and Meyer denied that they were lesbians or had engaged in a sexually perverse act.<sup>6</sup> While many employees confronted with similar accusations chose to immediately resign from their positions, O'Lone and Meyer represented a small but growing number of accused individuals who stayed to fight for their jobs. Few such individuals sought to defend the sexual acts in which they had engaged, choosing instead to portray themselves, as O'Lone and Meyer did, as redeemed individuals who no longer participated in such behavior. But many also asserted their privacy and challenged the legality of such hearings.<sup>7</sup> As the lawyer for O'Lone and Meyer argued, "I will submit that the words 'immoral' and 'sexual perversion' . . . are so vague and lacking in uniform content . . . as not to furnish a single standard to which this Board might repair."<sup>8</sup>

Consequently, the Loyalty and Security Review Board of the FHA held a hearing in 1955 to determine if the two women were sexual perverts. The

<sup>3</sup> Report of Investigation, Mary B. Meyer (1954–55), Oversize Personnel Security Investigation Case Files (hereafter Report of Investigation, Meyer), 8.

<sup>4</sup> Transcript of Proceedings, 307, Federal Housing Administration Loyalty and Security Review Board, Oversize Personnel Security Investigation Case Files (hereafter Transcript of Proceedings).

<sup>5</sup> Report of Investigation, Meyer, 15.

<sup>6</sup> Transcript of Proceedings, 302.

<sup>7</sup> Historians have only begun to investigate the extent to which employees challenged government charges against them. As historian Landon Storrs notes, the National Archives and Record Service disposed of the vast majority of US Civil Service Commission case files in 1984, leaving only a few sources left for scholars to examine. See Landon R. Y. Storrs, *The Second Red Scare and the Unmaking of the New Deal Left* (Princeton, NJ: Princeton University Press, 2013), 265.

<sup>8</sup> Transcript of Proceedings, 13.

accusation, as detailed in a letter sent to Meyer by the director of personnel for the FHA, was that the two women "lived in what might be called a homosexual relationship."<sup>9</sup> As historian David Johnson has detailed, the Second Red Scare after World War II, during which the federal government instituted a national security program to safeguard the country from political subversion, dovetailed with the Lavender Scare, when federal officials strove to maintain the moral integrity of the government by purging individuals deemed to be sexual perverts from the ranks of their employees.<sup>10</sup> Such concerns emerged in 1950 when John Peurifoy, deputy undersecretary of state, announced that the State Department had dismissed ninety-one employees with questionable sexual proclivities. In response, the US Senate investigated the problem of "homosexuals and other sex perverts in government," bringing a range of witnesses, including psychiatrists and government officials, before the Committee on Expenditures (led by Senator Clyde Hoey) to determine the suitability of such individuals for federal employment.<sup>11</sup> In the midst of escalating concerns about Soviet espionage following the revelation in 1948 from former Communist Party member Whittaker Chambers about spy rings in Washington, DC, federal authorities invoked the language of national security to argue that homosexuals, who they assumed often acted in duplicitous ways to hide their immoral behavior, did not possess the moral fiber to withstand blackmail attempts by Communist agents. Believing that "sex perverts" were morally compromised, the Hoey Committee called upon the executive branch to purge them from the government, a recommendation that led to Executive Order 10,450.

Historians such as John D'Emilio and Allan Bérubé have argued that the Lavender Scare was prompted by the growing presence of homosexual communities in major cities like Washington, DC, in the 1940s.<sup>12</sup> But as Margot Canaday has detailed, the federal government began to regulate forms of sexual perversion throughout the first half of the twentieth century through immigration laws, welfare measures, military guidelines, and other legislative policies.<sup>13</sup> The expansion of the role of the federal government in this period was prompted not just by efforts to mitigate the social upheavals associated with industrialization and urbanization or to safeguard the

<sup>9</sup> Report of Investigation, Meyer, 3.

<sup>10</sup> David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: University of Chicago Press, 2004).

<sup>11</sup> "Employment of Homosexuals and Other Sex Perverts in Government," Interim Report Submitted to the Committee on Expenditures in the Executive Departments by Its Subcommittee on Investigations, 81st Cong., 2nd sess., Doc. No. 241 (Washington, DC: US Government Printing Office, 1950).

<sup>12</sup> See John D'Emilio, *Sexual Politics, Sexual Communities: The Making of a Homosexual Minority in the United States, 1940–1970* (Chicago: University of Chicago Press, 1983); and Allan Bérubé, *My Desire for History: Essays in Gay, Community, and Labor History*, ed. John D'Emilio and Estelle Freedman (Chapel Hill: University of North Carolina Press, 2011).

<sup>13</sup> Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton, NJ: Princeton University Press, 2009), 13.

economic welfare of the American people but also by the decision to enforce traditional norms threatened by such transformations and to redefine American citizenship in moral, not just political, terms. The difficulty, as Canaday explains, was that federal officials did not possess conceptual mastery over what they sought to regulate, and they stumbled over contradictory notions of same-sex desire and gender nonconformity. In deciding to penalize certain sexual practices, the federal government grappled with the myriad paradigms used to explain those perversions in this era, and officials freely appropriated the lexicons of eugenicists, psychiatrists, and medical doctors. Thus, the government classified individuals exhibiting same-sex desire using terms such as “pervert,” “degenerate,” and “invert,” referring not merely to the object of an individual’s desires but to gender identity, sexual practices, and mental health.<sup>14</sup> Only after World War II did the federal government begin wielding the term “homosexual” to define such individuals, a category that referred exclusively to same-sex object choice and one that was slowly developed over the course of the twentieth century.<sup>15</sup>

Consequently, when the Lavender Scare emerged in the 1950s, federal officials were confronted with competing understandings regarding same-sex desire and the physical or psychological markers through which to detect such desire. As the Hoey Committee noted, “Even among the experts there [exists] considerable difference of opinion concerning the facets of homosexuality and other forms of sex perversion.”<sup>16</sup> This was particularly true in the case of female same-sex desire. Historians have argued that the government was mostly concerned with regulating male homosexual activity and generally ignored same-sex desire between women.<sup>17</sup> But as the security case of Grace O’Lone and Mary Meyer suggests, the government was just as troubled by sexual perversion in women. Journalists Jack Lait and Lee Mortimer issued one of many warnings in their 1951 exposé of the nation’s capital, *Washington Confidential*, noting that “psychiatrists and sociologists who have made a study of the problem in Washington think there are at least twice as many Sapphic lovers as fairies.”<sup>18</sup> While security officials struggled to understand the nature and etiology of sexual perversion in both men and women, they seemed to have a clearer conceptualization of male

<sup>14</sup> Canaday, 11.

<sup>15</sup> See George Chauncey Jr., “From Sexual Inversion to Homosexuality: The Changing Medical Conceptualization of Female ‘Deviance,’” in *Passion and Power: Sexuality in History*, ed. Kathy Peiss and Christina Simmons (Philadelphia: Temple University Press, 1989), 87–117.

<sup>16</sup> “Employment of Homosexuals,” 2.

<sup>17</sup> See, for instance, Canaday, *The Straight State*, 174–75; Lillian Federman, *Odd Girls and Twilight Lovers: A History of Lesbian Life in Twentieth-Century America* (New York: Penguin Books, 1991), 142; and Genny Beemyn, *A Queer Capital: A History of Gay Life in Washington* (New York: Routledge, 2014), 132.

<sup>18</sup> Jack Lait and Lee Mortimer, *Washington Confidential* (New York: Crown Publishers, 1951), 121.

homosexuality, equating such perversion with specific acts such as sodomy and fellatio. Perhaps influenced by the long-standing acceptance of close female friendships in American life, officials had a difficult time determining which specific acts constituted sexual perversion in women. While they were sorting through the various psychiatric paradigms concerning both male and female homosexuality, officials showed less clarity in dealing with women. As David Halperin argues, societal understandings of lesbianism have not necessarily run parallel to understandings of male homosexuality, a complicated history that is exemplified by government efforts to regulate both forms of sexuality over the course of the twentieth century.<sup>19</sup>

Concerns about homosexual behavior were generated in part by the destabilization of traditional gender roles and family structures that occurred during the Second World War, when wartime needs brought more and more women into the workplace, shipped male breadwinners to military fronts in Europe and elsewhere, and led many to relocate to urban areas for defense-related jobs. As wartime mobilization uprooted millions of Americans from their homes and placed them in new, often sex-segregated environments, gay men and women found more opportunities to meet others like themselves, which in turn led to the rise of more homosexual communities and a larger gay subculture in many urban areas.<sup>20</sup> But efforts by medical experts and laypersons alike to understand male homosexuality and lesbianism were not necessarily coextensive, each drawing upon the tangled history of both terms. Historians have only begun to uncover the widespread discourse on lesbianism in the postwar period, which in many ways matched a corresponding discourse on male homosexuality. Whether in popular psychiatric accounts of lesbian sexual activity such as Frank Caprio's *Female Homosexuality* and Richard Robertiello's *Voyage from Lesbos*, in Hollywood movies ranging from Alfred Hitchcock's *Marnie* to Nicholas Ray's *Johnny Guitar*, or in popular lesbian pulp fiction penned by Ann Aldrich and Ann Bannon, postwar culture was filled with contradictory images of female same-sex desire.<sup>21</sup> This discourse built upon images of lesbianism drawn from the early twentieth century that never coalesced, images that portrayed female relationships, at the one extreme, as a form of romantic friendship, thereby de-eroticizing those relationships, and, at

<sup>19</sup> David Halperin, *How to Do the History of Homosexuality* (Chicago: University of Chicago Press, 2002), 79.

<sup>20</sup> D'Emilio, *Sexual Politics*, 42–43.

<sup>21</sup> See, for instance, Donna Penn, "The Sexualized Woman: The Lesbian, the Prostitute, and the Containment of Female Sexuality in Postwar America," in *Not June Cleaver: Women and Gender in Postwar America, 1945–1960*, ed. Joanne Meyerowitz (Philadelphia: Temple University Press, 1994), 358–81; Martin Meeker, "A Queer and Contested Medium: The Emergence of Representational Politics in the 'Golden Age' of Lesbian Paperbacks, 1955–1963," *Journal of Women's History* 17, no. 1 (2005): 165–88; and Lauren Ann Gutterman, "Another Enemy Within: Lesbian Wives, or the Hidden Threat to the Nuclear Family," *Gender and History* 24, no. 2 (2012): 475–501.

the other extreme, as dangerous threats to the social order. Such confusion was reflected in the case of O'Lone and Meyer as federal officials struggled with how to enforce Executive Order 10,450 in relation to women.

#### PSYCHIATRY AND THE NATIONAL SECURITY STATE

In 1965 members of the Mattachine Society of Washington, DC, a prominent gay civil rights organization, met with officials from the US Civil Service Commission to discuss federal policy regarding homosexuals. Arguing that federal officials were violating the constitutional rights of an oppressed minority, Mattachine Society members sought to convince the government to revise its policy.<sup>22</sup> After their meeting, John Macy Jr., chairman of the Civil Service Commission, drafted an official response that defended the right of the government to ferret out unsuitable individuals and refuted claims that officials were unfairly targeting homosexuals. Macy also challenged the authority of Mattachine Society members to label individuals as homosexual in the first place. According to Macy, the government did not acknowledge homosexuality as a separate identity and instead only recognized homosexual acts between same-sex participants, acts that, according to Macy, were judged in relationship to other considerations, such as the mental health of participants and the deviancy of the acts themselves. "We do not subscribe to the view, which indeed is the rock upon which the Mattachine Society is founded," explained Macy, "that 'homosexual' is a proper metonym for an individual."<sup>23</sup> Homosexual, according to the federal government, was an adjective, not a noun.

Macy was in part correct that Executive Order 10,450 was not designed specifically to target homosexuals but represented a larger concern with deviant behavior in general. Eisenhower's security program represented the culmination of the construction of the national security state in the first half of the twentieth century as the government sought to protect the country from domestic threats, political or otherwise. In the early twentieth century, as industrialization and urbanization uprooted traditional family life and work patterns, the federal government was pressured by various reform groups, ranging from Progressive organizations to religious associations, to curb the excesses of such changes. Linking political threats from radicals emigrating from Eastern Europe to the social turmoil caused by widespread social and economic changes, the federal government instituted a number of regulatory mechanisms—ranging from immigration policy to welfare restrictions and prohibition laws—to reinforce social order. Federal officials made national security a key priority, part of the larger process of

<sup>22</sup> Franklin Kameny, "Security Clearances for Homosexual Citizens," *Homosexual Citizen* 1, no. 3 (March 1966): 12–13.

<sup>23</sup> John W. Macy Jr. to the Mattachine Society of Washington, DC, 25 February 1966, reprinted in the *Homosexual Citizen* 1, no. 3 (March 1966): 5.



state building in the twentieth century that made the US government the guarantor of security in political, economic, and moral terms. A project that was begun in the Progressive Era expanded during the New Deal and underwrote liberal policies in the postwar period.<sup>24</sup>

As part of this effort, the federal government called upon medical experts to shape such policies, turning in particular to the burgeoning field of psychiatry. As Elizabeth Lunbeck has demonstrated, psychiatrists in the early twentieth century moved beyond their role as wardens of state mental hospitals by arguing that they had developed treatment methods for a range of social problems, including criminality and moral turpitude.<sup>25</sup> Extending their professional reach into courtrooms, prisons, and state legislatures, psychiatrists offered tools to distinguish between normal and abnormal behavior. They dismissed theories of feeble-mindedness and mental defectiveness that had guided previous understandings of abnormal behavior and developed a new diagnostic label, "psychopathic personality," for a range of conditions.<sup>26</sup> The term "psychopathy" was developed to distinguish between mental patients suffering from insanity and those who exhibited similar ethical and emotional impairment but no cognitive defects. Advanced by psychiatrists such as Adolf Meyer, psychopathy became a ubiquitous term for any deviant behavior, ranging from excessive masturbation to excessive violence.<sup>27</sup> According to psychiatrists Robert Lindner and Hervey Cleckley, who further developed the concept, psychopaths, unlike neurotics, exhibited uncontrollable impulses but had no feelings of remorse.<sup>28</sup> "Psychopathic personalities," explained psychiatrist Eugen Kahn, is what "we call those individuals who are characterized by quantitative deviations in impulse-life, temperament, ego and character."<sup>29</sup> The psychopathic personality suffered from a lack of moral judgment that served as the breeding ground for a range of immoral actions. According to psychiatrist Paul Preu, symptoms included "delinquency and law-breaking," "aberrant sexual behavior," and "drug addiction and chronic alcoholism."<sup>30</sup> Psychiatrists thus established a

<sup>24</sup> On the rise of the national security state, see Mark Neocleous, *Critique of Security* (Montreal: McGill-Queen's University Press, 2008).

<sup>25</sup> Elizabeth Lunbeck, *The Psychiatric Persuasion: Knowledge, Gender, and Power in Modern America* (Princeton, NJ: Princeton University Press, 1994), 3–4.

<sup>26</sup> See Theodore Millon, Erik Simonsen, and Morten Birket-Smith, "Historical Conceptions of Psychopathy in the United States and Europe," in *Psychopathy: Antisocial, Criminal, and Violent Behavior*, ed. Theodore Millon (New York: Guilford Press, 1998), 3–31.

<sup>27</sup> See Estelle Freedman, "Uncontrolled Desires: The Response to the Sexual Psychopath, 1920–1960," *Journal of American History* 74, no. 1 (1987): 83–106.

<sup>28</sup> Hervey Cleckley, *The Mask of Sanity: An Attempt to Reinterpret the So-Called Psychopathic Personality* (St. Louis: Mosby, 1941); and Robert Lindner, *Rebel without a Cause: The Story of a Criminal Psychopath* (New York: Grove Press, 1944).

<sup>29</sup> Eugen Kahn, "The Psychopathic Personalities," in *Psychiatry for Practitioners*, ed. Henry Christian (New York: Oxford University Press, 1936), 239.

<sup>30</sup> Paul William Preu, "The Concept of the Psychopathic Personality," in *Personality and Behavior Disorders, Volume II*, ed. Joseph Hunt (New York: Ronald Press Company, 1944), 925–26.

metonymical logic in which all deviant behaviors were classified under this diagnostic label.

Discussions about homosexual desire in the early twentieth century were framed by this discourse on psychopathy. As scholars such as George Chauncey and David Halperin have argued, psychiatrists at the time did not recognize homosexuality as a distinct diagnostic category but subsumed same-sex desire under the broader label of "sexual inversion."<sup>31</sup> Building upon the work of Richard von Krafft-Ebing and Havelock Ellis, psychiatrists defined sexual inversion as the exhibition of the physical appearance, personal demeanor, and sexual proclivities of the opposite sex. Thus, psychiatrists tied sexual behavior to gender roles, establishing a dichotomized framework that defined male sexual desire as active and female desire as passive and conceived of sexual relations as possible only within that oppositional pairing. The female sexual invert, for example, took an active sexual role and exhibited a masculine demeanor, while the male invert appeared feminine and preferred a passive sexual role. As Havelock Ellis explained, "The commonest characteristic of the sexually inverted woman is a certain degree of masculinity or boyishness."<sup>32</sup> Although psychiatrists offered no consensus on the etiology of sexual perversion, they argued that same-sex desire or any gender abnormality was one of the pathological symptoms of psychopathy, and they tied sexual inversion to other deviant behaviors. For instance, psychiatrist William Healy, director of the Chicago Juvenile Psychopathic Institute, argued that most criminals exhibited sexual and gender abnormalities, often engaging in sexual acts with same-sex partners and demonstrating gender traits of the opposite sex.<sup>33</sup>

Throughout the early twentieth century, this psychiatric discourse marked security measures across the nation. On the local level, for instance, several states, including Indiana, California, and Virginia, in the first decades of the century passed compulsory sterilization laws, targeting those with mental and physical handicaps reflective of a "psychopathic constitution."<sup>34</sup> Beginning in the 1930s and continuing through the postwar years, concern about an apparent increase in sex crimes led to the passage of "sexual psychopath" laws in twenty-nine US states that mandated the psychiatric confinement of any criminals suffering from sexual pathologies such as homosexuality and exhibitionism. On the national level, moreover, military induction centers during both World War I and World War II screened recruits for mental and moral deficiencies, focusing on ferreting out psychopathic personalities that

<sup>31</sup> See Chauncey, "From Sexual Inversion," 90; and Halperin, *How to Do the History*, 128.

<sup>32</sup> Havelock Ellis, *Studies in the Psychology of Sex: Sexual Inversion* (Philadelphia: F. A. Davis Co., 1915), 244.

<sup>33</sup> See Nicole Hahn Rafter, *Creating Born Criminals* (Urbana: University of Illinois Press, 1997), 167–87.

<sup>34</sup> Harry Laughlin, *Eugenical Sterilization in the United States* (Chicago: Psychopathic Laboratory of the Municipal Court of Chicago, 1922), 323.



might undermine military efforts.<sup>35</sup> After World War II, the US Congress passed the Immigration and Nationality Act of 1952, which granted the government greater power in deporting immigrants or naturalized citizens engaging in subversive activities. The act focused specifically on those immigrants "afflicted with psychopathic personality," which referred to a range of behaviors, including alcoholism, criminality, and immoral sexual acts.<sup>36</sup>

When hostilities emerged between the United States and the Soviet Union after World War II, federal authorities began to frame new national security policies and turned again to psychiatric discourse to do so. The precipitating event was the discovery that the staff of *Amerasia*, a little-known foreign affairs journal, had in their possession hundreds of government documents, many of which were classified. After the FBI arrested two editors for the journal and three federal government employees on charges of conspiracy to commit espionage, many congressional leaders called upon President Harry Truman to strength security efforts in the federal government. In 1947 Truman issued Executive Order 9835, which instituted loyalty investigations for all federal employees.<sup>37</sup> But following the highly publicized accusations about Soviet espionage in the federal government by Whittaker Chambers, who detailed the prior existence of an elaborate spy ring in Washington, DC, that involved prominent members of the Democratic Party, Republicans challenged the circumscribed nature of Truman's program, arguing that security rather than loyalty should be the standard. Using psychiatric logic, in which all deviant behaviors were linked under the category of psychopathology, federal officials began to argue that the problem of disloyal Americans engaging in espionage went hand in hand with the problem of psychologically ill individuals, whose disturbing patterns of behavior (ranging from their drinking habits to their sexual inclinations) threatened national security. For instance, Felix Larson, general counsel for the Department of Defense, argued that "some of these employees while loyal or while there is no proof that they are disloyal, are of such characteristics or of such personal traits that it is dangerous for them to work in the sensitive job."<sup>38</sup> Blurring the line between loyalty, security, and suitability, President Eisenhower deployed Executive Order 10,450 to bar from federal employment any individuals deemed "security risks" due to their criminal or immoral behavior, drug or alcohol addiction, or sexual perversion. Attorney General Herbert Brownell, who crafted the order,

<sup>35</sup> See Ellen Herman, *The Romance of American Psychology: Political Culture in the Age of Experts* (Berkeley: University of California Press, 1995), 82–84.

<sup>36</sup> Pub. L. No. 82-414, 82nd Cong., 2nd sess., *United States Statutes at Large* 66 (1952) (Washington, DC: Government Printing Office, 1953), 226.

<sup>37</sup> On the history of federal security programs, see Alan Harper, *The Politics of Loyalty: The White House and the Communist Issue, 1946–1952* (Westport, CT: Greenwood, 1969), 5–19.

<sup>38</sup> US Congress, Senate, Committee on Armed Services, *Summary Suspension Civilian Government Employees and Other Bills*, 81st Cong., 2nd sess., 20 and 21 July 1950 (Washington, DC: US Government Printing Office, 1950), 8.

explained that the goal was less “a hunt for subversives” and more a search for “security risks,” which included “anybody [who] was a homosexual or an alcoholic or was leading an irregular, abnormal life.”<sup>39</sup> As rising tensions in the Cold War led to increased concerns about national security, the federal government linked together all deviant behavior, whether political, sexual, or moral.

Viewing same-sex desire as symptomatic of a larger pathological condition, the federal government targeted a range of immoral sexual activities linked to psychopathy. CIA director Roscoe Hillenkoetter made this explicit in his testimony before the Hoey Committee in 1950. “Homosexuality,” he explained, “frequently is accompanied by other exploitable weaknesses, such as psychopathic tendencies which affect the soundness of their judgment, physical cowardice, susceptibility to pressure, and general instability.” Hillenkoetter also tied homosexuals to other deviant characters. “Homosexuals,” he continued, “have a definite similarity to other illegal groups such as criminals, smugglers, black marketers, dope addicts, and so forth.”<sup>40</sup> Federal officials like Hillenkoetter invoked the language of national security to argue that homosexuals were dangerous risks within the federal government for two reasons. First, homosexuals were morally weak and emotionally unstable, characteristics that led them not only to participate in perverse sexual acts but also to engage in lying and cheating in order to hide their depraved behaviors. As Hillenkoetter argued, homosexuals were susceptible to blackmail from Communist agents who might use knowledge of their sexual activities to extort government secrets. Second, homosexuals tended to congregate together, even within the workplace, not only making them more easily identifiable to foreign agents but also increasing their numbers within the federal government, because, Hillenkoetter alleged, homosexuals actively worked to make sure that more individuals like them were hired.

This was the context in which Ruth Windham accused the FHA of harboring lesbians. In her testimony, Windham described in explicit detail her own sexual experiences, as well as the activities of the large group of “psychopathic homosexuals” in the FHA. Versed in psychiatric language that she learned while receiving medical treatment forced upon her by her mother, Windham explained how “normal sexual intercourse” with her husband “did not satisfy my sexual appetite.” She used a framework in which all sexual activity was marked by the pairings of penetration and reception, active and passive, and masculine and feminine. Describing her sexual experiences with Doris Wilson, another FHA employee, Windham explained that “Doris was the aggressive one and I the passive one,” a physical relationship in which “[Doris] felt herself completely a man when we engaged in acts because of

<sup>39</sup> Reminiscences of Herbert Brownell, Oral History, 1967, 300, Eisenhower Administration Project, Rare Book and Manuscript Library, Columbia University, New York.

<sup>40</sup> Executive Session Transcript, 14 July 1950, 2095, 2096, US Senate, Investigations Subcommittee of the Committee on Expenditures in the Executive Departments.

what she was doing to me." Windham also described other women in the FHA in similar ways, depicting what she saw as their violent sexual behavior. One woman, according to Windham, was "criminally insane because of her sadistic tendencies." Another was "an aggressor in homosexual acts," frequently "[shoving] her whole fist" in "the passive partner's vagina" to "torture her." Windham characterized Grace O'Lone in similar terms, describing her as "a very domineering and masculine individual."<sup>41</sup> Windham echoed current psychiatric literature that described individuals expressing same-sex desire as psychopathic, characterized by emotional instability, and engaging in sexual acts more typical of the opposite sex.

An example of the way that psychiatric concepts informed security proceedings under Executive Order 10,450 was the investigation of Mary Ann Sklar, a stenographer for the Public Housing Administration. In 1952, when she was employed as a secretary in the Office of Price Stabilization, officials questioned Sklar about her associations with labor activists and suspected Communist Party members. Although she successfully refuted those charges, she was further investigated in 1958 when evidence surfaced regarding her "morals and emotional instability." According to security officials, several witnesses testified that they "believed [Sklar] to be homosexual because of the mannish way in which she dressed and because of the people with whom she associated." Further witnesses corroborated the accusations by claiming that Sklar had once been caught in bed with a married woman and had shared an apartment for a period of eight months with another woman. When questioned, Sklar denied ever having "engaged either actively or passively in any form of homosexuality." Security officials searched for any physical signs of perversion in this "eccentric, high-strung individual," examining her "regular feminine attire" for any manly traces and looking for any "masculine mannerisms" in her demeanor during her security hearing testimony.<sup>42</sup> Like other security officials in the 1950s, they were guided by psychiatric discourse that linked sexual behavior, gender identity, political beliefs, and mental stability. In the case of individuals like Mary Sklar, government suspicions about ties to Communist Party activities frequently coincided with suspicions about sexual or moral deviance.

#### BLURRED PARADIGMS

But by the time Executive Order 10,450 was institutionalized, intellectual and social changes had begun to undermine the paradigm in which

<sup>41</sup> Report of Investigation, Meyer, 8, 3, 6, 9, 10, 8.

<sup>42</sup> Report of Investigation, 1, 2, Mary Sklar (1952–58), Oversize Personnel Security Investigation Case Files, 1928–82, box 1757, Civil Service Commission / Office of Federal Investigations, Records of the Office of Personnel Management, Record Group 478, NA (hereafter Report of Investigation, Sklar). See the documents titled "Statement of Facts" and "Observation."

homosexual desire was seen as a form of sexual inversion and therefore as a sign of psychopathy. As historian John D'Emilio argues, the mobilization of American society to fight World War II and the subsequent destabilization of family and social life increased the movement and the opportunities for individuals to escape the oversight of their families, which in turn allowed for the development of larger homosexual communities in cities such as New York and Washington, DC, and prompted more and more individuals to identify themselves based upon their sexual preferences. The resulting opportunities for discussion and collaboration provided the context for the creation of organizations such as the Mattachine Society.<sup>43</sup> These organizations found academic justification for their efforts to achieve social tolerance in the work of scientists and sociologists like Alfred Kinsey and Erving Goffman, who challenged the stigmatization of homosexual acts. Equally important, many in the psychiatric community began to rethink the use of the term "psychopathy," an intellectual shift that resulted from the growing prominence of Freudian theory at the start of what Nathan Hale has termed the "golden age" of American psychoanalysis.<sup>44</sup> Many practitioners, including, for instance, Ben Karpman, senior medical officer at St. Elizabeths Hospital, argued that the term "psychopathy" served merely as an "over-cluttered wastebasket" into which disorders with different etiologies were thrown.<sup>45</sup> Karpman countered that behaviors such as addiction, criminality, and sexual perversion resulted from very different psychodynamic processes and needed to be classified separately.

Karpman was one of a number of postwar psychiatrists who called for severing the link between psychopathy and homosexuality. As Karpman explained, "Functionally and dynamically oriented psychiatrists do not regard homosexuality as a form of antisocial behavior, but as a highly specific type of neurosis."<sup>46</sup> Karpman was echoing the original claims of Sigmund Freud, who had dismissed arguments that same-sex desire was the result of either sexual inversion or congenital degeneration. Instead, Freud insisted that homosexual tendencies resulted from an arrested psychosexual maturation caused by interruptions to the successful resolution of the Oedipus complex. From this perspective, homosexuality had little to do with conventional categories of gender or with passive or active sexual preferences. Instead, Freud distinguished between sexual aim and sexual object, the former referring to preferred sexual practices and the latter to

<sup>43</sup> See D'Emilio, *Sexual Politics*, 23.

<sup>44</sup> See Nathan Hale, *The Rise and Crisis of Psychoanalysis in United States: Freud and the Americans, 1917–1985* (New York: Oxford University Press, 1995), 276.

<sup>45</sup> Ben Karpman, "The Myth of the Psychopathic Personality," *American Journal of Psychiatry* 104, no. 9 (1948): 524.

<sup>46</sup> Ben Karpman, "A Yardstick for Measuring Psychopathy," *Federal Probation* 10, no. 4 (1946): 29. On these competing paradigms, see Jennifer Terry, *An American Obsession: Science, Medicine, and Homosexuality in Modern Society* (Chicago: University of Chicago Press, 1999), 55–62.

the preferred object of desire. He challenged notions that same-sex acts were the result of sexual inversion and began to diagnose a wide variety of perversions, each with separate etiologies and symptoms.<sup>47</sup> In privileging sexuality over gender in discussing same-sex desire, psychoanalysis led the slow transition in psychiatry from viewing homosexual desire as a form of sexual inversion to seeing homosexuality as merely a matter of same-sex object choice.

This intellectual shift complicated efforts by the US government to regulate sexual perversion. As the government developed security procedures in the 1950s, these two competing paradigms shaped debates regarding same-sex desire. For instance, the Hoey Committee dismissed the older paradigm in which homosexual acts were seen as the result of sexual inversion. "Contrary to a common belief," the committee explained, "all homosexual males do not have feminine mannerisms, nor do all female homosexuals display masculine characteristics in their dress or actions."<sup>48</sup> In testimony before the Hoey Committee, Robert Felix, director of the National Institute of Mental Health, described homosexuality as a developmental disorder stemming from parental interference in the psychosexual maturation of a child. But Felix retained the long-standing belief that all sexual activity was structured by the gendered pairing of active and passive behaviors. "But there are always two people in a homosexual act," Felix explained in a moment of clarification, "and one takes a female role and one takes a male role, so the male-female thing never completely drops out, even in a complete homosexual."<sup>49</sup> Furthermore, despite having rejected the argument that there was a necessary link between sexual deviation and psychopathy, Felix and other psychiatrists who testified before the Hoey Committee still understood homosexuality to be a sign of a weakened conscience. According to Freud, homosexuality resulted from the failure of the child to emerge from the narcissistic oral and anal stages of the pre-Oedipal period and to develop a functioning superego. Consequently, homosexuals reveled in the perversions of those earlier developmental stages and exhibited no guilt over their sexual activities. As the authors of the Hoey Committee report explained, "Those who engage in overt acts of perversion lack the emotional stability of normal persons" and demonstrate no "moral fiber," an argument that resuscitated earlier claims that sex perverts were psychopathic.<sup>50</sup>

The psychoanalytic account of homosexuality also complicated efforts to police same-sex desire by making detection of homosexuality an epistemological problem. First, psychoanalysts argued that there were no

<sup>47</sup> Terry, *An American Obsession*, 58.

<sup>48</sup> "Employment of Homosexuals," 2.

<sup>49</sup> US Congress, Senate, Committee on Expenditures in Executive Departments, Investigations Subcommittee, Hearings Pursuant to S. Res. 280, Executive Session Transcript, 81st Cong., 2nd sess., 14 July–8 September 1950, Record Group 46, National Archives and Records Administration, Washington, DC (hereafter Hoey Committee Hearings), 2267.

<sup>50</sup> "Employment of Homosexuals," 4.

distinct physical traits by which same-sex desire might be discerned. As the Hoey Committee report phrased it, there were “no outward characteristics” that served as “identifying marks of sex perversion.”<sup>51</sup> Second, the psychoanalytic model did not necessarily include a notion of a permanent sexual orientation and thus challenged the idea that there was a strict divide between normal and abnormal sexual behaviors. Instead, psychoanalysts argued that there were gradations to homosexual behavior. As Captain George Raines, chief of psychiatry at the US Naval Hospital, explained to the Hoey Committee, “There is no such thing as a strict homosexual . . . [only] homosexual behavior, overt actual homosexual experience.”<sup>52</sup> As a developmental disorder, homosexuality was a condition to which all human beings were prone and a condition that exhibited no overt manifestations except for specific sexual acts. Consequently, in the absence of any physical signs, officials sought ways to detect homosexual behavior outside of rumors or insinuations and to judge the extent to which a particular sexual practice represented a perversion. The difficulty, as Dr. Felix explained, was in determining “how anti-social, how incurable in a sense a given homosexual may be with a fair degree of success and objectivity.”<sup>53</sup> Security officers had to act as diagnosticians, determining whether a particular act committed by an accused individual represented a form of perversion and whether the individual was capable of overcoming their weakness.

These epistemological problems, combined with the blurring of the two separate paradigms concerning same-sex desire, plagued officials as they administered Executive Order 10,450. Of course, such complications did not prevent the government from dismissing thousands of employees and pressuring even more to resign. For instance, conservatives in Congress argued that the local government in Washington, DC, had not done enough to crack down on the perceived rise in sexual offenses in the nation’s capital, specifically, homosexual acts committed in public spaces like parks and bathrooms. In response, the US Congress passed the Miller Sexual Psychopath Law in 1948. The law targeted acts of sodomy and oral sex, referring specifically to the act of “taking into his or her mouth or anus the sexual organ of any other person or animal” or “placing his or her sexual organ in the mouth or anus of any other person or animal.”<sup>54</sup> In publicizing arrest records, the US Congress, working with the FBI and the local DC police, expedited the process of tracking down “sex perverts” working in the government.<sup>55</sup> As Johnson has noted, many more male homosexuals than lesbians were caught up in the Lavender Scare primarily because men’s broader access

<sup>51</sup> “Employment of Homosexuals,” 2.

<sup>52</sup> Hoey Committee Hearings, 2281–82.

<sup>53</sup> Hoey Committee Hearings, 2247.

<sup>54</sup> Pub. L. No. 615, 80th Cong., 2nd sess., *United States Statutes at Large* 62, part 1, Public Laws (1948) (Washington, DC: Government Printing Office, 1949), 347.

<sup>55</sup> See Douglas Charles, *Hoover’s War on Gays: Exposing the FBI’s “Sex Deviates” Program* (Lawrence: University Press of Kansas, 2015), 82–97.



to public spaces and their preponderance in the federal workplace made it much more likely that their private lives would come under scrutiny.<sup>56</sup> This accounts for the inordinately larger number of men prosecuted under the Miller Act or dismissed from employment under Executive Order 10,450. Lieutenant John Layton of the Sex Squad of the DC police force even noted: "I haven't any experience with Lesbians in connection with the operation of the Miller Act."<sup>57</sup> This was a nationwide trend. In his 1953 study, *Sexual Behavior in the Human Female*, Alfred Kinsey noted that in contrast to the widespread local and state prosecution of male homosexuals, very few women had been arrested for engaging in illegal sexual acts.<sup>58</sup>

This did not mean that the federal government was indifferent to the problem of lesbianism. As journalists Jack Lait and Lee Mortimer argued in their *Washington Confidential* exposé of sexual life in the nation's capital, "lesbianism is scandalously rampant" among "government girls."<sup>59</sup> The DC police force raided local lesbian bars and subjected women to the same forms of entrapment used against men. In 1957 the FBI established surveillance of the Daughters of Bilitis, the first American lesbian civil rights organization, which was formed in San Francisco in 1955. Security officials in other areas of the government engaged in investigations in the 1950s similar to the one conducted by the FHA. For instance, the US Senate Committee on the Judiciary faced accusations in 1954 that a "bunch" of lesbians had overtaken the staff of the Subcommittee on Juvenile Delinquency and that they were competing for each other's affections and creating a state of "low morale" in the office.<sup>60</sup> Investigations were also conducted in several other federal offices, including the Department of Commerce, throughout the 1950s and early 1960s.<sup>61</sup> Similar concerns arose in the armed services, where fears about the effects of lesbian activity seemed to be particularly rampant.<sup>62</sup> While officials in the armed forces generally ignored the questions of female homosexuality in the military when women began serving in significant numbers during World War II, that lax attitude changed after the war. Security concerns in the Cold War led the Women's Army Corps to issue new directives in 1947 against lesbians in the army and to provide

<sup>56</sup> See Johnson, *Lavender Scare*, 155.

<sup>57</sup> US Congress, House, Committee on the District of Columbia, *Investigation of Crime and Law Enforcement in the District of Columbia: Hearings before a Special Subcommittee of the Committee on the District of Columbia*, 81st Cong., 2nd sess. (1950), 616.

<sup>58</sup> Alfred Kinsey et al., *Sexual Behavior in the Human Female* (Philadelphia: W. B. Saunders, 1953), 481.

<sup>59</sup> Lait and Mortimer, *Washington Confidential*, 102.

<sup>60</sup> US Senate, Committee on the Judiciary, *Hearings of the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary, July 8, 1954* (Washington, DC: Alderson Reporting Company, 1954), 2.

<sup>61</sup> See Madeline Tress, interview by Len Evans, 16 April 1983, transcript, GLBT Historical Society Oral History Collection, GLBT-OH, Gay, Lesbian, Bisexual, Transgender Historical Society, San Francisco.

<sup>62</sup> See Bérubé, *My Desire for History*, 125–43.

guidelines for investigating homosexuality among female personnel.<sup>63</sup> This new restrictive policy was also adapted throughout the other branches of the armed forces. In 1957, for example, the US Navy issued the Crittenden Report, which declared that “homosexual activity of female members of the military has appeared to be more disruptive of morale and discipline in the past than similar male activity.”<sup>64</sup> Beginning in the 1950s and continuing for decades, the armed forces actively targeted lesbians for dismissal and lectured recruits on the moral dangers of homosexuality.

The federal government was also attuned to the problem of female homosexuality. But the fact that women were dismissed at much lower rates than men reflected not only the smaller number of women employed but also the difficulty that policy makers had in conceptualizing same-sex desire between women or even in detecting it. That women were less likely to be apprehended because they were less likely to commit perverse acts in public was acknowledged in the Crittenden Report: “Homosexual activity by women is harder to detect. Women are normally more secretive, are not as promiscuous, and are more selective than the male.”<sup>65</sup> While security officials often relied on arrest records or police surveillance of known gay hangouts to find male homosexuals, they admitted that most investigations into female homosexual activities were based on rumors rather than any concrete evidence. Second, since they were struggling with two conflicting paradigms of same-sex desire—one linking homosexuality to gender inversion and other deviant behaviors and the other linking it to object choice—state officials struggled with defining what constituted female homosexuality. The authors of the Crittenden Report even insisted that “it is considered impossible to provide a fixed and concise overall definition as to all that constitutes homosexual activity in the female.”<sup>66</sup>

This definition problem was apparent in George Raines’s testimony before the Hoey Committee. “Among women,” he explained, “very frequently many homosexual relations limit themselves almost entirely to an effusion of feeling . . . that is, hugging and kissing.”<sup>67</sup> Raines argued that such acts ran counter to traditional notions that defined sex strictly in terms of penetration and orgasm. While federal officials assumed that male homosexual activity culminated in acts like sodomy and fellatio, thereby making that activity a perversion, they were uncertain about what constituted a lesbian sex act and what was merely an affectionate relationship between two women. As the Crittenden Report explained, “There can be homosexual activity without

<sup>63</sup> See Canaday, *The Straight State*, 174–213.

<sup>64</sup> S. H. Crittenden Jr., “Report of the Board Appointed to Prepare and Submit Recommendations to the Secretary of the Navy for the Revision of Policies, Procedures and Directives Dealing with Homosexuals, 21 December 1956–15 March 1957,” US Navy, Washington, DC (hereafter Crittenden Report), 43.

<sup>65</sup> Crittenden Report, 43.

<sup>66</sup> Crittenden Report, 43.

<sup>67</sup> Hoey Committee Hearings, 2288.

genital contact, although some authorities would define a homosexual act as one which produces orgasm."<sup>68</sup> While acts like fellatio and sodomy seemed to self-evidently define male homosexuality, officials found same-sex eroticism between women much more ambiguous, especially given the long-standing tradition in American society of accepting certain forms of female intimacy. Consequently, federal officials in charge of security hearings had a much more difficult time determining whether such acts committed between two women should be considered sexually perverse. According to the Crittenden Report, "many acts normal to the female are indicative of homosexual in the male," including acts such as hugging, kissing, hand-holding, and other forms of physical affection.<sup>69</sup> Therefore, security officials had to decipher not only the intent behind certain physical acts but also the broader emotional ties between women. The assumption was that women themselves might not perceive themselves as lesbians despite engaging in acts that gave them physical pleasure or living in a relationship that crossed the line from friendship to sexual intimacy. As Raines explained, "It is possible for two women to be in something of a homosexual relationship without either of them being fully aware of it."<sup>70</sup> Thus, officials had to decipher the exact nature of the personal relationships, whether physical or emotional, between accused female employees even without any clear consensus on what specific acts or affectional expressions constituted lesbianism.

#### "THIS KNEE BUSINESS"

Such confusions were reflected in the security hearing of Mary Meyer and Grace O'Lone. In their initial investigation, security officers noted that the relationship between these two women "seems to be typical of the homosexual relationship," pointing to their long-standing living arrangements and admitted physical interactions.<sup>71</sup> O'Lone and Meyer initially did little to clarify their relationship, and they gave different interpretations of the physical act in question. O'Lone described it as an "unnatural sex act" for which she felt tremendous guilt, while Meyer saw the act as a form of physical companionship between two lonely women.<sup>72</sup> Meyer, however, did not deny that their relationship was an unusual one. "Grace and I began to live in what some persons might call a homosexual relationship," she explained. "By this I do not mean that we engaged in perverted activities in the true sense."<sup>73</sup> A security hearing was held in 1955 to determine the exact nature of this "unusual and peculiar relationship" and to investigate

<sup>68</sup> Crittenden Report, 43.

<sup>69</sup> Crittenden Report, 44.

<sup>70</sup> Hoey Committee Hearings, 2288.

<sup>71</sup> Security File, 2.

<sup>72</sup> Interrogatory, 1.

<sup>73</sup> Interrogatory, 1.

the problems in an agency that had become, according to A. M. Prothro, the legal counsel for the FHA, "a real nest of homosexuals."<sup>74</sup> While many accused employees in the FHA resigned, Meyer and O'Lone fought the charges against them, which included descriptions of their "unnatural sex relationship," as well as the accusation that they had associated with "a number of persons who are either known to be or are suspected of being homosexuals."<sup>75</sup> During the initial investigation, many of their coworkers questioned had expressed reservations about both women. For instance, Merle Turner, a member of the FHA Personnel Division, claimed that the two women "stick together so much that they give the impression of a lesbian relationship."<sup>76</sup> Other coworkers reached a similar conclusion on the basis of quite different evidence. Some pointed to what they perceived as the women's lack of interest in the opposite sex; others noted their close personal friendship; some commented on their appearance, pointing in particular to Meyer's heavyset build; and others noted that Meyer often expressed her hope that one day homosexuality would no longer be stigmatized. Such comments did little to help officials to understand either the relationship between these women or what was referred to as "this knee business," Prothro's euphemism for the physical act that provided the most direct evidence of a sexual relationship.

Throughout the interrogation, Prothro relied on the language of sexual inversion to portray the relationship between these women, arguing that their physical interactions were symptomatic of a larger pathological condition. Female sexual inverts, according to Prothro, took on the physical appearance and sexual proclivities of men. Consequently, sexual inversion was easy to detect, a legible condition expressed through comportment and dress. As he questioned friends and family members of the two women, Prothro portrayed O'Lone as the passive victim of the masculine, aggressive Meyer. He asked O'Lone's father and his housekeeper whether Meyer was "bossy," whether she "[ran] the house" or "[did] the marketing," and he wondered aloud whether Meyer's boldness had resulted in her becoming the head of the household.<sup>77</sup> He also asked witnesses with knowledge of their relationship which woman was the more domineering or masculine of the two. Prothro was echoing the findings of the original security report, which noted that "Miss Meyer is on the aggressive side and makes all the major decisions while Miss O'Lone is on the passive side . . . [a division of roles that is] typical of the homosexual relationship."<sup>78</sup> Prothro characterized their bedroom activities in similar terms. He portrayed Meyer as more active, excitable, and aggressive and O'Lone as more passive and sexually

<sup>74</sup> Transcript of Proceedings, 331.

<sup>75</sup> Security File, 2.

<sup>76</sup> Security File, 15.

<sup>77</sup> Transcript of Proceedings, 79.

<sup>78</sup> Security File, 2.

reticent. While interrogating Meyer, he charged that "in the act one of you were [*sic*] passive and the other was aggressive."<sup>79</sup> Prothro argued that as with all same-sex female relationships, one woman had assumed the opposite gender role.

Following Prothro's lead, Al Philip Kane, the defense attorney for Meyer and O'Lone, similarly defined lesbianism as a form of sexual inversion in order to argue that his clients had not demonstrated the excessive sexual behavior associated with this form of perversion. Turning to medical jurisprudence, Kane began by introducing the definition of homosexuality found in R. B. H. Gradwohl's *Legal Medicine* (1954) into the proceedings.<sup>80</sup> Quoting Gradwohl, Kane explained: "A homosexual is one who, although having the sexual organs of one sex and the general physical makeup of that sex, although in the female perhaps having a mannish appearance, voice and actions, or a male having perhaps some female attributes of voice, manner and body, . . . feels sexually only for one of his own sex."<sup>81</sup> Kane argued that O'Lone and Meyer, despite their one transgression, did not exhibit any other deviations from prescribed gender roles, and he brought forth several witnesses to confirm this. O'Lone's father was adamant that he, not Meyer, ran the household. Meyer herself countered Prothro's characterization. "I assertively state," she explained, "that Miss O'Lone is not 'passive.' She has definite ideas and ideals to which she adheres most firmly."<sup>82</sup> Kane emphasized that Meyer's testimony, along with that of other witnesses, served to counter claims that his clients had deviated from conventional gender roles.

But beyond simply relying on the definition of lesbian as sexual inversion, Kane also borrowed from a litany of scientific studies of female physiology to claim that lesbianism referred only to a specific sexual act. He referenced Robert Dickinson's argument in *Human Sex Anatomy* (1933) that the physical characteristics of a woman's vagina, clitoris, and pubic hair pointed to her sexual proclivities.<sup>83</sup> Dickinson claimed that what distinguished the female sexual invert was the presence of an enlarged clitoris, which was supposedly evidence of a strong sexual urge and a desire for frequent clitoral stimulation. Kane also pointed to a similar argument in Frederick Peterson's *A Textbook of Legal Medicine and Toxicology* (1904).<sup>84</sup> Kane referenced these studies to argue that lesbianism was equivalent to "tribadism," that is, the practice of one woman rubbing her genitals against the body of another

<sup>79</sup> Transcript of Proceedings, 461.

<sup>80</sup> Rutherford Gradwohl, *Legal Medicine* (St. Louis: C. V. Mosby, 1954).

<sup>81</sup> Transcript of Proceedings, 384.

<sup>82</sup> Transcript of Proceedings, 278.

<sup>83</sup> Robert Dickinson, *Human Sex Anatomy* (Baltimore, MD: Williams and Wilkins, 1933), 101.

<sup>84</sup> Frederick Peterson, *A Textbook of Legal Medicine and Toxicology* (Philadelphia: W. B. Saunders, 1904), 144.

woman, often involving genital penetration.<sup>85</sup> Used for centuries to connote same-sex practices between women, the term “tribadism” was slowly replaced in the late nineteenth century by the term “sexual inversion” but was often retained by psychiatrists and medical doctors to diagnose certain perversions.<sup>86</sup> Even in the early twentieth century, many medical experts still saw a hypertrophied clitoris as homologous to the penis and integral to the aggressive sexual practices of female inverts. Accordingly, Kane argued that “only a person with an enlarged clitoris is a person who could have engaged in lesbianism.”<sup>87</sup> As evidence, Kane again quoted Peterson: “In its fully developed form [lesbianism] consists of *immisio clitoris in vaginam*, an act possible only when the organ is of unusual size and length.”<sup>88</sup> Kane relied on this definition to insist that the action committed by his clients was not a lesbian sex act because it did not entail genital penetration and did not involve any physical abnormality. Although O’Lone and Meyer were never physically examined, Kane argued that an enlarged clitoris, according to a medical expert such as Peterson, was an “exceedingly rare” condition, making it highly unlikely that his clients could have committed a lesbian act.<sup>89</sup>

The defense attorney’s focus on clitoral hypertrophy and vaginal penetration explains why much of the security hearing focused not just on Meyer and O’Lone but on the apparent physical abnormalities of Albert Flynn, a recently dismissed FHA employee. According to the nurse Florence Leonard, Flynn had befriended several nurses in the FHA, including Leonard and Meyer, to get their professional advice about his physical condition. Leonard claimed that Flynn was “a true hermaphrodite [with] both organs of a male and female.”<sup>90</sup> Much of the questioning of Leonard dealt with Flynn’s physical condition, as both legal counsels related his condition to the larger problem of inversion. Leonard explained that Flynn possessed “an immature penis and an immature possibly vagina.”<sup>91</sup> As Elizabeth Reis has detailed, medical observers throughout the nineteenth and twentieth centuries utilized the word “hermaphrodite” to define intersex individuals like Flynn. But they also argued that a true hermaphroditic condition, one in which a person possessed the reproductive organs of both sexes, was impossible; therefore, they sought to classify intersex individuals according

<sup>85</sup> Transcript of Proceedings, 174.

<sup>86</sup> On the etymology of tribadism, see Valerie Traub, “The Psychomorphology of the Clitoris,” *GLQ: A Journal of Lesbian and Gay Studies* 2, no. 1–2 (1995): 81–113; and Margaret Gibson, “Clitoral Corruption: Body Metaphors and American Doctors’ Constructions of Female Homosexuality, 1870–1900,” in *Science and Homosexualities*, ed. Vernon Rosario (New York: Routledge, 1997), 108–28.

<sup>87</sup> Transcript of Proceedings, 174.

<sup>88</sup> Peterson, *A Textbook*, 144.

<sup>89</sup> Transcript of Proceedings, 176.

<sup>90</sup> Transcript of Proceedings, 148.

<sup>91</sup> Transcript of Proceedings, 149.



to a two-sex system.<sup>92</sup> Leonard followed this long-standing tradition and contended that Flynn was actually a woman because of "his mannerisms," "his temperament," and his propensity "to have intercourse as a female."<sup>93</sup> Both legal counsels used this diagnosis to bolster their respective arguments. Prothro insinuated that Meyer's willingness to shelter knowledge of Flynn's condition from authorities signaled not only her questionable moral judgment but her empathy for someone with perverse tendencies similar to her own. Kane, on the other hand, sought to distinguish between the sexual actions of Flynn and those of his clients by drawing on early twentieth-century definitions of female sexual inversion as a variant of hermaphroditism. Medical doctors like Peterson and Dickinson assumed that sexual inverts possessed some sort of physical abnormality that resembled the sex organs of the opposite sex, a condition that Kane argued was exemplified by Flynn. Linking sexual inversion to homosexuality, Kane contended that the presence of an enlarged clitoris was the key indicator of female homosexuality because it was a sign of hermaphroditism and therefore of gender nonconformity and hypersexualization. Kane countered the government's portrayal of his clients as sexual deviants by arguing that the scientific definition of lesbianism limited it to one particular sex act and one distinguishing physical feature.

The government's case was further complicated by the testimony of Dr. John Cavanagh, a psychiatrist and member of the Mental Health Commission in Washington, DC, who testified as an expert witness and conducted a two-hour psychological examination of Meyer and O'Lone before the start of the hearing. Cavanagh used older terminology to describe what he referred to as "sexual perversion, or inversion, whichever term you prefer to use," language that he later employed in his 1966 book, *Counseling the Invert*. Following Freud, Cavanagh argued that homosexuality was caused by the distortion of normal heterosexual drives early in life: "It is not congenital; it is not something which you are born with; it is something which you acquire, something which you acquire very early in life." Homosexuality, according to Cavanagh, was "a condition in which a person, two people of the same sex, have a sexual attraction to each other." Consequently, he contended that homosexuality was not related to any specific sexual act but was "a way of thinking" that was difficult to detect. He even argued that "a person may act in a manner of a homosexual without being a homosexual."<sup>94</sup> Cavanagh insisted that there were no physical markers, including either gender presentation or any physiological abnormalities, that distinguished homosexuals. Such a condition was discoverable only through the kind of

<sup>92</sup> Elizabeth Reis, "Impossible Hermaphrodites: Intersex in America, 1620–1960," *Journal of American History* 92, no. 2 (September 2005): 411–41.

<sup>93</sup> Transcript of Proceedings, 151.

<sup>94</sup> Transcript of Proceedings, 34, 25, 24. See John Cavanagh, *Counseling the Invert* (Milwaukee: Bruce Publishing Company, 1966).

psychiatric examination he performed on Meyer and O'Lone, in which the psychiatrist gained a thorough history of the individual, particularly in regard to adolescent life, and performed a multitude of psychological tests to uncover homosexual fantasies.

Cavanagh further claimed that homosexual desire in itself was not a form of perversion. He reserved that term only for a particular physical act that "deviates sex from its proper aim," which Cavanagh saw as procreation. Homosexual desire, like any transgressive desire, was a problem only if that desire led to a sexual act. Cavanagh also wondered what kind of physical action performed between two women might constitute a perverse sex act. Even though he acknowledged that any act that deviated from conventional heterosexual intercourse represented a perversion, which he categorized broadly as including prostitution and adultery, he diagnosed the act between O'Lone and Meyer as only "a masturbatory equivalent rather than any genuine homosexuality." He even contended that perverse sexual acts should be judged on a scale and not merely lumped together. "If you wish to grade it," he argued, referring to the act between O'Lone and Meyer, "I suppose you would have to say that as you approach deviation from heterosexuality to homosexual acts, that one becomes more abnormal." While admitting that mutual masturbation between two women was more abnormal than the same act committed between a married man and woman, Cavanagh also argued that such an act was far less perverse than fellatio or other sex acts between two men. Throughout the hearing, both attorneys repeatedly asked witnesses whether they thought the act committed by Meyer and O'Lone was a sex act and, if so, a perversion. For instance, George Lynch, O'Lone's brother-in-law, was one of several witnesses who, like Cavanagh, contended that "if it is a homosexual act, it is at the very, very outer fringes of it."<sup>95</sup>

While Cavanagh saw the act as only a minor sexual perversion, the defense attorney questioned whether the act was a sexual one at all. Viewing sexual activity through the lens of traditional heterosexual intercourse, Kane argued that sex could be exclusively defined as vaginal penetration accompanied by orgasm, both of which were absent in "this knee business." Kane pointed to the fact that "there was never any emission, never any orgasm of any kind," and Meyer claimed that they never inserted "[their] fingers into each other's vaginas." Meyer also noted the infrequency of the act, claiming that they would do it "maybe once or twice a month," which she argued was much less frequent than traditional sexual activity. Furthermore, while O'Lone acknowledged that the act was a sexual one, Meyer downplayed its scandalous nature, describing it as "more an immodest act than immoral act." She argued that the act was a simulation of traditional heterosexual activity done between two women who had never had sex with a man. Meyer explained that "there was a feeling to know maybe what the real sex

<sup>95</sup> Transcript of Proceedings, 33, 32, 45, 73.

gratification was," a statement corroborated by O'Lone, who argued that the act was a mistake made by two women with no other sexual outlet.<sup>96</sup> The women tried to convince the hearing that the act was more a matter of experimentation than anything else.

Thus, O'Lone and Meyer tried to demonstrate that "this knee business," while seemingly similar to a lesbian sex act, was not the result of any genuine homosexual desire, a distinction corroborated by Cavanagh. He argued that a sexual act between same-sex partners was not necessarily a marker of homosexuality. Referencing Freud, Cavanagh distinguished between true homosexuality, which was characterized by the lack of any interest in the opposite sex, and pseudohomosexuality, which referred to sexual acts between members of the same sex that arose out of environmental pressures. Pointing to sexual relations between prisoners, Cavanagh described pseudohomosexuality as "a condition in which the individual, although they would prefer to have sexual relations with a member of the opposite sex, are, as it were, opportunists, and having a strong sexual drive, may have relations with members of the same sex." The key distinction, he argued, was the amount of guilt expressed afterward. Reiterating earlier psychiatric claims that sexual perversion, like all psychopathologies, was characterized by a weakened conscience, he noted that "the person who is a genuine homosexual almost always . . . experiences no real feeling of guilt except for [the] possibility of being caught."<sup>97</sup> These arguments complicated the efforts of officials for the Loyalty and Security Review Board of the FHA to clearly define homosexuality. The psychoanalytic logic upon which Cavanagh was relying described homosexuality as a developmental disorder and argued that sexual desire should be understood as a continuum. But by distinguishing between true homosexuality and pseudohomosexuality, the former caused by stunted psychosexual development and the latter caused by situational pressures, some psychoanalysts, including Cavanagh, unwittingly served to concretize homosexuality as a distinct identity centered on object choice, an identity that was distinguishable from other forms of sexuality.<sup>98</sup> His intervention in the hearing thus called on FHA security officials to determine whether such homosexual activities represented a brief transgression for which an individual felt guilt or indicated an incurable state of desire.

The defense attorney used Cavanagh's testimony to portray the actions of his clients as a form of pseudohomosexuality. Both women acknowledged that the act they performed brought "some sex gratification" but that they also felt guilty immediately afterward, in particular O'Lone, who claimed she went to church frequently over the ten-year period to confess to the

<sup>96</sup> Transcript of Proceedings, 302, 267.

<sup>97</sup> Transcript of Proceedings, 26, 25.

<sup>98</sup> See Benjamin Kahan, "The Walk-In Closet: Situational Homosexuality and Homosexual Panic in Hellman's *The Children's Hour*," *Criticism* 55, no. 2 (2013): 184.

sinful act. They described their long struggle to cease performing an act that they nonetheless repeatedly engaged in over a ten-year period. Only their religious faith had eventually helped them to stop, although they acknowledged that “the desire didn’t cease immediately.” The legal counsel for the FHA questioned whether it was in fact possible to extinguish such a desire. In response, O’Lone argued that a forty-four-year-old woman like herself was capable of eradicating all desire through religious faith, much in the manner of priests and nuns. “If I have taken up the things that occupy my mind other than the sexual act or the frustrations of not being married,” O’Lone explained, “and have lost myself in other things, there is no desire.”<sup>99</sup> In arguing that she had overcome her sin, O’Lone was one of many accused employees who fought government charges by portraying themselves as conventional Americans who had, either through personal weakness or naïveté, engaged in a brief transgression but had experienced a personal conversion. As historian Landon Storrs has noted, most defense strategies used by employees brought before security boards focused on portraying the accused as redeemed individuals who had recovered from the troubled condition for which they were under investigation, whether that condition entailed a political, moral, or sexual transgression.<sup>100</sup>

This common defense strategy, as historian Marc Stein has argued, often simply reproduced “the conservative politics of respectability,” since it meant that accused individuals, frequently stressing that their homosexual behavior was a momentary transgression, reinforced the notion that sexual preference was a voluntary choice for which individuals could be judged.<sup>101</sup> But the security case of O’Lone and Meyer also reveals the larger historical shift occurring at this moment. As many historians have noted, conservatives in the 1950s often used the issue of Communist infiltration of the federal government as a pretense to challenge liberal policies initiated during the New Deal and the Truman administration by arguing that these policies had been driven by political radicals hidden within the government.<sup>102</sup> In this sense, McCarthyism was driven in part by conservative resistance to the expansion of the purview of the federal government as bureaucratic experts within the civil service gained more influence in legislative decisions. This rapid bureaucratic expansion brought more and more professional women into the federal government to fulfill staffing needs, and thus it also precipitated a conservative backlash against what was seen as the feminization of the federal workforce. Ruth Windham, the former FHA employee who initially accused O’Lone and Meyer, explained to security officials that personnel divisions in many agencies were often staffed by women, and she

<sup>99</sup> Transcript of Proceedings, 303, 352, 501.

<sup>100</sup> Storrs, *Second Red Scare*, 190.

<sup>101</sup> Marc Stein, *Sexual Injustice: Supreme Court Decisions from Griswold to Roe* (Chapel Hill: University of North Carolina Press, 2010), 134.

<sup>102</sup> See Storrs, *Second Red Scare*, 7.

argued that the lesbians of the FHA "naturally would put gay people in jobs if [they] could."<sup>103</sup> Indeed, both O'Lone and Meyer were questioned during their hearing about a dozen other women in the FHA who were also under investigation, a number that did not include those who had already resigned.

In this sense, government paranoia about sexual perverts in the civil service was caused in part by a rising subculture within places like the FHA where lesbians did in fact help one another to gain employment and to hide their sexual identities. This accounts for the willingness of some accused individuals to defend themselves despite the personal risks. Even as O'Lone and Meyer downplayed their own sexualities during the hearing, they challenged efforts by the government to stigmatize homosexual behavior in such a heavy-handed fashion. Meyer, for example, refused to condone homosexual behavior, but she also disputed the government's belabored efforts to expose gay people. She repeatedly reminded security officials that their priority really should have been fighting Communism, "a much more dangerous thing than even the most outstanding sex pervert," and she challenged government demands that employees report on the activities of their coworkers. In response to questions from security officials about the possibility of other sex perverts in the FHA, Meyer responded: "I don't feel I could go around and report anybody because I heard they were carrying on homosexual activities outside of the agency." Throughout the hearing, friends and family members of the two women questioned whether or not federal officials were acting in the true interests of the country. Even John Cavanagh, who continued to stigmatize homosexuality, failed to see the pressing need for Executive Order 10,450. He argued that "where things are private and are kept between two individuals and are not brought to public attention, they are not particularly harmful to the public good."<sup>104</sup>

#### FROM SEXUAL INVERSION TO HOMOSEXUALITY

In the end, FHA officials determined that Meyer and O'Lone were not lesbians and therefore were not security risks. They were instead two chaste women who had, through prayer and fortitude, extinguished any sexual desire and were now spinsters. This did not mean that officials were condoning "this knee business"; as one official explained, "The government is right in wanting to remove from government service persons who engage in immoral or perverted sexual aims."<sup>105</sup> Instead, the decision reflected the difficulty officials had in making lesbianism a coherent category and that they struggled to determine what kinds of sexual acts or relationships between women constituted a security risk. In such hearings, the government tried

<sup>103</sup> Report of Investigation, 5.

<sup>104</sup> Transcript of Proceedings, 320, 33.

<sup>105</sup> Transcript of Proceedings, 451.

feverishly to define female same-sex desire, unsuccessfully sorting through a litany of classificatory schemes and struggling to establish a binary between heterosexuality and homosexuality as categories of identity for women. At times, they associated homosexual desire with gender presentation; at other times, they turned to psychoanalytic theories of homosexuality to interpret sexual activity they found questionable. Relying on even older paradigms, they presented lesbians as hypersexual, inverted women distinguished by clitoral hypertrophy and possessing psychopathological tendencies such as criminality and violence. Psychiatrists like Cavanagh forced officials to focus on the psychodynamics of sexual perversion, presenting a range of sexual activities that marked the spectrum from heterosexuality to homosexuality. His testimony introduced the argument that lesbianism was not a distinct sexual identity fundamentally separate from heterosexuality but a condition to which anyone might be susceptible. Lesbianism was thus presented as a curable, impermanent identity, one that could be overcome through therapy, religious faith, or personal strength.

The success of this argumentative strategy in the O'Lone/Meyer hearing later plagued security boards trying to enforce federal policy. In 1963 Kimbell Johnson, the director of the Bureau of Personnel Investigations for the Civil Service Commission, issued a letter to security officers clarifying federal regulations. Johnson acknowledged the ambiguous language used to determine suitability for employment and the difficulty officials were having in making determinations. He noted that the question of sexual perversion was a "special area that is causing concern."<sup>106</sup> Recognizing that accusations of homosexuality were often based merely on rumors, Johnson called for a review of government policy. In response, the CSC revised its standards for dismissal. Continuing to rely on arrest records, medical evidence, and "reliable sources" to determine whether a person has "engaged in or solicited others to engage in homosexual or sexually perverted acts," the CSC qualified its standards to allow for the continued employment of those individuals who presented "evidence of rehabilitation."<sup>107</sup> But this did not mean that the government began to turn a blind eye to homosexuality. Despite its inability to impose a coherent definition of homosexuality and despite resistance from the Mattachine Society of Washington, DC, the CSC continued to enforce executive orders. In a 1964 internal letter to the chairman of the Civil Service Commission, for instance, John Steele, a lawyer for the CSC, acknowledged that little had changed. "Although it is commission policy to rule in favor of the individual if there is evidence of

<sup>106</sup> Kimbell Johnson, CSC Operations Letter, 30 August 1963, Letter No. 730-35, 2, US Civil Service Commission, Record Group 146, Federal Civil Service Agencies, US Civil Service Issuances, box 163, NA.

<sup>107</sup> Memorandum, "Commission's Desire to Have a Discussion on Suitability Policy Relating to Homosexuals," US Civil Service Commission, 8 January 1965, US Civil Service Commission, Record Group 146, Federal Civil Service Agencies, US Civil Service Issuances, box 163, NA.



rehabilitation," he explained, "in actual practice we rarely find evidence of rehabilitation." The case of O'Lone and Meyer represents an obvious exception to this due in part to the concerted effort by their defense attorney to demonstrate the lengths to which his clients had gone to overcome their desires. Other accused employees were not so lucky. In his letter, Steele also acknowledged the unwillingness of security officials to be lenient in the application of federal policy, noting that "our tendency to 'lean backwards' to rule against a homosexual is simply a manifestation of the revulsion which homosexuality inspires in the normal person."<sup>108</sup>

Steele's remarks reflected the fact that as federal officials dealt with more and more security cases they began to view same-sex desire as based upon a strict binary between heterosexuality and homosexuality. He admitted to the chairman that "it is evident that we set homosexuality apart from other forms of immoral conduct and take a much more severe attitude toward it."<sup>109</sup> This shift represents what historian Margot Canaday has referred to as "the bureaucratization of homosexuality" within the government in the postwar period, as officials shifted from policing gender and sexual deviance to regulating states of being.<sup>110</sup> However, this transition played out differently for men and women. As organizations such as the Mattachine Society pushed the federal government to acknowledge homosexuality as a distinct identity, federal officials often found it easier to conceptualize male homosexuality in relation to particular sexual acts. They struggled to conceptualize lesbianism in the same way, continuing to see it through a broader paradigm that included notions of masculine and feminine modes of behavior and active or passive sexual proclivities. Although the government took steps to investigate unconventional relationships between unmarried women, officials were stymied by the conflict between a fear of homosexuality and long-standing tendencies to accept female intimacy in American society. Psychiatrist Frank Caprio summarized the conceptual conundrum in his 1954 study *Female Homosexuality*, in which he lamented that "there is very little readily accessible information today concerning the subject of female homosexuality" while still noting that "lesbianism is capable of influencing the stability of our social structure."<sup>111</sup>

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<sup>108</sup> John Steele to O. Glenn Stahl, Homosexuality and Government Employment, 17 November 1964, 3, 2, US Civil Service Commission, Record Group 146, Federal Civil Service Agencies, US Civil Service Issuances, box 163, NA.

<sup>109</sup> Steele to Stahl.

<sup>110</sup> Canaday, *The Straight State*, 4.

<sup>111</sup> Frank Caprio, *Female Homosexuality: A Modern Study of Lesbianism* (New York: Grove Press, 1954), vii–viii.

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