

Parents revolt over U.S. AIDS policy

by Warren J. Hamerman

The first week in March 1987 will go down in history as a decisive turning point in the battle over AIDS public health policy.

On March 3, the U.S. Supreme Court announced a controversial decision that highly contagious and diseased school teachers, school cafeteria workers, and others in public workplaces receiving federal funding, can continue to work in those positions under protection of the "anti-discrimination" statutes protecting the handicapped, even if they suffer from deadly contagious diseases. The Supreme Court ruled, by a vote of 7-2, in the case of a Florida schoolteacher suffering from recurrent tuberculosis—a disease for decades classified as highly contagious under America's traditional state and local public health codes.

Homosexual rights activists, the American Civil Liberties Union, and numerous liberal congressmen immediately praised the decision as a historic precedent to argue for the courts to now rule that AIDS victims suffer a handicap and therefore cannot be removed from jobs requiring public funds, even if they pose a threat to the general public by being contagious with a 100% fatal disease.

Battle erupts in Pilsen

Only two days after the highest court made its decision, a revolt erupted March 5 at Pilsen Community Academy, in the economically collapsed slums of Chicago's largely Hispanic Southwest Side, when parents and other local residents angrily protested a School Board decision to allow an AIDS-infected child to attend classes. Four days later, six protesters holding an informational picket line and anti-AIDS rally in front of the Pilsen Community Academy were brutally arrested and herded into police vans. Ernest Washington, a Democrat who ran for Chicago City Clerk in the city's Feb.

24 primary, was thrown to the ground, punched, and kicked before being taken to jail. Washington is a supporter of presidential candidate Lyndon LaRouche. Six others, including two mothers from Pilsen who are leaders of STY (Stop AIDS Now In This Year), were handcuffed and taken to police headquarters.

The Pilsen parents' revolt closely followed another AIDS policy battle in Chicago, when a physician with AIDS was reinstated to his medical position on the staff of Cook County Hospital, the citywide hospital for Chicago's poor, over the objections of the Cook County Board of Commissioners. The Cook County Hospital scandal was a major issue of the mayoral campaign of leading LaRouche Democrat, Sheila Jones.

Dr. John Grauerholz of *Executive Intelligence Review* magazine's Biological Holocaust Task Force, arrived in Chicago to hold a press conference and address Pilsen residents the day after the police tactical unit brutally shut down the anti-AIDS rally of the parents. He offered a packet of scientific evidence on AIDS—including a case study from Dusseldorf, West Germany, first printed in the British medical journal *Lancet*—documenting AIDS transmission from one child to another, which was widely reported in the C media. The principal of the school and other key officials responsible for deciding to admit the child with AIDS to the Pilsen school, however, refused to meet or accept a briefing from Grauerholz.

Nonetheless, despite threats and intimidation, the numerous parents spent hours listening to presentations by Grauerholz, who is medical adviser to 1988 Democratic presidential candidate Lyndon H. LaRouche, Jr.

Meanwhile, telegrams of support poured in from civil rights activists, health professionals, teachers, parents, and clergymen, applauding the courage of the Pilsen organizers

and protesting the brutality used to prevent an open discussion of AIDS.

Said one telegram from Canada: "We understand [your] fight to be not a local issue, but an international fight on the highest moral level to ensure the fundamental rights of the healthy who are not yet infected and to protect the sanctity of human life against AIDS." Another, from religious and civil rights leaders, warned, "The nation, if necessary, will rise to the defense of the children and parents of this district. AIDS is not 'a civil rights issue.' It is an issue of life and death."

Many compared the brutal suppression of the truth to tactics used against civil rights organizers in Selma, Alabama during the 1960s, or to KGB beatings of Jewish dissidents in the streets of Moscow. "This will trigger an explosion of outrage and activity within the population against the lying cover-up and inaction of public officials to take necessary public health measures to stop this species-threatening pandemic," wrote a group of ministers, businessmen, and others from New England.

Telegrams also came from Europe, including from Dr. John Seale, member of the Royal College of Medicine in London, and from leading West German and French doctors, government health officials, and professionals.

Political consequences

From the standpoint of millions of parents throughout the world, the right to protect their children from possible infection by a 100% lethal disease is the most fundamental right imaginable.

The battle that has broken out in Chicago represents a fight on the highest moral level. It is the cutting edge of the population's rage at the decayed institutions of government and the health establishment, from Italy to West Germany, from California to Iowa and New Hampshire. Such battles have erupted before, for example, in Queens, New York, in Florida, and in several towns in Italy. What is unique about the Pilsen situation is that parent and community leaders rallied around the banner of the LaRouche campaign to fight back, and this fact was widely broadcast to the citizens of Chicago through the media.

The parents of Pilsen have issued an appeal to all citizens on behalf of the civil rights of the children who are *not yet infected*. The sanctity of life is the primary aspect of all Judeo-Christian teaching. If parents do not have the right to protect their own children from a 100% lethal disease, then what rights do they have?

When Lyndon LaRouche announced his 1988 presidential campaign in October 1985, he stated that the next President would be determined by the eruption of a political earthquake on the AIDS issue. In the Pilsen district of Chicago, that earthquake is now erupting, led by parent activists and LaRouche presidential campaign workers at a school which is being forced to enroll AIDS-infected children.

Supreme Court votes for viruses

The angry mood of American parents, in fact, was triggered by the decision by the Supreme Court which was seen by many as a "last straw." First, the President, the Congress, and local government refused to mobilize the nation against this deadly disease because they viewed the necessary budget expenditures as "cost prohibitive." Second, health and scientific authorities bent the truth in their public statements on the possible threats of transmission to the general population so as to justify the pre-arranged "low-budget" policy. Then, the Supreme Court issued a ruling which could serve to reverse 200 years of U.S. public health policy based on the Constitution's commitment to "protect the general welfare."

Until the appearance of the AIDS virus, U.S. public health policy had always sought to isolate a contagious carrier of a deadly disease as a first line of defense against disease, until a vaccine, treatment, and/or cure is found.

In a footnote to his majority opinion, Associate Justice William J. Brennan declined to determine whether the 1973 Anti-Discrimination of the Handicapped law protects AIDS carriers who do not suffer full-blown AIDS symptoms. But the footnote also said that the Reagan administration's argument that such AIDS carriers are not protected by the law "is misplaced in this case, because the handicap here, tuberculosis, gave rise both to a physical impairment and to contagiousness."

The majority opinion also reads: "Allowing discrimination based on the contagious effects of a physical impairment would be inconsistent with the basic purpose of Sec. 504, which is to ensure that handicapped individuals are not denied jobs or other benefits because of the prejudiced attitudes or the ignorance of others. . . . Few aspects of a handicap give rise to the same level of public fear and misapprehension as contagiousness. . . . The fact that some persons who have contagious diseases may pose a serious health threat to others under certain circumstances does not justify excluding from the coverage of the act all persons with actual or perceived contagious diseases."

In his dissenting opinion, Chief Justice William Rehnquist argued: ". . . From as early as 1796, Congress has legislated directly in the area of contagious diseases. Congress has also, however, left significant leeway to the states, which have enacted a myriad of public health statutes designed to protect against the introduction and spread of contagious diseases."

Despite the technical peculiarities of the case, the Supreme Court chose to act in the broadest terms in defiance of the U.S. Constitution's protection of the health and "general welfare" of our society. Therefore, the decision is seen as opening the door for protecting the rights of lethal and contagious viruses to propagate at will through the citizenry, over and above the rights of the human population at large to survive.