OPINION

LETTERS

Council Statement Unjustly Penalizes Colorado Members

The announcement in the March 1994 issue of APS NEWS of the APS Council's response to the passage of Amendment 2 in Colorado presents a frightful example of the few, speaking—without expressed authority on behalf of its entire membership—in a manner which penalizes a few of us for the actions of the many. I am not condemning the Council's decision to speak out against perceived discrimination in the passage of Amendment 2; rather, I refer to its decision to disfranchise the Colorado members of the APS from full and equal participation in our Society.

Surely Council recognized that the community in Colorado with the largest APS membership (Boulder), as well as the city of Denver, where APS meetings are likely to be held, had already passed laws pertaining to gay rights. It is surely safe to predict that most APS members in Colorado could care less about the sexual orientation of their colleagues. Does the Council actually believe that those Coloradans who voted for Amendment 2 gave much thought as to whether the APS holds its meetings elsewhere? Does it think that Colorado's economy will suffer by this decision? Be assured, the state's economy is already doing too well to notice.

Thus, the truly affected individuals are the nearly 700 Colorado members of the APS who are clearly being discriminated against, together with our physics graduate students. The reasoning presented by Stephen Adler regarding the need to prevent "plac[ing] those members in the position of having to risk discrimination" is specious. It is pure conjecture substituting for solid reasoning, which should have led to the conclusion that hundreds of members have become victims of the Council's blatant discrimination against them. Did the Council discourage the travel of APS members to the Soviet Union when some physicists there were truly suffering from oppression? How about condemning the participation of its members in scientific meetings held in China?

Those familiar with Colorado should know that there exists a great number of small, conservative communities, consisting of honest folks who would likely vote the same way if a similar amendment were to reappear on a future ballot. Furthermore, it is likely that the nationally divisive issues surrounding gay rights and the perception of gays as an identified group of minorities are likely to escalate as national health care plans and concerns about AIDS in the homosexual community have become an important political consideration for many voters, irrespective of their participation in science.

In my judgment, the APS Council is mistaken to denigrate itself over the complex arguments surrounding this national debate. Voters in other states, it appears, are likely to consider similar referenda.

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Council Statement Imposes Arbitrary Political Agenda

I am appalled that according to the March 1994 issue of APS NEWS, the APS Council approved a ban on holding meetings in Colorado because of a civil law in that state that does not (continued on page 7)

CORRECTION

George Campbell Jr.'s letter in the May issue of APS NEWS contained an unfortunate typographical error. The fourth sentence of the second paragraph should have read: "Moreover, there is no evidence to suggest that the academic performance or intellectual development of high-achieving students is inhibited by placement in heterogeneous groups."
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provide a certain protection from something called "discrimination." The Council's "discrimination based on race, gender, nationality, religion, or sexual orientation." Why don't the members of the Council act like physicists instead of politicians who utter nouns without knowing what the nouns mean? What is "race," "religion," "sexual orientation"? What experiment does one perform to ascertain if a given person is a member of a listed group?

The nouns "gender" and "nationality" are fairly easy to measure. To determine gender, one could measure the subject's DNA or pull the subject's penis down to the testes. To determine nationality, one performs an historical search to determine the subject's spatial coordinates at a certain time. Usually the problem is to verify the change of views. Sometimes that time is when a person's nationality is changed in a court of law.

The experiments to determine the other three characteristics of a person are not clearly defined. What experiment does one perform to determine a person's sexual orientation? Could we measure my race, would he discover that my race is mongrel?

The last two characteristics in the Council's statement, however, deal with changeable behavior and not unchangeable properties. It is here that I am perplexed because the Council is imposing its ethics on us, in violation of the unconstitutional decisions by the United States Supreme Court. When the courts have found their logically inconsistent "value-free neutrality" on the populace. The Court has imposed its ethical beliefs on us while denying us the freedom to do the same. The Court has implied that we as human beings are not equal intellectually because the scientific evidence does not support such equality, that we are not equal physically because the scientific evidence does not support such equality, but that we are equal ethically because the U.S. Supreme Court says so.

What experiment does one perform to determine a person's religion? You could determine historically what service, if any, the subject attended during the past weekend, but maybe the subject changed his views this morning at 9:45 A.M. What experiment would you perform to determine a person's nationality? It seems that the subject attended the Ateneo and thuggery reminiscent of the humane sacrifice was part of many rituals. Such behavior does not have constitutional protection. What experiment does one perform to determine a person's sexual orientation? How about determining the person's physical, social, emotional, artistic, pedophilic, or bestial orientation? Maybe the subject changed his orientation this morning at 9:45 A.M. and this change cannot be scientifically determined, how can the law hold us accountable to such vague definitions?

Please, the Council of The American Physical Society, do two things for me. First, act like physicists and ascertain what the nouns mean before you causally use them in your condemnation. Second, do not impose your ethical standards on me and require me, regardless of my ethics, to accept behavior which is not constitutionally protected. Let physics to determine who is knowledgeable anywhere in the world without coupling such discrimination to an arbitrary political agenda.

Anthony J. D'Elia
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Council's Threatened Boycott over Homosexuality Must Be Avoided

The March issue reports Council's November resolution threatening an APS boycott of Colorado and other localities over the homosexual issue. Several APS members resigned immediately upon learning of this.

Members who don't know should learn that Colorado's new Amendment 2 (previously suspended while under legal challenge) is not an extremist measure. It doesn't deprive homosexuals of their civil rights or clip them into jail. All it says is that no Colorado city can give people protected-status under civil rights laws on the basis of "homosexual, lesbian, or bisexual orientation." They can only have the same rights as other people. This means, for example, that a gay landlord cannot give notice to a tenant, a homosexual, just as he could to an active bachelor or a smoker whose lifestyle offenses her. Is this inhuman or draconian?

Council's resolution is a mistake which needs to be rectified before it becomes a major embarrassment to the Society—i.e., before we have to declare a kinetic (as opposed to potential) boycott, which may happen in several ways. (1) After a year or two, the Supreme Court may not take the same stance as they have. They then will discover that Colorado voters do indeed have the right to govern themselves, and may uphold Amendment 2. Then we must either back down sheepishly, or call into action to depose Colorado voters of their rights through an economic boycott. (2) Other states and cities may pass similar legislation. Cincinnati and other cities have already done so. Are any of these new laws under boycott? Measures similar to Colorado's are pending in eight states. In the next state, perhaps a liberal lower-court judge will be willing to throw the will of the voters, even temporarily. Thus, we'll have to boycott at once, won't we?

It annoys traditional Christian and observant Jewish members when Council takes a position encouraging homophobia. If Council is not prepared to actually boycott states which don't share that attitude of encouragement. We haven't boycotted cities which discourage drinking or smoking, although these are legal activities.

To save space, I'll devote the rest of this in large part to a list of questions which members can mull over before communicating with members of Council and/or the Panel on Public Affairs. Why was this done in a star-chamber manner? Why was there no notice in APS NEWS or Physics Today? Why, were opinions sought from members? Why was the Forum on Physics and Society bypassed, just as in Council's earlier fruitless boycott in support of the Equal Rights Amendment? Didn't we learn anything? Why was there no discussion session at an APS meeting?

Why take positions and start boycotts on such issues? We're divided on these things. Isn't it sufficient that we conduct our own activities without discrimination? Physics is what unites us.

Some professional "rights" activists complain that homosexuals do not have a privilege of special protection in Colorado. Just because the people of Colorado do not wish to bestow the status of protected minority on a particular group of people does it not in itself constitute an act of discrimination against individuals.

What are we to expect next in the spectacle of politicization of the professional societies? Perhaps the Council will want to boycott the entire territory of the United States in another show of contempt for the mores of the general public.

Sergey Rudin
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Patent System is Part of Job Problem

Leon Lederman is quoted in the most recent APS NEWS (April 1994, p.12) to the effect that the nation's long term economic and societal needs will simply not be met without funded science. If this is true, blaming the lack of proper response on Congressional ignorance cannot be all of the problem.

I submit that the culprit may be the failure of the current patent system to match its goals of promoting science for the benefit of society. If the payback to society from investment in science is large, why is it not supported as a good investment? Patents encourage gadgets but do not reward those who contribute to developments which involve a long chain but do not yield the final commercial product. The payoff from research may be large, but because of the rapid turnover, the small reward from most invention in research is not regarded as profitable.

Publication which contributes to a development should be rewarded. If we use our work as a foreign currency, we may be able to come up with appropriate recommendations. We cannot depend on lawyers and politicians for us. Of course we would still be a struggle to get our ideas adopted, but surely this is relevant to our employment problem.

James E. Fetten
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Colorado Boycott Further Politicizes APS

As an APS member, I wish to express a strong protest against the APS Council's threat to boycott the state of Colorado. It is an outrage that such a grave decision was made without input from the majority of APS members. The article in the March issue of APS NEWS seems to suggest that the Council's decision was based on mendacious testimony of a member of the Panel on Public Affairs, in another attempt to impose "politically correct" behavior as defined by the left wing of the academic intelligensia.

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