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## Gathered at Random

The following notes were gathered from «American Sexual Behaviour and the Kinsey Report» by Morris L. Ernst and David Loth, a Bantam Book (1107 Broadway, New York 10, N.Y.) published by arrangement with The Greystone Press.

*Glossary with parenthetic comment by H.S., New York.*

### About the facts of life:

«In every man brought up in our tradition, there is this fundamental sexual conflict, for although the varieties of our cultures are wide, they all agree in fostering an idea of sex as both provocative and shameful.»

«Virtually all of our reading and moviegoing, most of our radio and theater contribute to the idea that sexual experience is an excitement and delight. But our training (emphasis mine!) has been to approach this adventure guiltily, as an expression of our baser nature, an offense to God and man, a danger to health and happiness...»

«Up to now, we have known a great deal more about the sexual behaviour of butterflies and orchids, white mice and race horses than about men.»

«It cannot be repeated too often that as yet none of (the theories about the role of sex in life) is based on as factual information about human beings as any farmer can get about cattle (!) for three cents by writing to the Department of Agriculture.»

The last statement calls for some caution. No doubt, statistics and more knowledge about sexuality are fine. More important, however, are tolerance, personal understanding and a balance between knowing and feeling. Our day and age seems to believe that science and the subsequent knowledge can solve any problem. It would be pitiful if that should happen to our sexuality which we have seen occur in other phases of life — despite the vast store of wisdom and exact data we have at our disposal. Think of politics, for instance!

### *About true Justice in the States — XX th Century version:*

«The great English teacher of sexual decency, Dr. Marie Stopes, had a hard time getting an audience. When her books were first offered in this country (USA!) they were banned... After the verdict in the first case the judge remarked to counsel: ,You were lucky to win', ,Why?' ,Look at the title of the case'. The action was recorded in legal jargon as that of the People of the United States against Married Love (the title of the book). When the next Stopes action came to trial, the judge pointed to the title and remarked, ,Well, now you are sure to lose'. For the second case was that of the People of the United States against Enduring Passion.»

«A Chicago policemen once told one of the authors that he never arrested anybody for anything he did himself. He was speaking specifically of offenses against the sex laws which came to his notice while on night duty in a park near a crowded residential district.»

If we only had more of such officers!

«It has become increasingly apparent... that police court judges, being generally shocked by homosexual behaviour, are likely to say, 'I wish I could send this damnable creature away for life'. As a matter of fact, the lower court judge tends to give the defendant the limit of the jail sentence permitted in the statute. But on appeal, we find that the upper court judges are likely to say, 'Can't we get the poor devil a psychiatrist?»

I think to the latter paragraph something important should be added. The attitude of lower courts seems to be influenced by the many cases upon which they have to pass judgment and also the type of offenses with which they have to deal. A judge at night court is exposed to hundreds of trivial cases and he comes into contact with offenders who for the most part come from the underprivileged segments of society. His views of the more intricate relationship between constitutional rights and the establishment of guilt beyond reasonable doubt, or the relationship of defendant and accomplice — the most decisive factor in cases concerning us — are somewhat dimmed by the amount of work to be accomplished. The exceptions to the rule must be saints. Not all judges are saints. Their appointments may not always have proceeded on the basis of merit only — even mayors and city fathers are human beings. In legal cases concerning us it is very important that the more fundamental issues be considered. In a great many cases defendants are intimidated. Popular prejudice on the part of all parties concerned, including the «offender's» family and friends, places an undue burden on our kind. Many legal aid organizations are reluctant to come forth with help. The chance for a fair trial is reduced by the absence of expert defense counsel. Where financial considerations play no part, our cases can often be brought to the higher courts of the land, where in a clearer and less prejudiced atmosphere proofs and counter-proofs can be presented in a fairer way. The trouble is that not only those blessed with earthly riches get caught. Others who have no means, and for whom an arrest — rightly or wrongly — is often disastrous, are therefore at a great disadvantage. I have always felt that we should try to take our fate into our own hands, so that even if we cannot change the laws overnight, we might at least be able to give our friends the security of bail and the chance for a fair trial.

«Any use of our laws governing sex behaviour for such purposes (that is, setting a trap) is unbecoming in a free people. Let the police and prosecutors and courts, too, earn their pay by proceeding against offenders on real grounds.» (Emphasis mine)

Progress — how far will it go?

«For the first century of our existence as a nation, there were no legal bans on the spread of sexual information. Then, around 1868, a now proven neurotic, Anthony Comstock, managed to produce a series of mass hysteria in the legislative halls of the nation. He got Congress to adopt, with a total debate of less than ten minutes, what are known now as our obscenity statutes.»

«Interestingly enough, New Mexico has no obscenity law and does not seem to be handicapped by the lack of one.»

But it punishes Sodomy (the legal term for acts including most of the homosexual forms of outlet) with one year in prison and/or \$ 1000 fine.

«But even in fiction there were cases such as that involving «The Well of Loneliness», a book which for the first time frankly discussed the problem of Lesbianism. . . . The lower courts which condemned «The Well of Loneliness» and some other books were reversed on appeal. The higher courts found the works suitable for public circulation.»

It should be understood that all cases referred to above are those concerning books only. The book publishing business has thus been freed from many former restrictions. I have heard that some years ago our problem was debated over the radio — and it was not by any means as fair a presentation of our point of view as we would feel to be desirable for the sake of honesty. Much greater obstacles exist in the magazine and newspaper field. For that one cannot entirely blame the law. The prejudices of publishers and editors are very decidedly a block, as are undoubtedly the opinions of the readers to whom the papers have to cater — if for no other reason than that of business considerations. Recently one of the outstanding weeklies, indeed the outstanding magazine in the literary field, had to cancel personal advertisements, either under pressure or out of fear that such correspondence ads might lend to complications. That paper has also lately rescinded its more liberal policy in dealing with our question. Another paper, this time by order of the courts, had to abandon its advertising section of private correspondence.

Even more problematic is the domain of movies and television. Against the latter — the newest of all media of entertainment and information — the charge of inferiority has already been made. The reason given in one daily here was that homosexuals had infiltrated too much and brought down the level of what television otherwise could have offered. This rather ridiculous sounding charge reflects the mood of the majority of the newspaper world. But after all television may be the least suitable channel to disperse information. The filmproducers are by far the the most handicapped, though they themselves may not feel that way. Most studios adhere voluntarily to a code which, while allowing them to be suggestive from the physical point of view, imposes upon their productions a great many limitations, as a result of which there is hardly any chance of bringing the moral issues of our day to the forefront. Material of unpopular or controversial character is well nigh taboo, and made even more so by the League of Decency and the boards of state censorship which may place additional bans on that industry. Finally, pressure groups exercise a decided influence, which leads to the withholding of licenses needed for the showing of a film.

In the final analysis, then, it is quite obvious that only minute progress has been made to assure free information and discussion of

sex matters. If these, moreover, concern homosexual life we have quite some way to go before we can speak of any substantial advancement.

(Continued)

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## Blitzlichter

Aus Thomas Manns Tagebuchroman «Die Entstehung des Doktor Faustus», Roman eines Romans. —

Von Hermann Hesses «Glasperlenspiel» heisst es auf Seite 69: «Liebesleid und Lust von diesem Roman ganz ausgeschlossen und auch kaum darin vorstellbar. Der Schluss, Knechts Tod, fast homoerotisch.» Und Seite 87 anlässlich der Lektüre von Stendahls Briefen: «Sehr merkwürdig war mir sein Erlebnis mit einem jungen russischen Offizier, den er nicht anzusehen wagte. Leidenschaft würde ihn ergreifen, wenn (was wiederholt wird), er, Stendahl, eine Frau wäre. Die Geburtswehen einer Leidenschaft aber sind es, die er an sich beobachtet. Es ist ein seltener Einbruch des Homoerotischen in eine höchst männliche, aber auch sehr geöffnete und psychologisch neugierige Natur. Sicher nahm ich Notiz von dem Vorkommnis im Hinblick auf Adrians früh angelegtes Verhältnis zu Rudi Schwertfeger (Figuren in Thomas Manns Dr. Faust), dieser Verführung der Einsamkeit durch eine nicht abschreckende Zutraulichkeit, bei der das Homosexuelle eine koboldhafte Rolle spielt.»

Seite 147, vom Krankenlager aus, ist u. a. von einem vierundzwanzigjährigen, «bildhübschen» Dr. Carlsen die Rede, bei dessen neuerlicher Erwähnung auf Seite 157 sogar hinzugefügt wird: «Hübsche Menschen sind eine Freude, ob männlich oder weiblich».

Wir sehen, dass Thomas Mann sich in seiner Beurteilung der Dinge nicht so fremd geworden ist, wie es gelegentlichen Aeusserungen nach hätte scheinen können, und — freuen uns dessen.

—enus.

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*Der letzte Sommer.* Roman von Erich Ebermayer. (Paul Neff Verlag, Wien-Berlin-Stuttgart.)

Mit dem Erscheinen dieses neuen Werks vollendet Erich Ebermayer die Trilogie seiner Romane aus dem gleichen Stoffkreis («Torheit der Jugend», «Gefährliches Wunderland»). Wieder weiss er mit der reifen Meisterschaft des geborenen Erzählers und mit grosser Sachkenntnis die Welt des Films mit ihren lichten und dunklen Seiten und die Welt junger Menschen mit all ihrer Problematik fesselnd zu schildern. Die packenden Geschehnisse auf dem Hintergrund des Sommers 1939, jenes letzten Sommers vor Beginn des grossen Krieges, sich abspielend, kreisen um die drei aus dem «Gefährlichen Wunderland» bekannten Hauptträger der Handlung, den jungen Filmschauspieler Hallo-Oktavian (Rainer), seine Mutter und seinen Freund Jürgen Peters. Die Wiederbegegnung mit ihnen gehört für den Leser, dem die vorangegangenen zwei Bände der Trilogie bekannt sind, zu den schönsten Kapiteln des beinahe 400 Seiten starken Buches, dessen starker Gesamteindruck, vereint mit dem sprachlich kultivierten Stil des Autors, von nachhaltiger Wirkung ist.

A. K., Frankfurt