

Q Notes

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Gay man sues Raleigh newspaper

by David Stout
Q-Notes Staff

EDNEYVILLE, NC—Charles Merrill is determined to have his efforts to fight the anti-gay climate in NC taken seriously. As such, on September 17 he filed a \$60 million defamation suit against a Raleigh newspaper and its parent corporation, claiming that they libeled him and his organization, Citizens Against Discrimination Association (CADA), in a feature article about the group's campaign to initiate a film industry boycott of NC.

In a press release issued after the suit's filing in US District Court in Sacramento, CA, Merrill said that in printing its story, the *Raleigh News and Observer* "calculated to strip [himself] and CADA of all the credibility and respectability they have worked so hard to earn."

The battle began on July 28 when the *News and Observer* followed up on a story that had appeared the previous week in the entertainment trade publication *The Hollywood Reporter*. The *Reporter's* story focused on CADA and its call for filmmakers to stay out of NC due to the passage of a spate of anti-gay county resolutions and the Mecklenburg County Commission's decision to cut arts funding.

The *Reporter* evidently picked up the story from an Internet press release Merrill had issued previously, stating he had "organized the boycott and contacted top members of the entertainment industry, Barry Diller, Rupert Murdoch and Michael Eisner" for their support in establishing the embargo.

In its follow-up, the *News and Observer*

seemed to take the position that *The Hollywood Reporter* had grossly overstated the importance of Merrill, his group and the status of its film blockade. Staff writer Maile Carpenter asserted, "...Citizens Against Discrimination is a 63-year-old retired man named Charles E. Merrill, sitting at home in the Henderson County community of Edneyville with a computer and an agenda.... Regional film commissioners have never heard of him. Politicians have never heard of him. Area gay activists have never heard of him."

In addition to the article's appearance in print, it was published on the newspaper's website. From there, it was widely distributed on an Internet mailing list for gay-related news items, further angering Merrill.

In his complaint against the *News and Observer* and McClatchy Newspapers, Inc. of Sacramento, Merrill stated that because of the article, both he and CADA, which he maintains is incorporated in Delaware as a non-profit organization with 412 members, have been "held up to ridicule, hatred and contempt, and have suffered injury to their reputations, personal humiliation, emotional distress and mental anguish." He is seeking compensatory and punitive damages.

Merrill commented that he hopes his lawsuit "puts McClatchy and other media organizations on notice that they cannot continue to distort the impact of gay rights in America and on the World Wide Web."

At press time, neither of the defendants had responded to the suit. ▼

Bishops call for acceptance of gays

by David Stout
Q-Notes Staff

WASHINGTON, DC—An ecumenical treatise released by the US Catholic Conference that encourages families to accept their gay loved ones and calls for non-discrimination against them, drew positive responses from gay and lesbian leaders and members of a national organization for gay Catholics. However, their reactions were tempered by the bishops' reiteration that homosexuals must remain celibate to avoid sin.

The open letter, entitled "Always Our Children: A Pastoral Message to Parents of Homosexual Children and Suggestions for Pastoral Ministers," contains several important messages. One of its most powerful pronouncements is a call for non-discrimination. "The teaching of the church makes it clear that the fundamental human rights of homosexual persons must be defended and that all of us must strive to eliminate any form of injustice, oppression, or violence against them." It also states, "Nothing in the Bible or in Catholic teaching can be used to justify prejudicial or discriminatory attitudes and behaviors."

The message reaffirms an earlier call for all Christians to work to end discrimination against gay people; recognizes the mounting evidence that a person's sexual orientation is not a matter of choice; and encourages families to be accepting and supportive of their gay loved ones even as they are working through areas of confusion and disagreement over the difficult issues that arise when gay people come out to their families.

The letter also reminds parents that gay people often face violence and discrimination and emphasizes how crucial it is for parents to

accept their gay children. In addition, the letter encourages pastors to welcome gay people within communities of faith and encourages both parents and children to be patient, fair and honest with each other and rise above the temptation to reject each other when challenging issues arise.

"This is another milestone on America's journey toward common ground where faith, family and fairness go together," said Human Rights Campaign Executive Director Elizabeth Birch. "The letter is a much-needed reminder to American families that people of faith can disagree without being disagreeable—and that families have a moral obligation to treat all

people, including their gay loved ones, with fairness, respect and dignity."

The statement, however, makes a clear separation between sexual orientation and sexual behavior. While condemning discrimination against individuals on the basis of their sexual orientation, the statement reasserts the Church's belief that homosexual behavior is "objectively immoral." It reiterates that sexual relations are exclusively reserved for a married man and woman for the purpose of creating a new human life.

Leaders of Dignity/USA, the nation's largest organization for gay, lesbian, bisexual and transgender Catholics and their families and friends, were guardedly optimistic about the message. "This pastoral letter is a positive step and we commend the bishops for their improved sensitivity to the issues which confront parents and their lesbian and gay children, but all is not perfect," noted Executive Director Charles Cox.

Robert Mialovich, president of Dignity/USA, said the letter is a "positive step" and "reaffirms the Church's teaching on the sanctity of marriage and the dignity of every person." See *BISHOPS* on page 24



Photo: Wendy Jill York

Year-long lesbian health study already yielding important facts

by Bob Roehr
Special to Q-Notes

WASHINGTON, DC—The Institute of Medicine conducted a workshop on lesbian health research priorities in the District of Columbia on October 6-7. It was part of a first ever \$200,000 study which should wrap up with a report next summer. "The big news is that they are even funding this study," said Marj Plumb, policy director with the Gay and Lesbian Medical Association.

Donna Futterman, MD, is a researcher at the Albert Einstein College of Medicine. "We know that coping skills, self-care behavior, and health seeking behavior are established early and have an impact on a lifetime of interactions with the health care system. It should be no surprise that delay in health seeking and lack of preventive services and gynecologic care is a consistent finding in research of lesbians of all age groups."

But she cautioned, "We have only begun to

scratch the surface and much of the information we have obtained may not remain relevant because the social and cultural environment continues to change."

One of the major problems facing researchers is the very definition of who is a lesbian. Is it a question of self-identity, sexual acts, or a combination of the two? Social stigma in both study and delivery of care remains a major impediment. And the average age of awareness of same-sex feelings has dropped from about 16 to nine or ten.

Sorting out sex

"Lesbians don't have sex as often as do heterosexual cohabiting couples, gay male couples, and married heterosexual couples," said Esther Rothblum, a researcher at the University of Vermont. "But on the other hand, lesbians often define sex more broadly. So how do you count that? What about people who live to-

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Court declines military ban case

by Julia Adams
Special to Q-Notes

WASHINGTON, DC—The US Supreme Court declined to review the case of *Richenberg v. Cohen* earlier this month, leaving in place a decision by the Eighth Circuit Court of Appeals upholding the constitutionality of the Clinton Administration's "Don't Ask, Don't Tell, Don't Pursue" policy and the dismissal of Captain Richard Richenberg from the US Air Force for acknowledging that he is gay.

Michelle Benecke, co-executive director of Servicemembers Legal Defense Network (SLDN), an independent legal aid and watchdog organization for those harmed by the "Don't Ask, Don't Tell, Don't Pursue" policy, stated, "By the Court's action, our nation has needlessly lost the service of a combat-proven electronics warfare officer."

Richenberg entered the Air Force in 1985. After he served in the Gulf War, he began training for special service in Saudi Arabia. While in training, Richenberg disclosed his homosexuality to his commanding officer. The Air Force canceled his Saudi Arabian mission and reassigned him to Offutt Air Force Base in Nebraska, where discharge proceedings were begun. Richenberg was given an honorable discharge in 1995. He sued the Air Force, but a federal trial judge and the Eighth US Circuit

Court of Appeals ruled against him.

"No other federal, state or local law mandates that our government terminate the careers of gay people," Benecke stated. "For the thousands of gay, lesbian and bisexual servicemembers who are defending our country today, the Supreme Court's decision means that, for the time being, they will have to continue to hide to avoid the ongoing witch hunts. The decision means that they still cannot tell their parents, doctors or best friends that they are gay without fear of losing their jobs or even potentially going to jail."

Richenberg's case also challenges the military's assertion that gays disrupt morale among enlistees, Benecke charged. "Captain Richenberg's discharge brings the failings of the gay policy into sharp focus: the Air Force has dismissed an officer decorated in the Persian Gulf War despite the objections of his military colleagues who supported him even after they learned his sexual orientation and despite his having met the criteria for retention under 'Don't Ask, Don't Tell.' This case, once again, disproves the rationale offered by the military that straight troops will not work with openly gay servicemembers and highlights the utter waste of scarce resources inherent in discharging military members simply because they are not heterosexual." ▼