

課程心得報告

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在這一門課結束之後，翻譯對我產生了新的影響力。

從前對於翻譯的印象短淺，已為翻譯只是把不同的語言轉變成另外一個語言罷了，但實際上卻不然。基本上，作為一個翻譯人員，除了要對於自己母語具有相當程度的能力外，對於要轉換的語言也必須擁有相當的背景知識，否則翻譯出來的東西，可能跟原來的本意相去十萬八千里。對於英文系的學生來說，翻譯是一條可以選擇的道路，但是重點就在於，是否具有相當的英文能力以及知識背景。

一直以來，我並不會那麼的注意到，現今台灣社會裡的翻譯作品，小至書報雜誌，大致電影字幕的翻譯。自從修課之後，開始對於這些部分提高了注意，這才發現，由於翻譯者的不慎或是誤解，對於文本的解讀便產生了截然不同的解釋；原本是讚美人的話語可能轉眼間就被說成是在罵人，或者是對於情境場景的誤解。畢竟不是每一個人都有能力學習不同的語言，但是卻必須要接觸不同文化的小說或是其他的知識產物，因此，翻譯者就是一個相當重要的媒介，如果沒有他們的存在，對於其他國家的文化我們就無從學習，因為連看都看不懂了，又要怎麼樣吸收轉化成自己的知識呢？單就這個層面來看，翻譯者真的需要謹慎下筆。

當然在做翻譯的時候，也能夠有非常多新的領悟跟學習。作為英文系的學生，到了較高年級的階段，常常接觸的是比較偏向文學領域的作品，也正因如此，許多新知就比較不在我們的學習領域中出現。翻譯就是一個挑戰自己對其他領域的英文了解程度的一個機會。像是最近的一篇翻譯中，出現了一個字“crystal meth”，我搞不懂他到底是什麼，因為在句子裡它是負面的意思，所以應該跟水晶沒有關係吧，透過 google 的查詢，我才發現原來它是安非他命的一種稱呼方法，這樣的情況在翻譯過程中屢屢出現，除了看出自己的知識不足外，也可以增長見聞。

再者，我所翻譯的文章是以有關於性別人權的外國新聞為主，過去我並不常接觸這類領域，因此並不熟悉。但是當我開始翻譯之後，我才驚覺，原來世界上有那麼多人在默默的為性別人權努力，如果單就台灣的新聞工作者所翻譯的新聞，根本就沒有辦法讓身處台灣的人們感受到真實的世界是怎麼樣運作的，因此，翻譯這些新聞也就成了一件相當有趣的事，因為同時你也看見了世界的另外一面。

因此對我來說，翻譯除了他原來的幫助社會大眾了解不同的文化這個功能之

外，也兼具了可以讓台灣這個島上的人們增進眼界。當然翻譯的過程中，難免因為文化的差異感到困擾，但是當自己完成一篇文章，並且同時學到新知的時候，就真的覺得做翻譯是一件相當有趣的事情。

Czech same-sex couples get new rights

PlanetOut Network

published Thursday, March 16, 2006

The Czech Republic's parliament overrode a presidential veto Wednesday to become the second former communist country to grant legal recognition to same-sex couples.

The Chamber of Deputies voted 101-76 in favor of the measure, according to international news reports. The lawmakers had the absolute minimum number of votes needed to override the veto imposed by President Vaclav Klaus last month.

The new law allows registered same-sex couples to inherit property and raise children, but it does not allow for adoption.

President Klaus said in a statement Wednesday that the vote was a "defeat for all of us who believe that the family in our society is fundamental, unique, unrivaled."

"The law is a compromise," said leading gay rights activist Jiri Hromada in a quote published by the Associated Press. "It will harm no one and make many happy."

Last year, Slovenia became the first former communist country to grant rights to same-sex partners, according to gay-rights group ILGA-Europe.

The new law brings the Czech Republic in line with many other European Union countries that offer some form of legal recognition -- if not full marriage equality -- to same-sex couples.

<http://www.gay.com/news/article.html?2006/03/16/1>

捷克的同性伴侶享有新權利

無視於總統的否決，捷克共和國的議會在星期三通過了法案，使得捷克成為了前共產國家中，第二個認可同性伴侶合法性的國家。

根據 International News 的報導，議會以 101 比 76 通過議案。立法機關成員只須最少的票數就可以壓倒總統瓦茨拉夫·克勞斯(Vaclav Klaus)上個月所提出的否決。

新的法律允許有註冊的同性伴侶繼承財產以及撫養小孩，但是不包括收養。

總統克勞絲在星期三的一個聲明中說：「這個投票對於我們這些長久以來，相信家庭是我們社會中的一切基礎、獨一無二且無可比擬的人民來說是一項打擊。」

同性戀權利的領導人 Jiri Hromada 在 Associated Press 中的一則引文中提到，這項法案的通過是一個折衷的好辦法，因為在這裡頭，沒有人會遭受傷害，卻同時可以為許多人帶來快樂。

斯洛維尼亞共和國在去年成為了第一個同性伴侶合法化的前共和體制國家，據同志權利團體 ILGA-Europe(International Lesbian and Gay Association, 國際女男同志協會歐洲總部)所說。

這項新法案的通過，也使捷克共和國和其他的歐盟國家站上同一陣線，雖然不是完全的婚姻平等，卻提供了同性伴侶一些合法的認同。

Lesbian sues fire-chief ex-partner for bias

PlanetOut Network

published Thursday, March 16, 2006

A lesbian firefighter in Minneapolis filed a discrimination suit Tuesday against the city's fire chief, a woman who happens to be the firefighter's former domestic partner.

Capt. Jennifer Cornell sued in U.S. District Court in Minneapolis against Chief Bonnie Bleskachek, naming the city as a co-defendant, the Pioneer Press newspaper reported.

Cornell claims Bleskachek denied her training opportunities and stood in the way of her advancement through "a history of animosity, ill-will, malice and bad faith conduct," the paper reported. The suit seeks an end to discrimination and \$75,000 in damages.

The case puts Mayor R.T. Rybak, who appointed Bleskachek as chief in November 2004, in a potentially difficult political situation. Both Rybak and Bleskachek have refused comment, the mayor saying through a spokeswoman that he cannot comment on ongoing litigation.

Bleskachek, one of the nation's few openly gay fire chiefs, oversees a staff of 450 and a budget of \$43 million.

The lawsuit also claims that Bleskachek was violent toward Cornell during their relationship. They were domestic partners from 1996 to 2001 and share custody of two children, the paper reported.

Bleskachek and Cornell co-founded the Minnesota Women Firefighters Association.

<http://www.gay.com/news/article.html?2006/03/16/3>

女同志控告身為消防首長的前同居人歧視

一位明尼阿波里斯市(美國明尼蘇達州)的女同志消防員在星期二提交了一項訴訟，控訴對象是這個城市的消防首長，恰巧也是她的前同居人。

根據 Pioneer Press newspaper 的報導，隊長 Jennifer Cornell 在明尼阿波里斯市的美國地方法院對消防首長 Bonnie Bleskachek 提出控訴，並且認為這個城市也是共同的被告。

報紙報導了 Cornell 聲稱由於過去充滿仇恨、敵意以及不誠的行為，Bleskachek 拒絕給予她應有的訓練機會並且阻礙她升遷。這項訴訟尋求不平等待遇的終結以及七萬五千美金的受害賠償。

這個案件讓在 2004 年十一月指派 Bleskachek 為首長的市長 R.T Rybak 陷入了困難的政治處境。Bleskachek 和市長都拒絕給予任何回應，市長則透過發言人表示，他無法對於進行中的訴訟做任何的評論。

Bleskachek 是國家消防首長中，少數公開自己同志身份中的一人，其下管理了 450 人及四千三百萬美金的預算。

這項訴訟也聲稱 Bleskachek 在兩人的同居期間曾對 Cornell 採取暴力行為。根據報紙的報導，他們的同居期間從 1996 年到 2001 年，並且分享兩名小孩的監護權。

Bleskachek 和 Corwell 共同成立了明尼蘇達的女消防員團體。

California mayor comes out as gay

Christopher Curtis, PlanetOut Network

published Thursday, March 30, 2006

The mayor of West Sacramento, Calif., revealed he was gay Wednesday night during the annual State of the City dinner.

"The pressure and the stigma and sometimes the all-too-casual bigotry in this town made it painfully clear when I first ran for office that I could either serve this community or I could be a gay man. But I could not be both," Mayor Christopher Cabaldon told the Sacramento Bee.

His admission before a crowd of 150 developers, business and political leaders earned him a standing ovation.

Cabaldon's revelation was planned in advance. He was inspired by a show on the LGBT cable channel Logo and e-mailed the channel's producers about following his story.

"The prospect of more kids and young people making the same choice because they didn't have any more accessible gay and lesbian role models in politics made it important for me to come out," he said.

A Logo camera crew captured the moment and plans to air it in July, the Bee reported.

"I think the significance (of this coming-out) is that more and more people, including politicians, have come to the conclusion that society has come to a place where they can come out comfortably," said Geoff Kors, the executive director of Equality California.

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According to the Gay & Lesbian Victory Fund, Cabaldon is the state's fourth elected openly gay mayor currently in office.

"There's about a dozen openly gay mayors around the country," said Dave DeCicco, the organization's spokesman.

Cabaldon was elected to the West Sacramento City Council in 1996 and became mayor two years later. He is credited with bringing the popular River Cats minor league baseball team to the city and helping to straighten up the Port of Sacramento's finances and craft a regional growth plan, the Bee reported.

DeCicco does not believe Cabaldon's admission will hurt his chance of getting re-elected. "If the elected official is responsive to constituents and is doing a good job, voters will usually overlook the candidate's sexual orientation. The public is so desirous of good public officials that they won't care," he said.

Yolo County Supervisor Mike McGowan, a former West Sacramento mayor, shared DeCicco's sentiment.

"We are more concerned about the good work that you do than what kind of label you put on yourself," McGowan told the Bee. "I say bravo to him for having the courage to do this."

The population of West Sacramento, situated in Yolo County, is 32,500, according to 2001 data listed on the city's Web site.

http://www.gay.com/news/article.html?coll=news_articles&sernum=2006/03/30/4&page=1

http://www.gay.com/news/article.html?coll=news_articles&sernum=2006/03/30/4&page=2

女同性戀消防首長面臨二次控訴

國家中少數公開同性戀身分的消防首長其中一人，再度在聯邦法庭中面臨起訴。明尼亞波利斯的消防總長 Bonnie Bleskachek 第二次面臨職場歧視的控訴。

St. Paul Pioneer Express 報導說，在星期二提出的最近一次的民事訴訟中，Bleskachek 被指稱否決了他人原本用來決定新的大隊長的測驗分數。消防隊長 Kathleen Mullen 的控訴中宣稱 Bleskachek 部分否決了他的分數是因為 Bleskachek 同樣身為消防人的現任女友沒有通過測驗；加上 Mullen 是僅只兩人通過測驗中

的其中一人，因此斷言這項行為是起因於對於一個前任女友的報復。

首長的前女朋友 Jennifer Cornell 在三月四日向這個城市及消防首長提出告訴，內容是有關於聯邦歧視法案的訴求。這個訴求控訴首長自從他們 2001 年分手後，職場上不斷的充滿強烈敵意及明顯對立。Cornell 和 Bleskachek 在一起六年，並且享有兩個小孩的共同監護權。

Cornell 的訴求中說道：Bleskachek 拒絕給予他訓練的機會，甚至是其他任何在消防部門中精進的機會。這項訴求也主張 Bleskachek 曾有對於 Cornell 有十次的身體暴力，分別造成了眼部淤青，頭部以及肋骨受傷。

在他們住在一起的期間內，Bleskachek 沒有任何的犯罪紀錄，而在州的家暴專線中，也沒有任何相關紀錄。

Bleskachek 毆打 Cornell 的相關事跡第一次是出現在 2004 年的監護權爭議的宣誓書上。Cornell 說他當時沒有向警方報案是因為 Bleskachek 身為消防首長，他擁有崇高的地位。但是 Cornell 在宣誓書裡說道，他曾在 Bleskachek 的陪同下前往治療。根據 Pioneer Express 報導，Bleskachek 對於這樣暴力的控告則回應說：當時他們是為了讓 Cornell 在爭取扶養權案子下得到優勢，才這麼說的。

在一個內部的調查過後，Mullen 目前是在有給薪的休假中。市發言人 Gail Plewacki 告訴 Pioneer Express 說，隱私法規讓他沒有辦法向外部洩漏 Bleskachek 受檢調單位調查的原因。

明尼亞波利斯的市長 R.T. Rybak 身為指派 Bleskachek 為消防首長的人，對於他任何違法的行為都不做任何評論。

Arrested justice: When LGBT people land in jail

Part four: The myth of "protective custody"

Patrick Letellier

The most frightening week of the nine months Mark Olmsted served in California prisons came in July 2004, when he was forced to share a cell with a menacing "soldier" in a white supremacist gang.

"It was a psychological inferno," Olmsted says. "Every second you think the cell door will open and someone will come in and knife you. I knew I had to get out of there."

And get out he did. Olmsted, 47, was serving time at the California Institute for Men, a minimum-security state prison in Chino, Calif., for selling crystal meth and forging drivers' licenses, and came out to one of the guards.

"I told her I was gay and HIV-positive, and I needed to get out," he says, "and she had me out of there in 15 minutes."

Olmsted was lucky. He was moved to "protective custody," a segregated section of the prison designed to protect the most vulnerable inmates from the dangers of the general population. There he served his time relatively unscathed with other gay, transgender and HIV-positive inmates, as well as older prisoners and informers who sought protective custody in order to survive.

"We could get by without fearing violence for being gay," Olmsted said. "That was a huge relief."

But many other inmates aren't so fortunate. Protective custody in many state prisons is extremely difficult for inmates to get into, leaving countless gay and transgender prisoners to fend for themselves in a prison population that is often violent and extremely anti-gay.

Roderick Johnson, for instance, a gay man who endured horrific physical and sexual violence at the hands of inmate gangs in a Texas prison, petitioned for protective custody on seven separate occasions. And seven times he was denied. One prison official, Johnson says, told him, "We don't protect punks [gays] on this farm."

Johnson sued the Texas Department of Criminal Justice for violating the Eighth Amendment, which prohibits cruel and unusual punishment, claiming that prison officials took "sadistic pleasure" in denying him protective custody. Prison officials flatly denied Johnson's reports of abuse, citing a lack of evidence, and last October, he lost his suit. (Johnson later served a brief detention term for violating parole.)

Proving they are being threatened can be very tricky for inmates. "Snitching" on another prisoner is the ultimate taboo and can provoke a violent retaliation. And, as in the Johnson case, prison officials are often reluctant to believe claims of abuse without proof.

"Unless they show obvious physical injury, their complaints tend to be ignored and their requests for protection denied," says a Human Rights Watch report on male rape in U.S. prisons. One inmate who sought protective custody in an Indiana prison told Human Rights Watch that a corrections official said he "won't do anything till I come out here with my ass torn up." Such graphic remarks by guards and prison officials are not unusual, inmates say, and demonstrate a cold-hearted indifference to their plight.

While state prisons remain exceedingly dangerous for many LGBT prisoners, a handful of county jails have attempted to address the danger by creating separate, segregated housing. In San Francisco, transgender inmates are automatically segregated from other prisoners, says Eileen Hirst, the sheriff's chief of staff.

Being gay, however, is not enough to gain an inmate entry to segregated housing. "We look for vulnerability," Hirst says. "You can be gay, but be 6'5", obviously have spent years in a gym, be extremely criminally sophisticated and in on a murder charge." Young inmates, men with slight builds, and people incarcerated for the first time are considered at risk and may be segregated as well.

But segregated inmates in San Francisco jails cannot participate in programs designed to help prisoners get back on their feet. "If you are trying to protect a population, it's very tough to put them in a classroom with other inmates," Hirst says. So drug

treatment, writing classes, anger management and high-school equivalency prep classes are all off-limits to segregated inmates.

The Los Angeles County Jail separates gay and transgender prisoners into three units, known as K-11. But inmates there can participate in the Social Mentoring Academic and Rehabilitative Training (SMART) program, a series of courses designed to reduce recidivism by helping gay and transgender inmates succeed outside prison.

"That part was great," says Olmsted, who spent six weeks on K-11 before being sent to state prison. He took a SMART computer programming class, he said, and enjoyed the security of being in a mostly gay-friendly environment. "Some of the guards were openly hostile to gays," Olmstead says, "but it wasn't real bad."

New York City had segregated housing for gay and transgender inmates until December 2005, when corrections officials closed "gay housing," as it was called, on Rikers Island, the city's largest jail. Gay activists objected that the city was compromising the safety of its most vulnerable inmates.

"There is no easy solution to the housing problems" for gay and transgender inmates, says Chris Daley of the Transgender Law Center. "There are global answers about getting over our addiction to incarceration, but on an everyday level, it comes down to how are going to keep people safe. And it's complicated."

<http://www.gay.com/news/roundups/package.html?sernum=1341>

http://www.gay.com/news/roundups/package.html?coll=news_feature&sernum=1341&page=2

妥善的監禁：當 LGBT 的人入獄服刑

第四部分：“保護監禁”的迷思

2004 年的七月是 Nark Olmstead 在加州監獄服刑的九個月中，最心驚膽跳的一個禮拜。這段期間，他被迫和一個白人種族優越者共處一室。「這就像是身處於地獄一般，每一秒你都會覺得房門將被打開，然後有一個人走進來，拿出小刀刺傷你。我清楚的知道我必須離開這個牢房。」Olmstead 如此說道。

而他之後確實離開那裡了。47 歲的 Olmstead 因為販賣安非他命以及偽造駕照進入加州的奇諾監獄裡，最少保護措施的州拘留所“The California Institute for Men” 加州男子監獄 服刑。「我告訴他我是男同性戀，同時也是愛滋病的帶原者，因為這樣所以我必須離開這裡，然後他就在十五分鐘內讓我離開了這裡」，Olmstead 說。

Olmstead 是相當幸運的，他之後被轉送到 “protective custody” 保護性拘留，它是在監獄中一個隔離出來的部門，設計用來保護較孱弱的囚犯免於其他囚犯的攻擊與威脅。在這裡，他能夠毫髮無傷的和其他的男同性戀者，跨性別和愛滋病帶原，以及年紀較長的囚犯，甚至是在監獄中因為告密而尋求保護性拘留的囚犯一起服刑。

Olmstead 說：「我們可以不用擔心由於我們的同志身份而引來他人的暴力相向，能夠順利服刑，這真的是相當大的一個援助。」但是其他的囚犯就沒有那麼幸運了。在許多的州監獄裡，保護性拘留是相當難進入的，也因此讓無數的男同志及跨性別的囚犯必須在眾多具有暴力傾向及反同志的囚犯中自己保護自己。

像是 Roderick Johnson，身為一個男同性戀，必須忍受德州監獄中，其他囚犯們對他身體上的和性方面的暴力行為。他曾經七度請求轉往保護性拘留但卻沒有一次成功過。Johnson 提到說，有一位獄方人員告訴他：在這裡，我們不保護男同性戀者。Johnson 向德州刑事司法局控訴獄方人員違反第八修正法案所倡導的禁止殘酷懲罰之想法，並指稱獄方人員透過拒絕他轉入保護性拘留的方式，來達到對他精神上的虐待，藉此獲得喜悅。獄方人員則直接的否認 Johnson 所提出的與虐待相關的報告，也因為他的舉證不足，去年十月，Johnson 被判敗訴。隨後，Johnson 因為違反假釋出獄條約服了短暫的拘留刑期

對於許多囚犯們來說，要證明自己遭受到威脅是相當需要技巧性的，而打別人小報告則是重大的禁忌，也可能因此招致暴力相向。然而如同 Johnson 的案例，獄方人員常常不願相信有關遭受虐待的主張，尤其是如果沒有證據可以證明的情況下。

人權觀察組織 Human Rights Watch 對於美國監獄中男性強暴為題的一篇報告中如此敘述：除非他們能夠出示身體明顯的傷痕，否則他們的投訴大多是被獄方所忽略的；而他們尋求庇護的要求也是遭受否決的。在印第安那州的監獄裡，一個尋求保護性拘留的囚犯告訴人權觀察組織，一個矯正官對他說：除非你在裡面受盡凌虐，不然我是什麼事情都不會做的。監獄裡的囚犯認為，這樣的言語攻擊對於警衛及獄方人員來說，是再正常也不過了，同時也證實了他們對於囚犯處境的漠視與冷血。

郡長 Eileen Hirst 說道：當州監獄對於 LGBT 的囚犯們，仍是一個十分危險處境時，許多郡監獄試圖透過增設隔離空間來減少監獄中的暴力危險事件。在舊金山，跨性別的囚犯會自動的與其他囚犯隔離。

然而身為男同性戀者並不足以構成轉往分別監禁的理由。Hirst 說：「我們需要看見囚犯無法與其他人一起相處的弱點或是理由。你可以是六呎五吋的男同性戀者，由壯碩的身材可以得知，你花費很多時間上健身房練身體，並且熟知犯罪手法，因為謀殺案而遭到起訴」。年輕的，體格瘦弱的，以及第一次入獄服刑的人則被視為較易遭受危險群，也可能被隔離以免受到其他囚犯的攻擊。

但是舊金山監獄的隔離囚犯，無法參與獄方為了幫助他們靠自己重新站起來所提供的課程。Hirst 提到：「如果你試著要保護某些人，也就沒有辦法把他們和其他囚犯放在同一間教室上課」。所以關於藥物治療，寫作課程，情緒管理以及高中同等學力課程等，隔離囚犯都是禁止入內參加的。

洛杉磯的郡監獄將男同性戀以及跨性別囚犯分成三個單位，也就是所謂的 K-11。但是被隔離的囚犯仍然可以參加 SMART 課程 Social Mentoring Academic and Rehabilitative Training，這一系列課程的設計目的是透過課程，讓他們得以接續出獄後的生活，減少變成累犯的機率。

Olmstead 說：「那是相當美好的一個部分」；他在被送去州監獄前，花了六個

禮拜在 K-11 的課程上。他修習了 SMART 所提供的電腦課程，他更提到了，他在這裡享受到的是一個幾乎是對同志相當友善且安全的環境。Olmstead 補充說：「當然有些警衛是直接公開表達對同志的不友善，但並沒有太過於糟糕的情況發生」。

當 2005 年的十二月紐約市最大的雷克島監獄上的同志拘留所關閉之後，紐約不再有分離同志及跨性別囚犯的監獄。同志團體對於紐約市危害這群易受傷害的囚犯的安全，深表反對之意。

跨性別法律中心 Transgender Law Center 的 Chris Daley 說，對於男同志及跨性別的囚犯，「對於他們的拘留問題，沒有一個輕易的解決方案」。「對於讓習慣性入獄者恢復正常似乎有一個全球共同的答案，但是以日常的程度來看，如何讓監獄裡的人安全服刑才是重點所在。然而這是更加複雜的。」

N.Y. county will honor same-sex marriages

Ann Rostow, PlanetOut Network

published Thursday, June 8, 2006

The top official of New York's Westchester County has issued an executive order recognizing same-sex marriages from out of state.

The affluent suburb just north of New York City becomes the eighth local government, and the first county in the Empire State, to recognize the rights of legally married gay men and lesbians. According to the Empire State Pride Agenda, more than half of the state's population now lives in an area that has expressly acknowledged such legal ties. These include the cities of Nyack, Buffalo, Albany, Rochester and New York, the Journal News reported.

The decision by Westchester County Executive Andrew Spano was greeted with a standing ovation at a local meeting Wednesday night. Although its symbolism was profound, the executive order will not require cities within the county to follow suit. And obviously, federal and state law still prevent same-sex married couples from receiving hundreds of rights outside the control of county officials.

But the move reflects the expansive public policy that governs New York, a policy of recognizing legal marriages that has been endorsed by the attorney general, Eliot Spitzer. Two years ago, Spitzer's office issued a nonbinding opinion stating that case law and state history indicated that same-sex marriages in Canada, Massachusetts or elsewhere would be respected throughout the state of New York.

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And last month, even as his office prepared to defend the gender-based restrictions on marriage before the highest court in the state, Spitzer's office nonetheless issued a friend-of-the-court brief in favor of two men, married in Canada, who sought spousal pension rights from a Long Island school district.

Spitzer, who is running for governor, told the media at the time that he saw no conflict between the two positions. Even though he supports same-sex marriage as a candidate for the state's top job, Spitzer's office was required to defend existing law in the case now taken under advisement by the justices.

New York's top court, the Court of Appeals, is expected to rule on the state's marriage law within the next three months. They may well be beaten to the punch by the high court of New Jersey, where oral arguments were held last February and where observers expect an August decision.

Meanwhile, no one knows what to expect from the Supreme Court in Washington state, which has been deliberating over a marriage case for no less than 15 months. Those close to the case, who for weeks and weeks have expected a decision "any day now," are now shrugging their shoulders at the long delay. At the same time, many analysts think the court's hesitation signals a complex ruling in favor of the same-sex plaintiffs.

<http://www.gay.com/news/article.html?2006/06/08/2>

http://www.gay.com/news/article.html?coll=news_articles&sernum=2006/06/08/2&page=2

紐約尊重同性婚姻

紐約州裡的 Westcheste 郡高層官員最近發佈了一項行政命令，內容是認同同性婚姻。這項行政命令使得紐約市的北部成為第八個地方政府、紐約州的第一個郡認同同性婚姻 男同志及女同性戀 的合法性。根據紐約州最大的同性戀平權團體 Empire State Pride Agenda 的調查來看，超過半數的居民現在就居住在這個有特別法案牽制效力的地區。這些包括了奈阿克，水牛城，阿爾巴尼，羅徹斯特，和紐約，Journal News 報導。

這個決定是由 Andrew Spano 在星期三晚間的一個當地聚會所做出，他受到相當的熱烈歡迎。雖然他的象徵意義非常的深遠，但是這個行政命令卻沒有辦法要求州裡的其他城市遵循這項訴求。淺顯易見的，聯邦以及州法律依然是與郡法律不相符，並不允許同性婚姻的夫妻獲得數以百計的權利。

但是這項運動反映了廣大的紐約人的對於公共政策的想法，這項認同同性婚姻的政策是受到大眾法定代理人 Eliot Spitzer 同意的。兩年前，Spitzer 的部門發布一個陳訴判例法及州歷史的陳述，並且指出同性婚姻在加拿大，麻薩諸塞州，或是其他值得紐約尊敬的先例。

而在上一個月，在他的部門準備在州的最高法庭，抵禦以性別為基礎的婚姻限制，甚至先發佈了簡短的朋友之友 friend-of-the-court 支持在加拿大結婚的兩名男子，希望從長島學區尋求結婚典禮以及贍養費等權利。

Spitzer 是替政府工作的，他告訴媒體說在這個階段他並沒有看到兩方之間有任何的衝突發生。即使他支持同性婚姻，Spitzer 的部門依然必須要與現在遭受評估的現存法律抗衡。

大眾期望紐約的最高法庭 the Court of Appeals 能夠在接下來的三個月內審核

州的婚姻法律。他們也許會因為先前紐澤西的最高法庭，在去年二月舉行的辯論受到重大的打擊，觀察者也必須等待八月的決策才能知道結果。

沒有人知道是否該期望華盛頓州的最高法院有所動作，因為先前提交的婚姻法案已經超過十五個月了，卻始終沒有任何消息。那些與此法案息息相關的人，經過了漫長的等待，只希望得到一個結果，現在也只能聳聳肩表達他們對於如此久的等待的無奈之意。同時許多分析家認為，法院方面的猶豫不決是因為同性婚姻的背後牽扯了一連串複雜的統治問題。

School settles suit over gay-straight club

Ann Rostow, PlanetOut Network

published Wednesday, June 7, 2006

Under pressure from a federal lawsuit, a charter school outside Chicago agreed Wednesday to recognize a gay-straight alliance.

The Noble Street Charter School dragged its feet on the gay club for months before students finally asked for help from Lambda Legal. In March, Lambda staff attorney James P. Madigan wrote a long letter to the president of the board of the Noble Network of Charter Schools, Ron Manderscheid. Although Manderscheid met with student organizers in April, he and his colleagues continued to block the alliance, prompting [Lambda to sue](#) in federal court April 18.

In a complaint before the U.S. District Court for the Northeastern District of Illinois, Lambda charged Noble with violating the Equal Access Act, a federal law that requires schools receiving federal funds to provide equal treatment to all noncurricular student clubs, regardless of viewpoint. Lambda also argued that the school violated the students' rights to free speech and equal protection.

Noble, which is a recipient of federal money, has recognized a number of nonacademic clubs, including One Voice (a Bible study group), various athletic clubs, a poetry slam club and others. These clubs were allowed to post announcements, pass out literature, use school transportation and appear on the school Web site. Yet when a group of students asked to form an official gay-straight alliance last fall, they were rejected.

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The students persisted, and when they met with Manderscheid, he told them that policy development was a lengthy process, adding that the intervention of Lambda Legal was likely to delay resolution of the matter even further.

But apparently Lambda's lawsuit did speed things up after all. For the next three years at least, lawyers said in their announcement of the settlement, the gay-straight alliance will be able to meet on campus, hold fund-raisers, advertise meetings and appear in the school yearbook. The agreement will extend to two new Noble schools scheduled to open this fall.

The agreement "now clearly establishes policies for all noncurriculum-based student groups at Noble Street campuses," said Noble Superintendent Michael Milkie. "Noble Street Charter School places great importance on providing a safe and inclusive environment for all of our students."

According to Lambda's lawsuit, Superintendent Milkie had previously been a staunch opponent of the gay-straight alliance, comparing the concept to a [discussion group on masturbation](#) or a wine-tasting club for minors.

<http://www.gay.com/news/article.html?2006/06/07/5>

http://www.gay.com/news/article.html?coll=news_articles&sernum=2006/06/07/5&page=2

學校解除對同直聯盟的訴訟

在聯邦訴訟的壓力之下，一所芝加哥外的享有特權的學校同意接受校內同直聯盟。

在學生向同志支援團體 Lambda Legal 求助之前，Noble Street Charter School 對於同直聯盟的事情拖延了數個月。三月的時候，同志支援團體 Lambda Legal 的法定代理人寫了一封信給校方的負責人 Ron Manderscheid。雖然 Manderscheid 在四月時曾與學生代表會面，但是他和他的同僚依然保持對於同直聯盟的封鎖，促使 Lambda Legal 必須在四月十八號向聯邦法庭提出控訴。

在美國區域法庭對東北區的伊利諾之前，Lambda Legal 控訴 Noble 校方違反了公平機會法案 Equal Access Act。這是一個聯邦法律，它要求校方運用聯邦所提供的基金，不得有特定的立場，提供所有非課業上的學生社團同等的對待。

Lambda 也提出了校方違反學生自由言論以及平等保護權利的論點。

Noble 身為領用聯邦資金的學校，認同了許多非學術性的社團，像是 One Voice 研讀聖經的團體，不同的體育社團，詩人間的辯論等社團。這些社團都被允許在校內貼公告，傳遞宣傳單，利用學校的交通設備，甚至是出現在學校網站上做宣傳。然而當一群學生再去年秋天要求校方讓他們組成一個正式的同直聯盟，校方卻拒絕了。

學生們繼續堅持，而等到他們見到 Manderscheid 時，他告訴他們政策的發展是一段相當冗長的過程，而 Lambda Legal 的介入斡旋可能會更加將這件事情的時間拖長。

但事實上，Lambda 的法律訴求最後更加速了事情的發展。至少在接下來的三年內，律師們在社會福利的團體宣言裡提及，同直聯盟可以在校園中生存，並且可以舉辦資金籌集活動，廣告宣傳會議以及刊登在年度的校刊上。這項協議將在今年秋天擴展到兩所新的 Noble 學校的行事曆中。

“這項協議清楚的在 Noble Street 的校園中，建立了適用於非課程為基礎的學生社團政策”，Noble 校方的理事長 Michael Milkie 這麼說道。“Noble Street Charter

School 對於提供所有的學生一個安全且包容環境的校園，十分的重視”。

根據 Lambda 的法律訴求，理事長 Milkie 相較於對於自慰的研討會或是未成年的品酒會，他一直以來都是相當支持同直聯盟的。