

# Persecution of Homosexuals in the McCarthy Hearings: A History of Homosexuality in Postwar America and McCarthyism

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**Introduction.** The postwar years were a time of great changes for homosexuals in the United States. The conjunction of the fear and anxiety of the first Cold War years, negative stereotypes held as scientific truths explaining homosexuality, and the greater awareness people had about the existence of gays and lesbians resulted in an environment of misunderstanding and persecution. Within this environment, positive scientific contributions toward the understanding of homosexuality such as Kinsey's report were twisted to fit the larger societal preconceptions, and even influenced the creation of legislation aimed at eradicating homosexuals from the government.

A protagonist in this postwar environment of fear and anxiety was a senator named Joseph McCarthy, who ascended in politics through lies and slander, and became most famous for his relentless persecution of 'infiltrated' communists, liberals, and dissenters. Assisting the senator in his crusade was a legal infrastructure previously laid out by committees who had taken the cause before him, the most important of which was the famous House of Un-American Activities Committee.

Despite the great number of literature written about the senator, there are relatively few studies that deal with McCarthy's persecution of homosexuals. Some historians mention it in the context of his other persecutions, and as an example of one of the many groups who suffered under the senator. In *The Age of Anxiety: McCarthyism to Terrorism*, Haynes Johnson stated that the senator, and his chief council Roy Cohn

took it as their mission to search for, and have fired, all homosexuals in the government. *Page after page after page* of the transcripts consisted of witnesses being grilled about their

sexual preferences, while McCarthy and Cohn dropped numerous innuendos about homosexuality to other witnesses. (my emphasis)<sup>1</sup>

Johnson qualified McCarthy's search of homosexuals as "obsessive," and although his book centered on the senator and his political life, he devoted several pages to McCarthy's persecution of homosexuals, while using as evidence the transcripts from the committee that the senator chaired.<sup>2</sup>

David K. Johnson differs from Haynes in that he focused on the general persecution of homosexuals during the postwar years; persecution which he identified as the "lavender scare." Johnson also has a more nuanced view of the role McCarthy played in these persecutions, deeming the senator a secondary figure. Although the author acknowledged that gay people had the impression that McCarthy was behind the gay purges, he also realized that the senator was not very interested in the matter, and did not become involved in the congressional efforts to rid the nation's capital of 'sexual undesirables.'<sup>3</sup>

The present research specifically focuses on Senator McCarthy and his political actions against gays and lesbians. Concerning this subject, it is my argument that homosexuals *were not* heavily persecuted by the senator from Wisconsin. The records from McCarthy's committee clearly show how restrained the senator was in his pursuit of homosexuals, since out of the more than three hundred witnesses that McCarthy cited in his executive sessions, only three cases dealt with homosexuality and only one witness was called because of his sexual orientation. It appears that the senator was mostly interested in uncovering subversion and cases of disloyalty within government departments, and homosexuality was used either as an example of how ineffective these departments were in detecting undesirables, or as an element of pressure to use against a witness. Although the senator expressed his desire to rid the government offices of homosexuals in more than one occasion, he did not dedicate his efforts to this end. The way McCarthy viewed, and dealt with homosexuals in his hearings was influenced by the congressional report on the *Employment of Homosexuals and Other Sex Perverts in Government*, which was published in 1950. This report maintained that gays and lesbians constituted a security risk for their propensity to being blackmailed, which made them *security*

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<sup>1</sup> Haynes Johnson, *The Age of Anxiety: McCarthyism to Terrorism* (Orlando: Harcourt Inc., 2005), 320.

<sup>2</sup> *Ibid.*, 320-29.

<sup>3</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), 2-9.

*risks*. Notwithstanding this, McCarthy did not seem to consider homosexuals as much of a threat as communists.

In order to arrive at this conclusion, I analyzed both the context of the times and the political actions taken by the senator towards homosexuals. The senator's conduct can not be better observed than in the transcripts of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations. This committee was chaired by McCarthy from 1953 to 1954, and within it the senator enjoyed full and unprecedented latitude to go after his enemies. When analyzing the context I deemed important to observe American society's conceptions of homosexuality in the postwar years, as well as McCarthy's ascension to power and the legal infrastructure that he had at his disposal to deal with homosexuals. Only after taking into consideration these contextual elements could I make a proper evaluation of the actions of the senator from Wisconsin towards the 'lavender menace.'

***The Red Scare and its Legal Heritage.*** McCarthy's rise to power was achieved within the context of the first years of the Cold War, and the radical phase known as the "red scare." Only days before McCarthy gave his famous speech at Wheeling, the *New York Times* was reporting that a British scientist named Klaus Fuchs had given atomic secrets to the Soviet Union. Fuchs had been involved in the Manhattan Project, and was then working in Great Britain in an atomic energy facility. The scientist's betrayal was discovered by the Federal Bureau of Investigations, which considered that Fuchs's action had given the Soviet Union the tools to develop the atom bomb, while also advancing the communist country's position toward developing the first hydrogen bomb.<sup>4</sup> Fuchs's case was not the first dealing with internal espionage, it was preceded by the Hiss-Chambers congressional hearings, which established that high ranking State Department official Alger Hiss had also been involved in selling secrets to the Soviet Union.<sup>5</sup> In charge of Hiss' congressional hearings was a congressional task force created from the ashes of the Dies Committee in 1945, named House of Un-American Activities Committee. HUAC had been created to investigate subversion within the United States.<sup>6</sup>

With dubious claims to constitutionality, HUAC set a legal precedent for further congressional subcommittees to take on the role of judicial

<sup>4</sup> William S. White, "British Jail Atom Scientist As a Spy After Tip By F.B.I.; He Knew of Hydrogen Bomb," *New York Times* (February 4, 1950): 1-2.

<sup>5</sup> John G. Adams, *Without Precedent; The story of the death of McCarthyism* (New York: W.W. Norton & Company, 1983), 24.

<sup>6</sup> Carl Beck, *Contempt of Congress: A Study of the Prosecutions Initiated by the Committee on Un-American Activities, 1945-1957* (New Orleans: The Phauser Press, 1959), 18-19.

investigations.<sup>7</sup> The contempt citation was HUAC's main weapon, which although little used in the past, became employed to its fullest extent by this congressional committee and the subsequent ones of its type. Contempt was established in case the summoned party failed to either appear, provide material requested, or even answer a question. The House committee's procedures raised questions of constitutionality, since they often clashed with individual rights of freedom of speech, protection from unreasonable searches and seizures, and self incrimination as cited in the first, fourth, and fifth amendments of the Constitution.<sup>8</sup>

The procedure for the enactment of these contempt citations was almost as controversial as their use. The committee in charge elevated a contempt resolution based on a report elaborated to the House of Representatives, and after this report the House voted on whether to adopt the resolution or not. If the resolution passed, then the Attorney General was in charge of prosecuting the accused individual. The problem was that most of the hearings from which the report was made were conducted in executive sessions by the committee in charge; thus the full House had to vote based on the information given by the committee acting as the prosecuting party and without any other information available.<sup>9</sup>

With objectives as broad and subjective as 'un-Americanism' and subversion, and with dubious legal methods which were upheld by the lower courts and ignored by the Supreme Court when challenged, HUAC enjoyed great latitude to prosecute communism and other perceived social evils.<sup>10</sup> It is clear that the liberty of action enjoyed by committees such as HUAC was encouraged by the perceived threats of the times, since added to the cases of internal espionage including Hiss, Fuchs and the Rosenbergs was the possibility that the Soviet Union could acquire the hydrogen bomb first, or even more frightening, a communist China. Whereas China becoming communist and engaging in pacts of mutual collaboration with the Soviet Union discredited Truman's containment policy, the possible Soviet development of the hydrogen bomb threatened the security of the nation and its citizens. The environment of fear that the hydrogen bomb created was reflected in statements by Albert Einstein declaring that total annihilation was possible, and the famous 1951

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<sup>7</sup> Prior to this, congressional committees were used for the control of corruption in the executive organs of the government and no enforcement powers were previewed in the Constitution for them. For further reference see Beck, *Contempt of Congress*, 3-5.

<sup>8</sup> Beck, *Contempt of Congress*, 17-18.

<sup>9</sup> *Ibid.*, 21.

<sup>10</sup> *Ibid.*, 13, 37.

Civil Defense educational film shown to school children about “ducking” and “covering” in case the bomb exploded.<sup>11</sup>

This environment of fear helped generate enormous power for anyone who was willing to take up the anti-communist cause, as the legal infrastructure to prosecute subversives was already laid out, and a scared population would give such crusader enough political support. Joseph McCarthy proved to be one able to exploit this environment to his advantage, and as it is known he was able to use this power against alleged communists. Nevertheless the question that has not been conclusively answered hitherto is whether the senator also used this power to prosecute other groups, such as homosexuals, and whether he would have been able to do so. The answers to these questions greatly depend on how people viewed homosexuality during these years, and how acceptable could have been to prosecute homosexuals; these points are ultimately what the next sections of this research will address.

***Homosexuality in the Postwar Years.*** The postwar years were a time of profound changes for homosexuals in the United States. Gay communities had been visible earlier in the century in cities such as New York, where “pansy shows” hosted by drag queens were the rage of the late twenties’ speakeasies. However the lifting of Prohibition in the early thirties did away with the underworld nightlife in which the gay subculture thrived, and the establishment of liquor licenses for bars gave authorities the power to subject the issuance of licenses to conditions that they stipulated for them. Within this context authorities pressured bars to prohibit entrance to homosexuals, as part of an agenda to “clean up” the city. Furthermore, the onset of the Great Depression also brought about a masculinization of society, as the adult male breadwinners were losing their jobs, and their sense of masculinity.<sup>12</sup> Partly as a consequence of these developments, representations of homosexuality began to be banned in all public spheres, with the Motion Picture Association censoring all depictions of “lewdness” and “obscenity” in its 1934 code.<sup>13</sup> This growing marginalization of homosexuals did not arrive without its ills, since the lack of visibility of gay people helped spur all kinds of myths referring to their

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<sup>11</sup> “The Texts of the Agreements Concluded Between the Soviet Union and Communist China,” *New York Times*, February 15, 1950, 11; “Einstein Sees Bid To ‘Annihilation’ In Hydrogen Bomb,” *New York Times*, February 13, 1950, 1; video “Duck and Cover 1951 Civil Defense Film With Bert the Turtle” accessed online on November 20, 2009 at <http://www.youtube.com/watch?v=IKqXu-5jw60>.

<sup>12</sup> George Chauncey, *Gay New York: Gender, Urban Culture, and the Makings of the Gay Male World, 1890-1940* (New York: Basic Books, 1994), 353-58.

<sup>13</sup> John D’Emilio, *Sexual Politics, Sexual Communities: The Making of a Homosexual Minority in the United States, 1940-1970* (Chicago: The University of Chicago Press, 1983), 19.

condition. By the forties, psychologists considered homosexuals mentally unstable and sexually immature, and in the sensationalist stories in the press they were depicted as dangerous to their society.<sup>14</sup>

The progression toward the marginalization of homosexuals was interrupted during World War II, when many gays and lesbians found a relatively 'freer' environment for their desires in the military. Although the military had a policy for not allowing gays and lesbians to serve, it became a policy difficult to enforce for various reasons. The psychological screening examinations of the draftees were designed to detect character deficiencies, however they rested on stereotypical assumptions of what a homosexual was like. This had the result that only those "visibly" effeminate men and masculine women were weeded out, allowing for a majority of the homosexual population to be drafted undetected. Once inside, the demands of the war made it even more difficult to discharge a combatant in the middle of an assignment. Moreover the strict segregation of the sexes, laxity of moral constraints due to the circumstances of the battles, and deep emotional bonds among troops enabled homosexuals to express themselves, with their heterosexual mates looking the other way or even experimenting in some cases.<sup>15</sup>

Another element that spurred the visibility of homosexuals at this time was the role of scientists in their search of knowledge on topics virtually untouched before. One of these pioneers was zoologist Alfred Kinsey, who during twenty eight years compiled data gathered from more than ten thousand extensive interviews on the sexual behavior of men and women. His first book *Sexual Behavior in the Human Male* was published in 1948, and was followed by *Sexual Behavior in the Human Female* in 1953. Kinsey's first volume was a success beyond the most optimistic previous expectations, and the zoologist and sexologist quickly became a household name associated with sex.<sup>16</sup>

Kinsey's report contained many controversial 'discoveries' about the sexual behavior of the American population, but possibly none surpassed the revelation that *more than one third* (my emphasis) of the adult male population had had at least one homosexual encounter in their lives.<sup>17</sup> As a consequence of

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<sup>14</sup> Ibid., 16; Senate, *Employment of Homosexuals and Other Sex Perverts in Government*, 81<sup>st</sup> Cong., 2<sup>nd</sup> sess., 1950, S. Doc. 241, p.3; Chauncey, *Gay New York*, 359.

<sup>15</sup> D'Emilio, *Sexual Politics*, 24-31; a gay novel published in 1950 reflects this aspect of the military as well, narrating the love story of a young officer and his commander of the navy. For further reference see James Barr, *Quatrefoil* (Boston: Alyson Publications, 1950).

<sup>16</sup> D'Emilio, *Sexual Politics*, 34.

<sup>17</sup> The precise figure was 37%, and it referred to the number of adult males who had experienced during their adult life at least one orgasm product of a homosexual

these revealing findings, Kinsey proposed a continuum to understand sexual attraction, which encompassed a numerical scale going from exclusive heterosexuality (0) to exclusive homosexuality (6), with gradations in between.<sup>18</sup> Other conclusions of the report contradicted the prevailing views on homosexuality as articulated by psychologists, which explained that it was a mental disease. By showing that a high percentage of the male population engaged in homosexual activity, even when this was repressed by society, Kinsey concluded that homosexuality was as much part of human sexuality as heterosexuality. In reference to this he stated:

In view of the data which we now have on the incidence and frequency of the homosexual, and in particular on its co-existence with the heterosexual in the lives of a considerable portion of the male population, it is difficult to maintain the view that psychosexual reactions between individuals of the same sex are rare and therefore abnormal or unnatural, or that they constitute within themselves evidence of neuroses or even psychoses.<sup>19</sup>

Kinsey received mixed reviews within academic circles, with some giving lavish praises to his book, and others debunking it as sensational. In a book titled *American Sexual Behavior and The Kinsey Report*, the authors referred to the sexologist as having “done for sex what Columbus did for geography.”<sup>20</sup> Nevertheless the same authors indicated that psychologists were not too pleased by the scientist's findings, arguing that that the commonality of homosexual behavior did not make homosexuality normal.<sup>21</sup> Although Kinsey's report was a commercial success, a number of people criticized the sexologist for the perceived immorality of his conclusions, and many of the scientist's findings were misinterpreted to fit the societal's understandings of sexuality, particularly those having to do with homosexuality.<sup>22</sup>

encounter, be this anal or oral penetration, or mutual masturbation. For further reference see Alfred Kinsey, *Sexual Behavior in the Human Male* (Philadelphia: W.B. Saunders Company, 1948), 623.

<sup>18</sup> Ibid., 617, 637.

<sup>19</sup> Ibid., 659.

<sup>20</sup> Morris L. Ernst & David Loth, *American Sexual Behavior and The Kinsey Report* (New York: Educational Book Co., 1948), 11.

<sup>21</sup> Ibid., 180-82.

<sup>22</sup> D'Emilio, *Sexual Politics*, 36; David Johnson, *Lavender Scare*, 88-89.

Psychology maintained its privileged position in being the science that explained abnormal sexuality, and according to psychologists the “sexual deviance” of the homosexual not only influenced his sex life, but also his other behaviors. Accordingly the homosexual was not only a sex pervert but also a wholly mentally dysfunctional person. This view of the “sick” homosexual was a shift from the notion that homosexuality was just an immoral behavior that anyone could engage in, and by the mid fifties laws began reflecting this shift by prescribing psychological treatment in sentences to gay people.<sup>23</sup>

Within the political context of the red scare, Kinsey’s findings gave to the people and authorities the understanding that there were more homosexuals than assumed, which led to an intensification of efforts aimed at finding and arresting them. By this time, the former characterization of all gay males as gender deviants had changed, and works like the Kinsey report demonstrated that there were masculine homosexuals just as there were feminine lesbians.<sup>24</sup> Anyone could be a homosexual, just as anyone could be a communist; thus appearances no longer applied as the bases of identification. The charged environment of fear and hysteria of the Cold War was turned towards same sex oriented people, and the government began to take action. As a result of this the police augmented its persecution of homosexuals and the government began to impose, strengthen or in some cases just enforce previous rules dealing with the employment of homosexuals in government jobs.<sup>25</sup>

**Security Risks.** Another unintended consequence of the Kinsey report might have been the need that the government saw in addressing homosexuality, although not in the way the scientist had hoped for. According to Kinsey the commission of the homosexual act had to be de-penalized, due to the vast number of people who practiced it. He recommended judges who considered a homosexual case to “keep in mind that nearly 40 percent of all the other males in the town could be arrested at some time in their lives for similar activity.”<sup>26</sup>

The government’s response to the homosexual threat was seen two years after the publication of Kinsey’s study, in the congressional report titled “Employment of Homosexuals and Other Sex Perverts in Government,” produced by the Committee on Expenditures in the Executive Departments. This report was aimed at recommending certain measures with the purpose of

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<sup>23</sup> D’Emilio, *Sexual Politics*, 16; Chauncey, *Gay New York*, 359; Beth Bailey, *Sex in the Heartland* (Cambridge, Massachusetts: Harvard University Press, 1999), 60.

<sup>24</sup> Johnson, *Lavender Scare*, 54, 88-89; Kinsey, *Sexual Behavior*, 615.

<sup>25</sup> Chauncey, *Gay New York*, 360; D’Emilio, *Sexual Politics*, 41-44; Johnson, *Lavender Scare*, 4-5.

<sup>26</sup> Kinsey, *Sexual Behavior*, 664.



weeding out any 'sexual undesirables' from government positions. It was a senate subcommittee on investigations within the aforementioned committee which carried out the pertinent hearings held in executive session. Although Joseph McCarthy was part of the main committee, he chose not to form part of the hearings by *recusing* himself (my emphasis). The *New York Times* reported that the senator from Wisconsin "bowed out of the inquiry to avoid being in a position of judging his own accusations,"-which knowing the senator it is hard to believe- and that Republican senator from Kansas Andrew F. Schoepel was going to take McCarthy's place on the panel.<sup>27</sup> The chairmanship of the investigative committee fell on Senator Clyde R. Hoey of North Carolina, who was not particularly thrilled with the honor.<sup>28</sup> The conclusions of this report were very influential in the way authorities viewed homosexuality thenceforth, as the later interrogations of homosexuals by McCarthy will show.

For its inquiries, the committee relied on the definitions and concepts of homosexuality stated by the times' "eminent physicians and psychiatrists, who are recognized authorities on this subject."<sup>29</sup> From the testimony of these specialists, the report established as standard definitions sex perverts as "those who engage in unnatural sexual acts," and homosexuals as those "perverts who may be broadly defined as persons of either sex who as adults engage in sexual activities with persons of the same sex." The report also marked an agreement among the specialists interviewed in that homosexuality was brought about by "psychological rather than physical causes." The report also categorized two types of homosexuals, the latent and the overt. A latent homosexual was defined as someone who consciously or not had homosexual tendencies but did not practice them; however the overt homosexuals were those who acted on their desires, and they were to be the focus of the committee. The task was difficult since "contrary to a common belief, all homosexual males do not have feminine mannerisms, nor do all female homosexuals display masculine characteristics."

The committee asserted that according to the authorities on the matter "most sex deviates respond to psychiatric treatment and can be cured if they have a genuine desire to be cured," therefore:

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<sup>27</sup> "Pervert Inquiry Ordered," *New York Times*, June 15, 1950, 6.

<sup>28</sup> Senator Hoey was an elder Southern gentleman who was not used to discussing matters like these; his lack of knowledge on the matter was evident, as it showed when he allegedly asked chief counselor Flanagan in private about lesbians "can you please tell me, what can two women possibly do?," as cited in David K. Johnson, *The Lavender Scare*, 102-3.

<sup>29</sup> The following quotes are derived from Senate, *Employment of Homosexuals and Other Sex Perverts in Government*, 81<sup>st</sup> Cong., 2<sup>nd</sup> sess., 1950, S. Doc. 241, pp. 2-5.

The subcommittee sincerely believes that persons afflicted with sexual desires which result in the engaging in overt acts of perversion should be considered as proper cases for medical and psychiatric treatment. However, sex perverts, like all other persons who by their overt acts violate moral codes and laws and the accepted standards of conduct, must be treated as transgressors and dealt with accordingly.<sup>30</sup>

As it can be read, the above recommendation seemed contradictory of itself, since although it proposed psychological treatment for the “afflicted” people, it also recommended a proper punishment by the law for “sex perverts.” It almost seems to make an implicit distinction between “persons afflicted with sexual desires” resulting in acts of perversion, and sex perverts; however it falls short from such distinction, since it concludes by stating that all violators should be punished. It follows from the language that homosexuals who were caught in sexual acts needed to be both treated and punished; an outcome that became standard in the statutes of states like Kansas during the fifties and sixties.<sup>31</sup>

Particularly on the matter that the committee was set to deal with, which was the employment of homosexuals in government positions, three main reasons were given that justified the unsuitability of these individuals. The first reason was that homosexuals constituted *security risks*, since the social stigma of their sin provided a fertile ground for foreign spies to exploit, and get secrets from the government. As an example of this, the committee mentioned the case of Captain Raedl, who was “chief of the Austrian counterintelligence service in 1912.” He allegedly gave the Russians military secrets after they discovered that he was a homosexual and blackmailed him. Accordingly he had also destroyed information on the Russians, causing the misinformation of both German and Austrian commands as to the Russian military plans when the Great War started.<sup>32</sup> Senator McCarthy made use of this example during one

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<sup>30</sup> Ibid.

<sup>31</sup> *General Statutes of Kansas (Annotated)*, sec. 21-907 (Corrick 1949); indication of a 1955 supplement, sections 62-1534, 35, 36, and 37 with provisions for psychological treatment is given in the sentencing of *Kansas v. Gardner*, Sedgwick Co. A-69036 (1957).

<sup>32</sup> Ibid., 5; this was in fact the only concrete example that the senate committee could find on homosexuals as security risks (although it also mentioned vaguely alleged cases in Nazi Germany), and closer scrutiny shows that parts of Captain Redl's story were fabricated and that the blackmail was motivated by greed more than by the need to get military secrets, for more information refer to David K. Johnson, *The Lavender Scare*, 108-9.

executive hearing of the committee he chaired, concerning one of the few cases he had dealing with homosexuality.<sup>33</sup>

The second reason given was homosexuals' "lack of emotional stability" and "weakness of their moral fiber," which also made them a security risk since they were more "susceptible to the blandishments of the foreign espionage agent."<sup>34</sup> Homosexuals were not believed to be strong enough to sustain an interrogation, and according to the committee they could not be trusted to keep secrets, as they liked to talk about themselves. Of the three reasons given, this was the most directly related to the assumed intrinsic maladies of the homosexual, since the other two had more to do with their reactions to societal pressures. It also spoke to the general unsuitability that gays and lesbians presented, stereotypically considered the same as drunkards and other criminals.

Lastly the third motive that validated the rejection and expulsion of homosexuals from government positions was a belief that they had a tendency to gather among themselves others 'like them.' This belief spoke to both their assumed unsuitability and the potential danger that they constituted for American security. The committee thought that as a general rule homosexuals hired other homosexuals; but even when they could not do so they were still able to spread their "corrosive influence" to otherwise normal workers. Regarding this point the report expressed:

It is particularly important that the thousands of young men and women who are brought into Federal jobs not be subjected to that type of influence while in the service of the Government. *One homosexual can pollute a Government office* (my emphasis).<sup>35</sup>

After having dealt extensively over why homosexuals were not to be desired for government jobs; the committee recommended enforcing the "regulations of the Civil Service Commission," which had always denied appointment to "criminal, infamous, dishonest, immoral or notoriously disgraceful conduct." Regarding homosexuals who were already working for the government, the committee recommended to initiate the process for firing them immediately.

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<sup>33</sup> Senate Committee on Government Operations, *File Destruction in Department of State: Hearings on*, 83rd Cong., 1st sess., 1953, 422.

<sup>34</sup> The following quotes are from Senate, *Employment of Homosexuals*, 5-12.

<sup>35</sup> Ibid.

Because it was considered difficult to identify homosexuality in individuals by mere sight, the committee recommended to make available to the Civil Service Commission information that the FBI and other police agencies had, concerning the arrests of individuals on soliciting or public indecency charges. This recommendation led to the proposition that a full screening, including fingerprinting, be conducted before any individual was appointed to a government position. In the case of those who already worked for the government, the committee recommended the enforcement of existing Civil Service Commission regulations, which were interpreted to ban homosexuals. There seemed to be a relative connivance of employed personnel with their homosexual coworkers, which the committee identified as the principal obstacle for the enforcement of its policies. Once the resignation or expulsion of the homosexual worker materialized, the committee advised to cite the real reasons of the removal in the employee's file, which was to be kept in a centralized archive under the Civil Service Commission. Before any action was taken, the accused person had the right to appeal and present his defense. Stemming from this procedure, the committee saw it as necessary to gather evidence in the shape of psychological examinations and arrest records, before beginning any process of removal.

This report was to govern the handling of homosexuality cases in the McCarthy hearings. The revelation that homosexual people could not always be identified by their appearance evoked the dangers of the other invisible enemy, the communist, while allowing McCarthy to aim for homosexuality when the communism of a person could not be proved. Moreover by incorporating homosexuals in the Cold War lexicon as security risks, all types of civil right violations against them were justified since the potential dangers of letting homosexuals get away were perceived to be greater. Unlike previous decades, discrete homosexuals could no longer hide under their culture's oblivion; they were now studied, analyzed, looked for, and punished.

In any event, the congressional report on homosexuals was not but the legislative culmination of actions taken by the government to rid the capital of homosexuals from years before. The State Department, at the Senate Appropriations Committee's behest, was laying off homosexuals ever since 1947 under the label of security risks. This purge was executed slowly but steadily, and without much fanfare.<sup>36</sup> On February 28, 1950 the deputy Undersecretary of State John Peurifoy revealed to the Senate that 91 homosexuals had been fired from the State Department, to the astonishment of many in the congressional body. By this time, the State Department was already hard pressed from the accusations of a senator from Wisconsin, who charged

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<sup>36</sup> David K. Johnson, *The Lavender Scare*, 21.

the department with harboring communists.<sup>37</sup> The accusing senator was Joseph McCarthy, and his charges began a more intense phase of the red scare which came to be identified with the senator's name; the years of McCarthyism had begun.

***McCarthy and the Senate Committee on Government Operations.***

From being an obscure senator from Wisconsin who had been voted the worst in the Senate, McCarthy became one of the most popular political figures of the early fifties, and a name found in every American history textbook ever since.<sup>38</sup> The turning point occurred at Wheeling, West Virginia. On February 9, 1950 the senator from Wisconsin gave a speech which came to pass to the annals of history as the beginning of McCarthyism.<sup>39</sup> Speaking to the Ohio Valley Women's Republican Club, McCarthy stated:

I have here in my hand a list of 205—a list of names that were made known to the Secretary of State as being members of the Communist Party and who nevertheless are still working for and shaping policy in the State Department.<sup>40</sup>

Although the publication of the speech by the *Wheeling Intelligencer* did not gain traction at first, within a few days the State Department was asking McCarthy for the names of the accused, and news spread around the country.<sup>41</sup> Thenceforth McCarthy became the face of the anti-communist crusade. In the same year, General Dwight Eisenhower was elected the first Republican president in twenty years, and the Republicans gave McCarthy the chairmanship of the Permanent Subcommittee on Investigations from the Committee on Government Operations. According to Roy Cohn, McCarthy's chief counsel in

<sup>37</sup> John Peurifoy's revelations before the senate were made under the context of McCarthy's previous accusations. The deputy Undersecretary had denied McCarthy's charges, but he had also revealed that the department had gotten rid of 202 security risks; eventually the State Department's officer clarified what the term meant and how many of these fired employees were homosexuals. For further reference see David K. Johnson, *The Lavender Scare*, 16-17.

<sup>38</sup> Adams, *Without Precedent*, 20.

<sup>39</sup> The term McCarthyism was coined by a cartoonist from the Washington Post named Herbert Block (Herblock), who had made a drawing of an elephant representing the GOP being led towards standing on a tall pile of buckets of tar, with a barrel on top labeled McCarthyism. Adams, *Without Precedent*, 62; Johnson, *Age of Anxiety*, pictures.

<sup>40</sup> Arthur Herman, *Joseph McCarthy: Reexamining the Life and Legacy of America's Most Hated Senator* (New York: The Free Press, 2000), 99.

<sup>41</sup> *Ibid.*; "McCarthy Insists Truman Ousts Reds," *New York Times*, February 12, 1950, 5.

the committee, McCarthy saw the position given to him as a way to divert him from his public crusade on communism, but the senator from Wisconsin would have none of it. He told the lawyer:

I fought this Red issue. I won the primary on it, I won the election on it, and I don't see anyone else around who intends to take it on. You can be sure that as chairman of this committee this is going to be my work.<sup>42</sup>

As later developments attested, this indeed became McCarthy's work. Although the senator did not begin the red scare-neither did he end it- he concentrated the efforts around his figure towards eradicating 'un-American' activities from the United States. By the time McCarthy assumed his chairmanship at the committee on government investigations in 1953, all of the stars were aligned in his favor. The senator counted with unprecedented power stemming from the general public's fear and McCarthy's own personal charisma. Furthermore as chairman of the subcommittee on investigations the senator enjoyed wide latitude to subpoena whom he wanted, and issue contempt and public hearing citations as he saw fit. The senator's abrasive personality and despotic methods alienated the other members of his committee to a point in which many stopped appearing altogether, making his committee a trial of one.<sup>43</sup> It seemed at this point that the senator would have been able to persecute any group that was already out of favor with the public, and homosexuals happened to be a group that was not only disliked, but was also being prosecuted by the authorities, and considered dangerous for the security of the nation.

Upon becoming chair of both the Subcommittee on Investigations and the Committee on Government Operations, the senator gave his position a new role description. The committee which previously focused on investigating waste and inefficiency in the executive branch of the government became aimed at discovering and rooting out subversion. In the two years it functioned between 1953 and 1954, more than three hundred witnesses were called upon to testify in executive session, and little more than two hundred at the public hearings.<sup>44</sup>

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<sup>42</sup> Roy Cohn, *McCarthy* (New York: The New American Library, 1968), 46.

<sup>43</sup> John Adams, *Without Precedent*, 36-38.

<sup>44</sup> Senate Committee on Government Operations, *Executive Sessions of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations*, 83rd Cong., 1st sess., 1953-1954. Vol. 1, Introduction, xiii.

There were no cases from the twenty-five heard in executive session that dealt directly with the discovery and prosecution of homosexuality. Nevertheless, the question of homosexual people working in the government did arise in some unrelated situations, and there was one case in which a witness was subpoenaed with the committee having prior knowledge of his homosexuality. When the mere surfacing of the subject of homosexuality is considered, it can be established that there were only three cases that addressed the matter.<sup>45</sup> Ironically the one event in which homosexuality should have been the main issue discussed, was one in which the subject remained fairly mute; by this I am referring to the Army-McCarthy hearings.<sup>46</sup> The first of the cases where the subject of homosexuality surfaced was one dealing with the State Department's filing system; which I will refer to as the case of the "missing" files.

*The case of the "missing" files* dealt with the disappearance of derogatory material from personnel files of the State Department. At the time of the investigation, the Foreign Service Department was undergoing some filing reforms of which no written order was previously given. The area implementing these reforms was the Performance Measuring Branch (PMB), a relatively new organ in charge of preparing personnel records and selecting panels that decided on the promotion of personnel.<sup>47</sup>

The formal protocol of the department indicated that derogatory information on workers could not be added to the files that the panels received

<sup>45</sup> Senate Committee on Government Operations, *Executive Sessions of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations*, 83rd Cong., 1st sess., 1953-1954.

<sup>46</sup> The subject was mentioned very briefly in relation to a CIA high ranking officer named Matthew Baird, however the discussion about Baird's homosexuality did not last long. The irony was on the fact that the winning argument for the Army against McCarthy was the senator's attempt to exempt Cohn's chief aide David Schine from military service. Although not known at the time, Cohn was gay and he was allegedly infatuated with Schine, for this reason he named him his aide even when Schine did not have enough qualifications. He tried to get Schine exempted from military service when the latter was drafted. It is possible that this association between McCarthy and other gay people could have been one of the reasons for the senator's "shyness" on the prosecution of homosexuals. For further reference see Senate Committee on Government Operations, *Alleged Threats Against the Chairman*, Vol. 5, 83rd Cong. 1st sess., 1954, pp. 170-71; On Cohn's homosexuality see Nicholas Von Hoffman, *Citizen Cohn* (New York: Doubleday, 1988), 145-47, 188.

<sup>47</sup> Senate Committee on Government Operations, *File Destruction in Department of State*, Vol. 1, 83rd Cong. 1st sess., 1954, 283-319.

for their decisions on promotions. The rationale behind this practice was that PMB was only concerned with the job performance of the personnel, and if there was derogatory information on them it was to be handled by security. Sometimes derogatory information was still being investigated, so by not including that information in the file to be reviewed the worker was protected against unwarranted biases. Nevertheless before any applicant was hired or any officer or staff member promoted, their files were checked a last time with security and according to the results of the investigations carried hitherto, security either blocked or confirmed the applicant.

Since derogatory information was sometimes included in the main file of workers, PMB removed the derogatory material from the file before it prepared it for the promotion panel, and it kept this information in its own area until the panel was through with it. This practice created confusion for the secretary of the area where the files were being pulled from, and so the case was brought to McCarthy's committee. While the derogatory information in question was mostly related to a worker's poor performance or some other dubious conduct, in the course of the investigation it became obvious that some of these files had material on workers' alleged homosexuality.

McCarthy was interested in the removal of anyone who was a homosexual from government positions, and this could be clearly observed in a statement he made in relation to an alleged homosexual who had been fired. The senator stated:

We will not make the names of any of the perverts public, unless I am outvoted by the committee, but I would like to have that name. I may say, one of the reasons for it is that one of the men from the American Legion Americanism Committee returned from Europe and indicated that apparently a sizable number of the perverts who had lost their jobs in the State Department had shown up in Paris in jobs that paid better, with living conditions better than they are here. So, at some time, it will be necessary for us to get the names of all the four hundred-some homosexuals who were removed from the State Department and find out if they are in other government positions where they may be giving this government a bad name and bad security risks abroad.<sup>48</sup>

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<sup>48</sup> Senate Committee on Government Operations, *File Destruction in Department of State: Hearings on*, Vol.1, 83rd Cong., 1st sess., 1953, 166.



The name of that particular employee McCarthy was interested in finding was Thomas Hicock, and it was indicated that he had committed suicide only a week after having been fired.<sup>49</sup>

One obstacle for the Senator in any eventual search for homosexuals was an executive order issued by President Truman to the Secretary of State in April 1952, which stated that no information from the loyalty and security files of the State Department could be divulged to a congressional committee. This order applied exclusively to employees who were working at the State Department at the time of the hearings. Personnel who testified before McCarthy were previously given a letter referring to this Presidential order at their department as a reminder, and this proved to be something the senator could not circumvent.<sup>50</sup>

Nevertheless the senator did show interest in making sure that homosexuals who had already been fired or were allowed to resign were not readmitted. The process for dismissing a homosexual was convoluted, since after there was an allegation the accused person could either resign or appeal and face the charges with the possibility of being dismissed. If the accused person resigned, a letter was kept in the file of the department which did not state the specific reason for the departure, since the allegations at that point were not proven. This bureaucratic knot was what McCarthy was referring to in his aforementioned statement, and under these circumstances the senator asked for a list of all former personnel from the State Department, who were allowed to resign under allegations of homosexuality.<sup>51</sup>

The senator's opinion was that derogatory information, such as homosexuality, should always be included in as many files as possible, even if this was just alleged, showing that in his worldview anyone was guilty until proven the contrary. The senator asked about the practice of not keeping alleged homosexuality in files to a chief of section of the officer personnel named Vladimir Toumanoff:

Why did you, in your department, think that you should keep the homosexuality of an individual from the promotion board? On what possible theory would you want to hide the fact that this man was a homo?<sup>52</sup>

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<sup>49</sup> Ibid.

<sup>50</sup> Ibid., 284.

<sup>51</sup> Ibid., 166, 308.

<sup>52</sup> Ibid., 273.

The logic behind this practice had to do with the fact that allegations did not constitute sufficient evidence for the crime with which the employee was accused; as well as the departmental procedure of keeping that information outside of the reach of the board members deciding on promotion.

Although this information may seem to give evidence to the hypothesis that McCarthy made it a priority to root out homosexuals from the government, the context indicates otherwise. There was not a single witness in this case having been subpoenaed because of his or her homosexuality, and there were no efforts to find out if there were homosexuals among the current workers. One possibility for this was the fact that the senator was impeded from asking about particulars on existing employees, stemming from Truman's order. If the case is taken as a whole, it becomes clear that the senator was more interested in reforming the filing system than in finding homosexuals. McCarthy appeared repeatedly frustrated with the filing system throughout the hearings, and he always cited as his reason for having the hearings—whether this was true or not—the need to enact legislation reforming the way employees' files were kept. The reform proposed by McCarthy could indeed serve to root out homosexuals, but it also served to keep a watch on subversives whom were clearly the object of the senator's fancy.

The ultimate proof of what really interested McCarthy from this case was to be found in the subsequent public hearings that followed the aforementioned case. The testimony of Mr. Toumanoff revealed that there were questions pertaining to his background, since Toumanoff had Russian parents, and was born in a Russian Embassy in Turkey in 1923. The testimony of the State Department employee was brought to public hearings in hope that he turned out to be a communist, showing that even in a case potentially dealing with homosexuality, loyalty remained the only focus of the committee.<sup>53</sup> The second case dealing with homosexuality was the only case in which a known homosexual was subpoenaed, and it dealt with United States' exports to Austria, which were suspected of being deviated to the Soviet zone.

***Deviation of Exports to the Soviet Union.*** In the case that involved the organization in charge of executing the Marshall Plan in Europe, the Economic Corporation Administration, could be seen the only known homosexual to be called by McCarthy's committee. This was a case that entailed an alleged violation of export control statutes, having to do with the shipment of “equipment” or “material” by the ECA from the United States to Austria; this “material” was found in similar quantities on the Soviet occupied part of the European country. The deviation had occurred between 1948 and 1949, and an internal investigation was just beginning to be conducted when a

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<sup>53</sup> Ibid., (editor's note), 143.

gentleman by the name of Eric Kohler resigned. Kohler was comptroller of the ECA at the time, and was not even suspected by McCarthy's committee of being responsible for ordering the shipment; the reason why he was called upon was no other than the fact that the committee knew about his homosexuality. Influenced by the previous senate report on homosexuals, McCarthy thought that Kohler, being a homosexual, was not going to be able to withstand the interrogations. The senator thought that if Kohler had any knowledge on possible subversion within his former department, he was going to spill it.<sup>54</sup>

McCarthy began the interrogation by making it known to the witness that he had "material" reflecting on his "morals," but that he was not interested on it "except insofar as it might result in a security risk," since it entered into "the question of being able to blackmail a man because of something he has done in the past."

The interrogation rapidly progressed toward Kohler's background and the government positions that he had held in his past. It was revealed that at the time of the interrogation Kohler was working for the Panama Canal Company as a consultant. He had also worked as a comptroller for the Tennessee Valley Authority, and had set up an accounting system for the ECA. It was so successful it was beginning to be used by other government agencies as well.

Starting from the assumption that homosexuals recruited other homosexuals, the committee repeatedly questioned the recommendations and promotions given to, or being given by Kohler. It became clear that not much could be gathered from the witness on the deviation of exports to Soviet Austria, since he was just an accountant, so uncovering other homosexuals working for the government became the committee's plan B. The grilling began with no other than chief council Roy Cohn, who was himself a homosexual:

Mr. Cohn: Let me ask you this, Mr. Kohler. You are a homosexual, are you not?

Mr. Kohler: Well, that has been stated. I think that is the conclusion of counsel, yes.

Mr. Cohn: Well, sir, I put it in the form of a question. Are you a homosexual?

Mr. Kohler: Well, compared with the people that they describe to me, I am not. But I am perfectly willing to admit that I am for the purposes of your private record here.<sup>55</sup>

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<sup>54</sup> This and the following references can be found in Senate Committee on Government Operations, *Violation of Export Control Statutes: Hearings on*, Vol.1, 83rd Cong., 1st sess., 1953, 411-27, 470.

<sup>55</sup> *Ibid.*, 421.

In an intervention of this back and forth, McCarthy gave an extensive explanation of his position towards homosexuals. Here it is clearly seen that McCarthy's issue with gay people was linked to the threat that Soviet espionage posed for the American national security. He stated:

The only reason we are concerned with this, or the principal reason, is because it appears to make a man a bad security risk.

After citing the example of the Austrian officer he added:

It is an extremely touchy subject; and also I am no psychiatrist or psychologist but I understand that there is considerable interdependence among people who have that particular affliction, if we can call it that, and that they do recruit, often, people of the same difficulty to work with them. So it is of interest to know who you have got in the government, whether you have got anyone else with the same difficulty in the government, whether they are still there, and for that reason I was giving counsel some latitude in his questioning.<sup>56</sup>

The latitude he gave to counsel was seized upon and taken advantage of in its entirety. Quickly after McCarthy's washing of hands, Roy Cohn presented to Kohler a letter in which he described a man with whom the witness had had sex, named Bill. Bill had in fact gone to work for the government years later in a position given to him by Mr. Kohler.

A very interesting exchange between Cohn and Kohler followed in regard to the proper definition of a homosexual. Moments before the exchange, the witness was asked a question regarding whether he knew any homosexual who had ever worked for the government; a trap laid out by Cohn. After Kohler answered in the negative he was shown the letter in which he mentioned Bill, to which the witness replied that he did not believe Bill that was a homosexual. Kohler stated that Bill had a wife and kids, and the fact that he had had sex with him did not make him a homosexual, causing the astonishment of the chief counsel.<sup>57</sup>

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<sup>56</sup> Ibid., 422.

<sup>57</sup> Although a rushed defense in a compromised situation, this answer also illustrates the shift that was going on at the time in the conceptualization of the homosexual; whereas in an earlier part of the century heterosexual people could engage in homosexual acts without seeing this as a threat to their sexuality, by Cohn's time a homosexual was

After Bill was identified other questions followed regarding Kohler's associations with other government workers, with no results coming out of the witness' mouth. In order to put more pressure on the witness, the chief counsel produced a second letter, this time narrating a relationship between Kohler, and a sixteen year old boy named Jack Richards to a correspondent named Alex.<sup>58</sup>

What is significant about this letter is the extents to which the attorneys Cohn and Surine went to humiliate the witness in order to put pressure on him. Jack Richards was killed in a car accident only one year before the hearing, and it was clear that there was an emotional bond between himself and Kohler. Right after the mention of this letter McCarthy jumped in to ask one more time about the shipment of material to Austria, of which the witness still had no contributions.

A final push was given by assistant counsel Surine, who tried to compromise Kohler's credibility in order to make him talk. Kohler had testified that he had not had sexual relations with Jack Richards, and after this Surine began to read the letter in question:

Jack came over tonight while I was in the middle of a shower. The bathroom was like a steam room (it was chilly outside) and so he insisted on taking his clothes off and joining me under the shower, pretending he was chilled through and needed to be warmed up. It turned out he'd just taken a bath at home before coming over and, furthermore, his hands and feet were warm; but he wasn't bothered by excuses. He never is. His final reason was, and that one I couldn't shake because it was somewhere near the truth, that he couldn't stand it being outside with me inside, and besides he couldn't trust me in there by myself. I needed protection, apparently, from myself. This isn't the first time he's fathered me.<sup>59</sup>

Kohler still denied that he had ever had sex with Jack, and stated that the letter did not prove that. He was astonished and at one point he asked, "I wonder if all of this detail has to be read. I think it is terrible."

Further questions dealt with Kohler's life as a homosexual, and the information contained in his letters that referred to his 'cruising' the public parks and Times Square in New York, as well as his relationships with "fairies"

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anyone who had ever had sex with someone of the same sex. This shift is developed in more detail in Chauncey's *Gay New York*, 21.

<sup>58</sup> The following quotes can be found in Senate Committee, *Violation of Export*, 429-50.

<sup>59</sup> *Ibid.*, 436-7.

and “queers.”<sup>60</sup> Later in his testimony Kohler declared that these letters were an exercise of his imagination, which he did as a literary practice to release the stresses of his demanding work. After this one testimony Kohler was released and his hearing was not made public.

Although the methods used to question the witness were cruel, Kohler's case proves once again that McCarthy's committee was not all that 'obsessed' with homosexuals. The main goal of the questioning was to soften Kohler so that he could spill his secrets on the misappropriation of the Austrian exports. It is true that the witness was asked about other government employees being homosexuals, but it is difficult to assess how much of this was aimed at rooting out 'sexual deviants' and how much was used for the purpose of breaking the witness. The fact is that Cohn and Surnine could not get any names other than Bill, and they did not follow up on acquiring names even when it became obvious that the witness was lying. Kohler was not called for contempt when he could have been, and the case for which he was subpoenaed followed long after the witness was released from having to testify, showing that indeed Kohler's 'literary exercise' defense proved enough to satisfy McCarthy. Furthermore, Kohler did not seem to have been bothered again. Haynes Johnson stated that Kohler's identity as a homosexual was never revealed, and he was able to live a discrete life serving as a trustee at Chicago's Roosevelt University. His colleagues at the university as well as many other acquaintances only learned about his sexual orientation after the records of McCarthy's committee were made public in 2003.<sup>61</sup>

As in the case of the missing files, McCarthy's committee showed what it was really looking for when it asked Kohler about a comment he made in his youth concerning the “Russian idea.” The committee suggested that Kohler had shown sympathy to Soviet consumer practices. The discussion about the witness' possible inclinations toward communism preceded and was interposed with the grilling he got for being homosexual. In the same letter displaying the Russian idea, Kohler had also stated that the Russian oligarchy was no more or less greedy than the American Congress or Administration. It is well known how these innocent comments were interpreted by McCarthy's inquisitorial committee; nevertheless the witness was able to explain himself and seemed to

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<sup>60</sup> This information shows that Kohler was a very typical homosexual of his time, since he frequented the places where gay people discretely gathered and used names that identified gender variations within the gay subcultures, with queers being the masculine homosexual men and fairies the feminine. For a further discussion of this refer to Chauncey, *Gay New York*, 15-16.

<sup>61</sup> Johnson, *Age of Anxiety*, 329.

have been taken at his word.<sup>62</sup> Another interesting fact about McCarthy's team was that it was not always to identify gay people well, and Dimitry Varley's case was an example of this. Varley's was the last of the cases dealing with homosexuality.

***Communist Infiltration in the U.N.*** Within the context of a perceived communist association of many United Nations' employees, McCarthy's committee cited Dimitry Varley, who was a senior officer for the Department of Economic Affairs. Varley's hearing was typical of most witnesses who underwent McCarthy's chamber; he was suspected of communism stemming from his previous membership in organizations labeled as subversive by the Attorney General. The list of Varley's 'sins' exhibited an association with someone who worked for the *Daily Worker*, a contribution made to the Veterans of the Abraham Lincoln Brigade, a membership to the American Committee for the Protection of the Foreign Born, as well one to the Labor Party, and a previous subscription to *In Fact*, which was a communist bulletin.<sup>63</sup>

One thing was unusual about Varley's hearing, and that was the implication made against the witness that he was a homosexual. Although the word homosexual was never said, McCarthy's chief counsel Roy Cohn asked the witness whether he had ever been arrested "on moral charges," in an arrest made in the "men's room" where the witness was found "with another man." Much to the surprise of the committee, Varley denied that such an occurrence ever took place, even under Cohn's threat that he had a police report on it. Apparently Varley had even paid the "other man's fine," a fact that even the witness corroborated.

According to Varley, he was given a fine for loitering. He also explained that the man he paid the fine for could not afford his fine. Varley had never met this other man other than in court, and he only paid his fine as a gesture of charity; thus according to Varley's testimony, Cohn's accusations had been inaccurate. Following his testimony, Varley was threatened with a contempt citation, with McCarthy stating that what the witness was committing "a clear case of perjury." As the hearings continued after a recess, the 'incident in the men's restroom' was not mentioned again, and Cohn proceeded to ask Varley about his other "communist" associations.

Varley's case shows just how incompetent McCarthy and his team were. It became obvious that Cohn had not done his research, and it ended up costing McCarthy the hearing. Dimitry Varley was a high profile functionary at the

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<sup>62</sup> Senate Committee, *Violation of Export*, 420-28.

<sup>63</sup> This and the following references stem from the Senate Committee on Government Operations, *Security-United Nations: Hearings on*, 83rd Cong., 1st sess., 1849-76.

United Nations, as evidenced by his high wage of \$ 12,000 a year. McCarthy more than likely wanted a high ranking U.N. Functionary for a public hearing. The comments that he made to the press after the executive hearing, as well as his request to the United Nations for Varley's dismissal prove it. The functionary was never cited for a public hearing.<sup>64</sup> This case and the former ones also speak to the connection that existed between communism and homosexuality in McCarthy's mind. About this linkage David Johnson stated that "homosexuality" for the senator "was the psychological maladjustment that led people toward communism." Johnson argues that even though the senator from Wisconsin did not persecute many homosexuals himself, he was still very instrumental in creating the homosexual-communist linkage in the public's mind.<sup>65</sup>

**Conclusions.** The climate of fear and anxiety of the postwar years created a fertile ground for the red and lavender scares to develop. Within this environment a legal infrastructure developed, in which congress expanded the power of its hearings by appropriating judicial powers and circumventing the Constitution. Joseph McCarthy exploited this environment for his own political ascension, which he used to acquire political capital. It is widely known that McCarthy used most of his power for the persecution of communists; however it has not always been clear if the senator used his power to attack homosexuals.

The lavender scare was not started by McCarthy, rather it developed out of the mixture of long held stereotypes towards homosexuals, the political climate of the first years of the Cold War, and the greater awareness of the existence of gays and lesbians. As it has been stated, the government was concerned with ridding its offices of homosexuals years before McCarthy rose to fame; however, it could be argued that the rise of the senator gave strength to a more acute phase of the lavender scare, in which the government both intensified and became more open in its prosecutions against gays and lesbians. After all, Peurifoy's revelations that encouraged the congressional report on homosexuals, were produced from the officer's denials of McCarthy's communist charges against the State Department. The senator was not silent on the issue of homosexuals, as he was known to have claimed that the State Department was "honeycombed with homosexuals," and that homosexuality could lead to communism.<sup>66</sup>

Nevertheless, being part of the environment that intensified the persecution of homosexuals is not the same as being the one who persecuted homosexuals, and this latter is ultimately the issue. When taking all of the

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<sup>64</sup> Ibid., (editor's note), 1833.

<sup>65</sup> David K. Johnson, *The Lavender Scare*, 16-19.

<sup>66</sup> Hank Greenspun, Where I Stand, *Las Vegas Sun*, October 25, 1952.



contextual factors into consideration it becomes evident that McCarthy could have aimed the committee toward homosexuals, since he had the legal power as chairman of the committee on government operations, and the popular support as an anti-communist crusader. Furthermore gays and lesbians did have the sympathy of the public in general, and homosexuals were already declared to be security risks for the nation. According to David Johnson, McCarthy had been advised by Republican senator Styles Bridges through a speech he gave in McCarthy's home state, to redirect his crusade from communists to other "bad security risks" such as drunkards, criminals and homosexuals, since these were easier to find.<sup>67</sup> Notwithstanding these pressures, a closer scrutiny of the actions of the senator demonstrates that he did not seek out gays and lesbians, as even many gay people from his own time thought he did. The small number of cases in which homosexuality was even mentioned in McCarthy's committee, coupled with the non-existent contempt citations or public hearings given to homosexuals by the senator make his restraint clear. This position is even better illustrated when McCarthy had the chance to participate in a previous congressional committee set to weed out homosexuals from the government, and he chose not to do it by recusing himself from being part of the investigations.

The reasons for the senator's passivity in the lavender scare may be a subject for further research. Nevertheless, rumors about McCarthy's own sexuality as well as facts concerning the homosexuality of his chief counsel Roy Cohn could reasonably be part of the explanation, and accordingly McCarthy's reticence could be seen as a move to avoid a type of 'boomerang' effect.<sup>68</sup> In any event the damage that gay and lesbian people suffered during this time is immeasurable, and clearly the senator was not on the right side of history. Paradoxically at this very same time of opprobrium the first seeds of the gay and lesbian liberation movement were planted, in the birth of the first gay rights' organization named the Mattachine Society.<sup>69</sup>

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<sup>67</sup> David Johnson, *Lavender Scare*, 23.

<sup>68</sup> Referent to these allegations Hank Greenspun stated that "Joe McCarthy is a bachelor of 43 years. He seldom dates girls and if he does, he laughingly describes it as window dressing," as cited from Hank Greenspun, *Where I Stand*, *Las Vegas Sun*, October 25, 1952; Von Hoffman, *Citizen Cohn*, 186, 226, 322, 362-78; David K. Johnson, *The Lavender Scare*, 3; Herman, *McCarthy*, 14.

<sup>69</sup> David K. Johnson, *The Lavender Scare*, 13-14; D'Emilio, *Sexual Politics*, 58.