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

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NATIONAL news



Routine surgery inexplicably turned fatal for Neal Conrad Spicehandler (left, with John Langan)

NEW YORK

A gay man in New York should be able to hold doctors accountable for medical negligence that led to his longtime partner's death after routine surgery for a broken leg he suffered when he was the victim of a hit-and-run spree last year, Lambda Legal said in court papers filed Jan. 9.

St. Vincent's Hospital, in the heart of Manhattan's Greenwich Village, is asking a state court to block John Langan from suing for wrongful death and medical malpractice, claiming that because he and Neal Conrad Spicehandler were a gay couple, their 15-year relationship cannot be legally recognized. They were joined in a Vermont civil union and had several documents reflecting their relationship, and staffers treated Langan like Spicehandler's spouse throughout the ordeal.

"Conrad was my soul mate and my spouse," Langan said. "We loved each other as deeply as two people can love, and we did everything we could to formalize, legalize and protect our relationship, our love and our commitment to each other."

New York law allows spouses, children, parents, siblings, grandparents, uncles, aunts, cousins and other specified relatives to sue for wrongful death. Nowhere does the law require that a spouse have a marriage certificate.

NATIONAL

The U.S. military has taken the unusual step of preventing all Marines from leaving for the coming 12 months, officials said Jan. 9.

The "stop-loss" order applies to the entire service, which has 173,000 men and women on active duty and 100,000 in the Reserve. Marines facing discharge because of sexual orientation, however, will continue to be separated.

C. Dixon Osburn, Servicemembers Legal Defense Network executive director, called the announcement an affront to the country's national security.

"Even as the Marine Corps scrambles to retain personnel, it discriminates against lesbian, gay and bisexual Americans who are qualified, skilled professionals ready to do their job," he said. "As our nation prepares for a possible conflict in Iraq and continues its battle against terrorist groups, we can ill afford to lose the talents of these dedicated Americans."

"Stop-loss" orders were issued in the wake of the Sept. 11, 2001, terrorist attacks but also excluded discharge of queer personnel. During the Persian Gulf conflict, similar "stop-loss" orders permitted retention of those same personnel.

"Lesbian, gay and bisexual Americans have always served the Marine Corps with honor," said former Capt. Thomas Carpenter, an attack pilot during the Vietnam era. "They have served our nation, in silence, on the front lines of every conflict. They should be allowed to do so openly and honestly."

According to The Associated Press, the Marines Corps likely would contribute between 65,000 and 75,000 troops to any conflict with Iraq. In fiscal year 2001, the branch discharged 115 gay, lesbian and bi servicemembers. To date, no other service has issued a "stop-loss" order in anticipation of an attack on Iraq.

◆

Charles Moskos, primary author of the U.S. policy on queer soldiers, said Jan. 1 that he would support allowing known gays to serve in the military if the nation reinstates the draft. The influential Northwestern University sociologist has been widely consulted by policy-makers on military personnel issues.



Charles Moskos

"If an open gay said, 'I want to go into the Army,' it would be his prerogative," Moskos said. "Of course, there would be problems with that, there would be hassles, but they probably could be overcome."

Moskos, who has been criticized by colleagues and civil rights advocates for his defense of the military's discriminatory policy, acknowledged that his support for drafting gays might appear to undermine the rationale for "don't ask, don't tell." But he said the draft was a "higher virtue" than the privacy rights of heterosexual soldiers, which he frequently has cited in his opposition to integrating queer soldiers.

According to a 1999 study, 47 percent of male combat Marines believe that if the draft is reinstated, gay men and lesbians should be included just like everyone else. According to Geoffrey Bateman, Center for the Study of Sexual Minorities in the Military assistant director, "Including gays and lesbians in the military would reflect this country's tradition of tolerance and diversity that have sustained our democracy for so long."

◆

In spontaneous protests across the country, hundreds of Associated Press employees are telling their bosses what they can do with key chains that "celebrate" diversity: Keep them.

Writers, photographers and others are mailing back the \$2 novelty gifts, which are emblazoned with the logo "AP Diversity, many views one vision." Keep the trinkets, they say, and instead grant gay and lesbian staffers health benefits for their loved ones.

In Washington, D.C., the company's largest