

Judge denies homosexual couple's right to legal marriage

Gillam Hall
Staff Writer

A recent Washington, D.C., court decision reaffirmed a national precedent denying homosexuals the legal right to marry.

D.C. Superior Court Judge Shellie Bowers recently rejected a gay couple's \$1.25 million claim against the district government, contending that local laws do not discriminate against homosexuals by denying them marriage rights. "It is simply inaccurate to say the

plaintiffs were denied a marriage license due to their sexual orientation," Bowers said in his decision. "Rather, the plaintiffs were denied a marriage license because of the nature of marriage itself, requiring, as it does, that the parties thereto be a male and a female."

The plaintiffs, Patrick Gill and Craig Dean, claimed in a November 1990 lawsuit that the D.C. Human Rights Act of 1977 prohibits discrimination based on sexual orientation. The two men also argued that the D.C. marriage law is not gender-specific.

Bowers used quoted passages from the Bible and a legal dictionary to justify his decision.

"Societal recognition that it takes a man and a woman to form a marital relationship is older than Christianity itself," Bowers said.

Bowers' biblical references in the ruling have created as much controversy as the decision itself. Both of the plaintiffs were raised in Catholic families and have said they do not believe religion should play a role in their civil lawsuit.

"I don't think that it is appropriate for a civil court to look at the Bible as a basis for a decision," Dean said in a telephone interview.

Evan Wolfson, staff attorney for the Lambda Legal Defense and Education Fund, an organization that advocates homosexual rights, said Bowers' use of the Bible in a case involving legal precedent was inappropriate.

"(The homosexual community) feels a sense of shock and outrage that a judge in the late 20th century would think that it is acceptable to quote the Bible as overruling the Constitution," Wolfson said.

In their lawsuit, Dean and Gill cited several sections of the D.C. Human Rights Act of 1977, including one passage which prohibited discrimination on the basis of sexual orientation.

"Every individual (in the District of Columbia) shall have an equal opportunity to participate fully in ... all aspects of life," the act states.

Dean, a practicing attorney, said the act forbade the district from discriminating against him and his partner in their pursuit of a legal union.

"In other words, it says that you can't treat gay people different from straight people," Dean said.

Several homosexual rights groups, including the American Civil Liberties Union lesbian and gay rights project, have contended that this case could be the landmark decision that forces state officials to allow same-sex marriages.

Dean and Gill have said that, if necessary, they will appeal the case to the U.S. Supreme Court.

Because of attempts by same-sex couples to marry in the late 1970s, many states have changed the wording of marriage laws to make them gender-specific.

North Carolina was among the states

that changed the wording of its marriage laws, said UNC law professor Sally Sharp.

"North Carolina law clearly requires ... a male and a female," she said.

The D.C. City Council, partly because of demands from the homosexual community, is considering a bill that would grant same-sex couples similar rights to those of heterosexual couples.

"(The bill) would allow persons to receive certain benefits like those of a married couple. It would apply to those in both private and public industry," said Pamela Pope, a legislative assistant to the D.C. Committee on Government Operation.

The bill could become law within a year, Pope said. Several other large U.S. cities, including San Francisco and Santa Barbara, have passed similar laws, she said.

Whatever the outcome of the D.C. case, gay and lesbian leaders vow to fight until homosexual couples receive the same rights as their heterosexual counterparts.

"Ultimately, there will be a ruling that same-sex marriages are constitutionally protected," Wolfson said.

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Nominee

Board of Governors member Harold Webb also is nominating Thigpen, Bibbs

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said. "Cressie is very committed to serving on the Board of Trustees and is very excited about his prospects as a nominee," he said.

Thigpen said he was flattered to be nominated for the Board of Trustees, but he would have to decide whether time would allow him to serve.

"I am teaching at the law school at North Carolina Central, and I have my (law) practice," Thigpen said.

Thigpen said he did not have a predetermined agenda.

"I will have to familiarize myself with the issues and work from there and deal with those issues as they arise," he said.

Thigpen is a graduate of North Carolina Central University and Rutgers Law School. He is presently a partner in the Raleigh law firm of Thigpen, Blue, Stephens and Fellers.

Bibbs said it was beneficial to have more trustees who were not University alumni.

"Currently our Board of Trustees has nine Chapel Hill alumni out of 13 members," he said. "It is important for our Board of Trustees to be diversified with members coming from all walks of life and members who hold degrees from other institutions."

Thigpen would bring a different perspective of the role the University should play not only in the UNC system, but also in the state and the region, Bibbs said.

The Board of Governors will appoint a new trustee in February.

Correction

In the Jan. 22 Daily Tar Heel article, "Public Enemy rap video raises Arizonans' ire," the name of the Public Enemy song was incorrectly identified. The song is "By the Time I Get to Arizona." The DTH regrets the error.

Campus Calendar

- THURSDAY**
- The University Counseling Center is starting a Black Graduate Women's Support Group to begin today. Call 962-2175.
 - 2 p.m. Student Congress Finance Committee mandatory meeting for the budget process for fiscal year 1992-93 in 224 Union.
 - 3:30 p.m. **JOB HUNT 101**: Basic information on how to use UCPPS, 210 Hanes.
 - Du! Schau! doch mal bei KaffeeKlatsch vorbei! German Department Reading Room, Stock Dey.
 - UNC Study Abroad information session on programs in England, Scotland and Ireland, Caldwell.
 - 4 p.m. Association of Nursing Students, 205 Union.
 - 4:30 p.m. UNC Study Abroad, on London School of Economics in the lower level of Caldwell.
 - 5 p.m. Applications due for Feb. 4 elections for Campus Y co-presidents, co-treasurers and secretary will meet in 208-209 Union.
 - 5:45 p.m. Baptist Student Union, Battle House.
 - 6 p.m. BROTHERS discussion group will meet in the first-floor lounge of Hinton James Residence Hall.
 - 6:30 p.m. Collegiate Black Caucus, in BCC.
 - 7 p.m. Carolina Pep Band wants students to cheer for wrestling team in Carmichael against State.
 - Marine Action Committee to meet in Campus Y.
 - 8 p.m. ModernExtension will hold a free, modern dance performance in the Women's Gym.
 - La Casa Espanola presenta "El Salvador y Centroamerica." El segundo piso de Carmichael Dorm.

On-campus job recruiting

February 17-21

Resume drop: Jan. 21		*Open Sign-up: Feb. 5	
Date	Company	Positions	Majors
2-17	Booke and Company	ACTS	ACTS/BS
	Circuit City Stores, Inc.	ACCT	BU/BS, ECON/BA
2-18	Green Corps	Field	ANY/BA/BS
	*PIRG	Campaign Mgr.	ANY/BA/BS
	Unum Insurance Co.	SALE	ANY/BA/BS
2-18/2-19	Booke and Company	INSR	ACTS/BS, APMA/BS, STAT/BS, MATH/BA/BS
	Branch Banking and Trust	BNKG	BU/BS, ECON/BA, INDR/BA, APCS/BS, APMA/BS, COMP/BS, ORSA/BS, STAT/BS, MATH/BA/BS/MS
	Eli Lilly and Company	CHEM	CHEM/BS/MS/PHD, APMS/BS, BIOCHEM/MS/PHD
	Burlington Industries	MFGM	BU/BS, ECON/BA
	Milliken & Company	SALE	ANY/BA/BS
2-19/2-20	*Northwestern Mutual	NC	ANY/BA/BS
	Kraft USA	SALE	ANY/BA/BS
2-20	Donaldson Lufkin Jenrette	ABAL	BU/BS, LIBA/BA, MATH/BS/MS, APCS/BS, COMP/BS/MS
	*Nat. Ctr. for Paralegal	3-Month Lawyer's Asst. Program	ANY/BA/BS
2-20/2-21	Wallace Computer Services	SALE	BU/BS, INDR/BA, SPCH/BA
	Baxter Healthcare Corp.	SALE	BU/BS
2-21	Northern Telecom/BNR	ACCT	BU/BS
	Advisory Board Company	MKTG	ANY/BA/BS
	Liz Claiborne	GMGT	ANY/BA/BS
	Northern Telecom/BNR	DBMG	APCS/BS, COMP/BS
2-21	Peebles Department Stores	RMGT	ANY/BA/BS
	Prudential Securities	ANAL	ANY/BA/BS
		BNKG	
		FINN	
		WRTG	

Additional information available at 211 Hanes Hall