Societal trend
AIDS discrimination studied
By SARAH BORCHERSER

The legal dimensions of AIDS, especially AIDS discrimination, were the focus of the final lecture in the three-part AIDS series, presented by Attorney and President of Gay and Lesbian Advocates and Defenders, Kevin Catheart.

According to Catheart, the number of AIDS victims is rising by 250-300 people per week, and estimates predict 270,000 AIDS cases by 1999. Catheart cited three major ramifications of AIDS: homophobia, racism, and discrimination. The latter, according to Catheart, affects not only those people diagnosed as having AIDS, but those who receive positive results in antibody testing, as well as "high-risk" individuals.

Discretionary cases seem to fall equally between these three groups. Catheart said, and added that antibody testing (which verifies that one has been exposed to the virus) is a basis for additional discrimination. Catheart emphasized the wide scope of AIDS discrimination, listing employment, insurance, and housing as examples. For this reason, plus the fact that no proven treatments for AIDS exist, Catheart urged that a stand against antibody testing be taken. Even though antibody testing can be taken anonymously in Massachusetts, it is illegal to discriminate on a sexual preference basis, yet it is illegal to discriminate against handicaps, and AIDS is accepted as a handicap.

left to right: Reverend Scotty McMellon, Kevin Catheart, Professor Marilyn Glater, Dr. John Mazzullo

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The main problem for Catheart with the whole AIDS scenario is that people are looking for what he termed "quick fixes" and easy answers. Catheart emphasized that there are no easy answers, and that there are no boundary lines to protect anyone from the virus and its effects.

Political Science Professor Marilyn Glater responded to Catheart's presentation by stating that nowhere in the constitution is AIDS mentioned, thus creating a great deal of ambiguity in the legal system. Rarely, for Glater, is there a situation of right versus wrong — what occurs instead is a case of right versus right. In AIDS cases the patient will stress his rights, yet the other side will claim their rights equally strongly.

Like Catheart, Glater felt it was a pessimistic picture she was presenting. Regarding employment protection, Glater cited a decision of the U.S. Department of Justice last June that declared AIDS to be a handicap, yet not when you're capable of passing on the virus. This qualification of the AIDS status gives the employer in Glater's view, an opportunity to treat the AIDS carrier differently from an AIDS sufferer, who would be protected by handicap laws. Glater also questioned the ability of education to change things, and wondering whether education could ever do enough.

Dr. John Mazzullo, representing the Tufts Medical and Dental Health Services, was the second respondent, and claimed that we are living in an "anti-sex society." The prevailing opinion concerning AIDS, according to Mazzullo, is that it is deserved. Mazzullo stressed the limits of solid scientific facts regarding AIDS, and that without facts people tend to draw their own conclusion. The need for a Gay Rights Bill is critical for homosexuals, according to Mazzullo, who said he feels that without such a law, people will be frightened of having their disease acknowledged, and consequently will avoid medical help.

Catheart concluded by envisioning a state of emergency unless individual rights pertaining to AIDS are legitimized and safeguarded, and the general ignorance concerning the virus is lifted.