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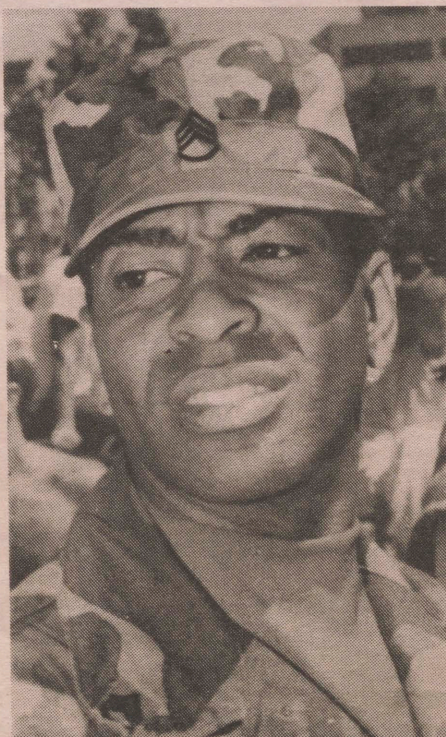
Perry Watkins Reinstated in US Army

In a 7-4 decision, the US 9th Circuit Court of Appeals ordered the Army on May 3 to reinstate Sgt. Perry Watkins, who had been discharged in 1983 because he is gay.

But the court stopped short of declaring that military regulations barring homosexuals are unconstitutional, lessening the effect of the broad protective ruling last year by a 9th Circuit three-judge panel. Still, the new ruling holds that the Army can be sued for discriminations against gay (and non-gay) soldiers. The ruling could result in the military being held accountable to the courts from past decisions which have, before now, been immune from judicial review.

In writing for the majority, Judge Harry Pregerson noted that Watkins' case is one "[W]here equity cries out and demands that the Army be estopped from refusing to reenlist Watkins on the basis of his homosexuality.

"To stop the Army from denying Sgt. Watkins' reenlistment on the basis of his homosexuality would not disrupt any important military policies or adversely affect internal military affairs. It would simply require



RINK FOTO

Sgt. Perry Watkins

the Army to continue to do what it has done for 14 years with only positive results: reenlist a single soldier with an exceptionally outstanding military record."