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Published Every Two Weeks On Recycled Paper • Volume 15, Number 4 • July 8, 2000 • FREE

Rogue ACT-UP chapters shock advocates by calling for an end to federal funding for AIDS

by David Stout
Q-Notes Staff

While national AIDS service and advocacy organizations were commending the US Senate for reauthorizing the Ryan White CARE Act — and urging the House of Representatives to quickly follow their lead — four rogue ACT-UP chapters were jointly issuing a statement and attempting to place an advertisement demanding that Congress “Pull the Plug on AIDS Fraud.” Both the gay weekly *The Washington Blade* and the Congressional weekly *The Hill* declined to run the ads.

In a move that drew immediate fire from AIDS medical specialists, activists and other

chapters, ACT-UP groups in San Francisco, Atlanta, Hollywood and Toronto called for “the elimination of all federal AIDS funding administered through the Ryan White CARE Act and the AIDS Drug Assistance Program” arguing that AIDS is “outrageously overfunded” relative to other diseases.

Packets sent to Congressmembers from ACT-UP San Francisco claimed “current services based on the erroneous hypothesis that HIV causes AIDS are fundamentally flawed.”

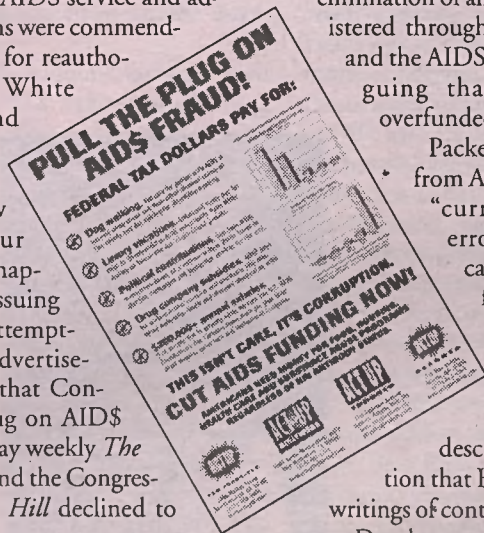
The San Francisco chapter, like the others in their effort, are considered “AIDS dissidents” — a term used to describe those who refute the notion that HIV causes AIDS, based on the writings of controversial Berkeley virologist Peter Duesberg.

In addition, he and his adherents propose that AIDS is *not* sexually transmitted and that

AIDS-related diseases are the result of AZT and the use of recreational drugs.

Larry Kramer, founder of ACT-UP and co-founder of Gay Men's Health Crisis, the nation's first AIDS-specific health agency, issued a blistering statement June 21 charging that the ACT-UP chapters behind the defunding campaign had been “infiltrated” and “usurped by people who do not stand for the code of ethics and beliefs...that motivate the original chapters.” [Ed. Note: Kramer's full statement can be found in the “Letters” section on page 6. More commentary can be found in “Viewpoint” on the same page.]

Amidst this flap, on June 29, AIDS Action, the nation's largest AIDS advocacy organization representing more than 3200 community based AIDS service agencies, praised Reps. Tom Coburn (R-OK) and Henry Waxman (D-CA) for crafting legislation to reauthorize the Ryan White CARE Act in the House and ensure continued services for low-income Americans living with HIV and AIDS. ▼



Cancer epidemic facing gay men doctor says

by Alan Klein
Special to Q-Notes

NEW YORK—The gay male community is on the brink of a new epidemic according to a groundbreaking study presented last month at the annual meeting of the American Society of Colon and Rectal Surgeons showing a startling increase in anal cancer in gay men.

The increase is attributable to the human Papillomavirus (HPV), a sexually transmitted virus that causes cervical cancer in women and which is found in nearly 100 percent of HIV-positive gay men and in approximately 65 percent of HIV-negative gay men.

“The alarming rise in anal cancer in gay men is a wake up call to the gay community and to healthcare providers worldwide,” said Dr. Stephen Goldstone, co-founder and medical director of GayHealth.com, the study's sponsor. “We cannot afford to ignore the signs of this impending epidemic nor can gay men or their physicians ignore even the slightest anal abnormality simply because they may be too embarrassed to discuss it.”

Dr. Goldstone studied more than 200 men referred to his New York City surgical practice for presumed benign anorectal diseases including anal warts, hemorrhoids, fissures, fistulas and anal itch. Patients received general physicals followed by thorough anorectal examinations, including the administering of anal Pap smears. Dr. Goldstone found that 68 percent of HIV-positive men had abnormal and sometimes pre-cancerous growth of cells, as did 45 percent of HIV-negative men.

Overall, 60 percent of all patients referred for benign anorectal disease exhibited signs of abnormal cell-growth. Three percent of gay men examined had invasive anal cancer. For HIV-infected gay men, the likelihood of developing anal cancer increases 34-fold, according to data reported to the National Institutes of Health

See **CANCER** on page 11

New guidebook for transgender advocacy released

by Graham Seagroves
Special to Q-Notes

WASHINGTON, DC—The Policy Institute of the National Gay and Lesbian Task Force (NGLTF) and the National Center for Lesbian Rights (NCLR) released the nation's first comprehensive organizing manual designed to educate policymakers about transgender issues and to provide model strategies for activists seeking an end to discrimination against transgender people.

The publication, *Transgender Equality: A Handbook for Activists and Policymakers*, reviews some 25 years of transgender advocacy and was co-authored by national leaders in transgender activism: City University of New York Associate Professor Paisley Currah and NCLR Senior

Staff Attorney Shannon Minter, with an introduction by Jamison Green, past president of FTM International and current board chair of Gender Education and Advocacy, Inc.

“*Transgender Equality* is a powerful educational tool that marks a turning point for the gay, lesbian, bisexual and transgender movement,” said NGLTF Executive Director Elizabeth Toledo. “This book works toward breaking down the barriers that have divided our movement for decades. It empowers all of us — not only transgendered people, but also gay, lesbian, and bisexual people and allies — to advocate effectively for inclusive equality in our communities and workplaces.”

Through 27 personal works and case studies, *Transgender Equality* defines and describes

appropriate terms and issues; discusses the ways sexual orientation and gender identity overlap and differ; examines the role of gender variance in homophobia and anti-gay violence; provides information on efforts to achieve basic legal protections for transgendered people; and suggests strategies for advancing inclusive anti-discrimination, safe schools, and hate-crimes legislation.

Perhaps the most significant contribution of the book is its demonstration of how the fear that including transgendered people “will kill gay anti-discrimination bills” is almost always exaggerated and based far more on unfounded speculation than on realistic assessment.

In fact, anti-discrimination laws that include

See **TRANSGENDER** on page 11

Supreme Court holds that Boy Scouts can discriminate against gays

by Clay Ollis
Q-Notes Staff

WASHINGTON, DC—A divided United States Supreme Court ruled June 28 that the Boy Scouts of America is exempt from state laws that bar discrimination on the basis of sexual orientation because such constraints would inhibit their right of free expression.

“[The Boy Scouts] have won for themselves the dubious right to be bigoted and exclusionary. They have convinced the highest court in the land, and have shown the rest of the country, that they stand for discrimination,” said Evan Wolfson, Senior Staff Attorney for the Lambda Legal Defense and Education Fund, who argued the case in April.

He added, “The Supreme Court said BSA has a right to discriminate, but didn't say that anti-gay discrimination is right. And thanks to this case, there is now awareness that gay kids, like all kids, deserve programs that offer inclusion and support.”

The American Civil Liberties Union, which filed a brief in the case, called the decision “damaging but limited,” saying it will not reach far beyond groups like the Boy Scouts, and will not broadly overturn state and local laws banning discrimination based on sexual orientation. Matt Coles, Director of the ACLU Lesbian and Gay Rights Project, commented, “Anti-gay groups did not get the ‘free pass’ they were looking for to dismantle civil rights laws

that provide equal protection to lesbians and gay men. This ruling is limited to groups that exist for the purpose of expressing views and ideas.”

While they did not endorse BSA's discrimination, the Justices, by a 5-4 vote, nonetheless held that the application of the New Jersey Law

“Until today, we have never once found a claimed right to associate in the selection of members to prevail in the face of a State's anti-discrimination law.”
— Justice Stevens

Against Discrimination to BSA's ban on gay scouts violated the group's first amendment rights. The majority, led by Chief Justice William Rehnquist, wrote that reinstating Dale “would significantly affect” BSA's expression. Chief Justice Rehnquist's opinion was joined by Justices Sandra Day O'Connor, Antonin Scalia, Anthony M. Kennedy, and Clarence Thomas.

Justice John Paul Stevens' dissenting opinion declared, “Until today, we have never once found a claimed right to associate in the selection of members to prevail in the face of a State's anti-discrimination law. To the contrary, we have squarely held that a State's anti-discrimination law does not violate a group's right to associate simply because the law conflicts with that group's exclusionary policies.”

Justice Stevens' opinion was joined by Justices Ruth Bader Ginsburg, David Souter, and Stephen Breyer. Justice Souter issued another dissenting opinion joined by Justices Ginsburg and Breyer.

The Justices' decision in *Boy Scouts of America v. Dale* overturns a ruling by the New Jersey Supreme Court, which last August unanimously rejected similar first amendment claims by BSA's attorneys. Reviewing the abundant evidentiary record in the case, that court noted the conspicuous absence of any mention of gay people “or any discussion of sexuality whatsoever” in any of BSA's official materials, including its mission statement, the “Scout Oath” and the “Scout Law,” and the *Boy Scout Handbook*.

The New Jersey court, in a 7-0 opinion written by Chief Justice Deborah T. Portiz, concluded that because BSA had no avowed anti-gay message, its first amendment rights were not significantly burdened by the application of the state civil rights law.

See **SCOUTS** on page 5

Talking heads

“Parents and troop sponsors, including public schools, will now look to find other programs that serve all youth in an affirming way.” — David S. Buckel, Staff Attorney, Lambda Legal Defense and Education Fund

“Freedom does not belong only to those with whom we agree. A Supreme Court ruling against the Boy Scouts would have had the perverse effect of hurting gay and lesbian Americans.” — Richard Sincere, President, Gays & Lesbians for Individual Liberty

“The gay and lesbian community, now more than ever, should understand the kind of balance of power that is at stake in this presidential election.” — Mike Colby, Executive Director, Stonewall Democrats

“Mr. Dale deserves our community's gratitude.” — Elizabeth Toledo, Executive Director, National Gay & Lesbian Task Force

“This is a hollow victory for the Boy Scouts of America. Is this any way to teach youth about fairness, honesty and justice?” — Tony Varona, Legal Director, Human Rights Campaign