

UPDATE : EUGENE ENSLIN

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On May 15 the UPI Broadcast Wire carried this news: THE SUPREME COURT HAS AGAIN SIDESTEPED THE ISSUE OF JUST HOW MUCH STATES MAY REGULATE PRIVATE SEXUAL ACTS AMONG ADULTS. WITHOUT COMMENT... THE JUSTICES REJECTED AN APPEAL BY A NORTH CAROLINA MASSAGE PARLOR OWNER CONVICTED UNDER THE STATE'S ANTI-HOMOSEXUAL LAW. THE COURT HAS CONSISTENTLY REFUSED TO REVIEW STATE LAWS DEALING WITH HOMOSEXUALS.

The case described (Enslin v. Wallford, No. 77-1066) involved the 1974 sodomy conviction of Eugene Enslin, operator of the TriMassae Parlor in Jacksonville, N.C. Enslin was rechallenging the constitutionality of the state ban on "the abominable and detestable crime against nature" as overly vague and a denial of his right to equal protection of the laws.

Only Justices Brennan and Marshall voted to consider the Enslin case--two votes short.

Enslin has already served his time in prison--nine months of a one-year sentence. For Enslin, a Supreme Court ruling against N.C. General Statute 14-177 would have restored his full citizenship, now denied him as a convicted felon.

An earlier appeal by Enslin was turned down by the high court in 1976. At that time the Supreme Court considered without oral arguments a separate case on the Virginia sodomy law and affirmed 6-3 a lower federal court ruling that the Virginia law was constitutional.

"I have a feeling they simply cannot agree on their rationale for the privacy decisions in the sexual realm," Enslin asked by LAMBDA why he thought the high court had twice refused to deal head-on with the constitutionality of state sodomy laws.

The recent birth control and abortion decisions of the court indicated the justices could not agree on why they were doing what they were doing, Enslin said. "They don't really want to face the whole subject of sex."

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GREENSBORO PROF PLANS NEW COURSE

An anthropology professor at UNC-Greensboro says he will likely propose an honor's course for next spring that "will examine the role and status of homosexuals in primitive and contemporary societies, including our own."

Dr. Thomas Fitzgerald, using the working title of "Homosexuality: A Cross-cultural Approach," thinks it is appropriate that an anthropologist would teach about homosexuality "in its proper context." But he admits that two years ago, when he was not a full professor, he would not have considered suggesting the idea to his colleagues. Now he expects the two biggest obstacles to continuation of such a course would be too few student takers and homophobic educators.

Initially, if Dr. Fitzgerald were not to gain approval for an honors course he could offer an experimental course, which does not require approval but does require 10 students.

Topics for the course might include "The Socialization of Sexuality: Personality Development" and "Cross-cultural analysis of Sex Roles," to give but two examples.

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