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Trans inheritance

LEAVENWORTH, Kan. — A Kansas man is challenging his mother-in-law's inheritance because she once was a man.

The legal battle between Joe Gardiner and J'Noel Gardiner over the \$2.5 million estate of the late Marshall Gardiner could have wide-ranging ramifications on the recognition of transsexuals and their unions across the nation.

"There's so little case law in marriages involving a transsexual person that, inevitably, other states are going to look at what Kansas does," said Shannon Minter, a lawyer for the National Center for Lesbian Rights in San Francisco.

Marshall Gardiner did not leave a will. In such a case, under Kansas law, the estate typically would be divided evenly between a spouse and an only child.

But Joe Gardiner went to court a week after his 86-year-old father's death last August, contending he was the sole beneficiary because J'Noel signed a document waiving her rights to an inheritance. At the time, he didn't know that J'Noel once was a man.

In January, Leavenworth County District Judge Gunnar Sundby ruled that Marshall's marriage to J'Noel was void and thus J'Noel had no rights to the estate. The judge cited a Kansas law that only permits opposite-sex couples to marry.

Though the judge ruled that J'Noel was still a male, the state of Wisconsin had issued a new birth certificate saying she was a female.

Sundby did not rule on the inheritance waiver.

Hillary endorsed

NEW YORK — Two prominent gay groups have endorsed First Lady Hillary Rodham Clinton's race for the U.S. Senate.

She won the support of the Empire State Pride Agenda and the Human Rights Campaign.

"Mrs. Clinton is the clear leader on every single issue of importance to the lesbian and gay community," said Tim Sweeney of the Empire State Pride Agenda during a news conference.

Clinton was cited for her support of civil unions; for favoring gays and lesbians being allowed to serve openly in the military; for supporting laws against hate-crimes; and for backing abortion rights.

Hawaii logo

HONOLULU — The rainbow has fallen at the University of Hawaii.

The rainbow has been the symbol and nickname for the Hawaii football team for 77 years.

But because the rainbow has also become the symbol of gays and lesbians around the world, the school's athletics director said was a factor in a decision to drop the rainbow from school logos and the football team's name.

"That logo really put a stigma

on our program at times in regards to it's part of the gay community, their flags and so forth," Hugh Yoshida said after the new, Polynesian-style "H" logo was unveiled, replacing the old logo, which had the letters UH and a rainbow.

Now the university is being accused of homophobia by gay and lesbian groups and being criticized by some native Hawaiians for renaming the football team the Warriors.

"A statement like that I can understand coming from student-athletes, but to come from the athletic director, I am surprised and disappointed," said Ken Miller of the Gay and Lesbian Community Center.

Yoshida, who earlier said his comments were taken out of context, issued a statement apologizing to anyone he may have offended.

"I understand why some people might consider some of the comments to be derogatory, even if no harm was intended," Yoshida said. "We remain committed to our policies on diversity and inclusiveness."

British group sex

BRUSSELS, Belgium — The European Court of Human Rights has found against Britain when it charged a man for having gay group sex.

The court ordered that the man, identified only as A.D.T., be paid \$50,000.

The man's 1996 conviction was "interference with the applicant's right to respect for his private life" as guaranteed by the European Convention on Human Rights, ruled European judges in Strasbourg, France.

The man, identified by his initials, A.D.T., took his case to the European court after he was convicted of gross indecency for having sex with four other men during a party at his house. Police found a video of the party during a search of the man's home.

A provision of Britain's Sexual Offenses Act, enacted in 1956, states that homosexual sex is illegal if more than two people take part or are present.

Gay teaching

SALEM, Ore. — Oregon voters will be deciding a ballot measure this fall that would prohibit public school teachers from promoting or sanctioning homosexuality in class.

Critics have said the measure is vaguely worded and could result in the ostracizing of gay and bisexual students.

But the measure's sponsor, the Oregon Citizens Alliance, has collected enough signatures to have it placed on the Nov. 7 ballot, the state Elections Division said Monday.

The alliance gained national attention when it put anti-gay rights initiatives on Oregon's 1992

and 1994 ballots. Both were rejected.

The latest measure states that "the instruction of behavior relating to homosexuality and bisexuality shall not be presented in a public school in a manner which encourages, promotes or sanctions such behaviors."

Schools that didn't comply could lose some or all of their state funding.

GOP platform

PHILADELPHIA

Republicans found no room in their party platform for gays and lesbians.

The platform adopted at the Republican National Convention strongly opposes gay marriage and was written in strident terms, making it clear that gay rights are not high on the agenda of the party.

The Republicans also said they opposed any attempts to mandate changes in traditional families through government bureaucracies or through the courts.

Some members of the Log Cabin Republicans headed to Philadelphia hoping that some gay and lesbian issues might be addressed differently.

Log Cabin leaders met both with Texas Gov. George W. Bush and with the platform committee chairman, Wisconsin Gov. Tommy Thompson. But conservatives on the committee succeeded in blocking any attempts to broaden the platform.

Republican convention

PHILADELPHIA — Gays and lesbians felt a little more welcome at the Republican National Convention this year than they did the last time out.

This year, 18 delegates and alternates were openly gay, compared to five in 1996, according to Kevin Ivers, spokesman for the Log Cabin Republicans.

An openly gay congressman, Rep. Jim Kolbe of Arizona, spoke to the convention on its second night.

"Once that happens and the sky doesn't fall, it'll happen again in the future," said Jeff Bissiri, an alternate delegate who is president of Log Cabin's Los Angeles chapter.

Kolbe's address, in which he never mentioned his sexuality, got a lukewarm reception. The Arizona representative stuck to his free-trade theme in his three-minute speech.

Some GOP conservatives wished he weren't speaking at all. "It gives the opportunity for radical gay rights advocates to claim victory for their agenda," said Texas GOP chair Susan Weddington.

Several members of the Texas delegation took off their cowboy

hats and bowed their heads in prayer as a silent protest during Kolbe's speech. One held up a sign proclaiming "There is a way out."

"We believe there are moral rights and wrongs and we also believe that if any one of us did wrong, we would want others to pray for us," said Butch Davis of Houston.

The rest of the audience listened politely and gave Kolbe weak applause.

"It's a small step for the Republican Party and for our presidential candidate — but a very major one," Kolbe said at a reception for the Log Cabin Republicans, a gay GOP group.

One delegate, acknowledging the party's antigay platform, said the party needs to make plenty of progress on gay rights.

"I believe many party officials are aware of it, but they need a little encouragement from the top. I think George Bush is the man to give them that encouragement," he said.

Log Cabin endorsement

PHILADELPHIA — Log Cabin Republicans have endorsed their party's candidate for president.

The GOP's largest gay group says Texas Gov. George W. Bush has reached out to gay and lesbian members of his party.

Chairman Robert Stears said the GOP convention "was a clear sign to all of us that a new Republican Party is emerging."

The endorsement culminates a sometimes stormy relationship between Bush and the group, which ran ads critical of Bush for saying last November he was unlikely to meet with its leaders.

Bush met with gay Republican activists in April and took other steps Stears cited in the endorsement, which officials said followed a 109-2 vote by state and local leaders from the Log Cabin's 45 chapters. The group claims 11,000 members.

Gay killing

FAIRMONT, W.Va. — A 17-year-old will be tried as an adult for allegedly driving over and killing a gay black man after beating him.

In the order transferring David Allen Parker to adult court, Circuit Judge Rodney Merrifield detailed evidence from a witness' testimony at a closed hearing a week ago.

According to the witness, Parker ran over Arthur "J.R." Warren four times with a car on July 4 to disguise the beating that Parker and another boy had inflicted at a house in Grant Town, the judge wrote.

Parker and the other boy, who wasn't named, allegedly kicked

Warren repeatedly while wearing steel-toed boots, then pulled him into the back of a Camaro. They drove to a gravel pullout along a two-lane road with another teen, then ran over Warren, killing him, the judge wrote.

"There clearly is sufficient evidence for a prudent person to believe that (Parker) killed Mr. Warren maliciously, willfully, deliberately, and with premeditation," Merrifield wrote.

Mary Cheney

CHICAGO — The Cheney family does not like to talk about what they say are the private lives of their members.

Still, the spotlight of the campaign has drawn attention to the Cheney family, especially daughter Mary, a 31-year-old from Denver who is a lesbian. Numerous reports in the media have described her work for Coors Brewery in Colorado, building good will for the company within minority groups, including gays and lesbians.

Lynne Cheney says she won't discuss the private lives of either of her daughters — she has another daughter Elizabeth, a lawyer and mother of two.

"But every chance I get, I'll also say that they are the most terrific young women I've ever met and I hope everyone else realizes... what good and decent kids they are," Cheney said.

Now an unpaid special assistant to her father, Mary Cheney is a constant presence in her father's sphere of advisers and strategists.

The two share a passion for fly fishing, a sport that father introduced his daughter to, said Lynne Cheney.

Justice seeks justice

WASHINGTON — President Clinton's Justice Department, for the first time ever, is inserting itself into a local case in a bid to uphold a local gay rights ordinance.

Justice Department lawyers are urging a federal trial judge in Louisville, Ky., to reject a challenge to that city's anti-bias ordinance.

The government's friend-of-the-court brief was filed Tuesday. Justice Department spokeswoman Kara Peterman confirmed that the administration had not previously filed a pro-gay-rights brief in any similar dispute.

The city enacted the ordinance last year, and Dr. J. Barrett Hyman, a Louisville physician, quickly sued to have it overturned.

A Southern Baptist, Hyman argues that his religious beliefs prevent him from hiring gays and therefore the ordinance violates his constitutionally protected freedom of religion.