
THE SCIENTISTS' DILEMMA: CONFLICT BETWEEN CONCERNS
FOR HUMAN RIGHTS AND THE IMPERATIVE TO COMMUNICATE

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In the Summer of 1978 scholarly communities in the United States and Western Europe were wracked by intense emotions generated by the Soviet trials and convictions of Yuri Orlov and Anatoly Shcharanskiy. It is our belief that no other events in the Post-Stalin history of Soviet-Western scientific relations have caused such intense soul-searching within the Western science community. We also believe that no other event has had as profound an effect on the Soviet scientific community as the gradual realization that the protests deriving from those trials and convictions are manifestations of honest concern by individuals, and are not the orchestrated propaganda of government departments and agencies.

Certainly, other trials have generated strong sentiments; but the Orlov and Shcharanskiy episodes followed closely one after the other and, with the grossly insensitive atmosphere that surrounded each, they stood as unique monuments to a brand of justice that scientists in the West find almost incomprehensible. Three kinds of feelings predominated. There was a sense of impotent outrage that the scientists and their families could be so sorely mistreated and that there was so little we as individuals could do about it. There was grave disappointment that the Soviet leadership felt compelled to crush such insignificant manifestations of dissent with such an overwhelming display of internal control and with such tastelessness and purposeful disdain for any external pleas for mercy. And there was a nagging concern that such disdain heralded a throw-back to a more fearful time of cold war tension and might threaten the achievement of a significant reduction in the arms race.

The considerable stresses felt in both scientific communities have not abated. Many scientists have thought long and soberly about what they can do as individuals and how the scientific community might exercise collective influence to gain these two men their freedom. Groups on both sides of the Atlantic have declared their opposition to any further personal contact with Soviet science. They are pledged (in varying degrees and within different self-imposed time and other limits) to refuse to attend scientific meetings in the USSR, to refuse to be host to Soviet visitors in their laboratories and places of work, and to attend lectures by Soviet visitors (unless the visitor is invited). The group known as "SOS" (Scientists for Orlov and Shcharanskiy in the U.S.), has made additional pledges to oppose both any expansion of the official exchange programs and the export of sophisticated technology to the USSR.

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After comparable lengthy and sober reflection, other scientists are following distinctly different courses. They have reasoned that the Soviet scientific community is anxious for contact with the West and that this provides the West with some leverage. They also reason that the dissidents and others within the Soviet community to whom human rights have special meaning need the contact with their fellow scientists even more than they need the symbolism of a boycott.

Some Western scientists who strive to continue contact also argue that communication with the Soviet scientific community is essential, almost at any cost, because the Soviet Union is the one technological equal to the U.S., in terms of armaments and the capacity to destroy the world. This point is seconded privately by some genuinely concerned Soviet scientists. It is also the official line of those Soviet scientists who are permitted to attend the conclaves of "private" citizens interested in disarmament (Pugwash, for example).

We have chosen to illustrate the scientist's dilemma about human rights using the example of Orlov and Shcharanskiy and the Soviet Union because the contrasts are vivid and the drama is ineluctably stark. In this instance, our collective ambivalence is one more manifestation of the powerful political dichotomy of this age. But similar, albeit smaller, dilemmas exist for scientists who deal with colleagues, organizations, and institutions in any part of the world where repression is a way of life. Whether to collaborate scientifically with people in Argentina, Chile, Indonesia, South Africa, and many other countries is a question that perplexes significant numbers of scientists. In Summer 1978, for example, a great many scientists had to decide whether to attend the Cancer Congress in Buenos Aires, Argentina. Groups of French and American scientists organized boycotts of the Congress and actively urged their colleagues not to attend the Buenos Aires meeting.

The pragmatic response to the dilemma is to opt for the course that permits both the individual and the organizations to which he or she may belong, to speak out forcefully when it seems required, and simultaneously to avoid either threatening or actually suspending relations. This permits backstage attempts to influence human rights matters as well as sustaining the connections that are the warp and woof of the scientific fabric. However, although this prescription permits a wide range of options, it has no ultimate sanctions and is therefore limited in its effectiveness.

Is this course any less effective than boycotting? Put another way, do we have any evidence that boycotting effectively changes the posture of any repressive regime? With our understanding of the situation, we would answer "no" to both these questions, but would not be surprised by contrary assertions. (We know of no systematic examination of this question.) However, the pledge to boycott, if taken by a significant number of people in a position to exercise the boycott, can be a palpable reminder to the repressive authorities. It is one of the ironies of the dilemma that the existence of an effective group willing to take an extreme position makes the "moderates" appear all that much more "reasonable." In the United States, and in other countries of the West, that the scientific community could emerge with people in both camps is, of course, a manifestation of Western pluralism and intellectual freedom. As such, it is itself a source of disbelief, wonderment and concern to repressive authorities

because it is so clearly individualistic and so manifestly the product of open debate and serious analysis of their ideologies and regimes.

The "moderates" or "pragmatists" are themselves divided on this issue. At no point has there been a serious assertion that individual scientists should not concern themselves with matters of human rights; however, the two schools of thought diverge on the question of the institutional base from which the scientists should operate. One school contends (and the Royal Society of London has taken this position) that there are organizations devoted to human rights matters and interested scientists should join them if they wish to protest the treatment of scientists (or others) who suffer from repression. An exception may be made to this rule-of-thumb if a scientist is persecuted for pursuing science. The case most often cited is that of the political reprisals taken against Soviet geneticists who opposed Lysenko. In such cases, it is regarded as quite appropriate for the institutions of science to protest.

The other school of thought (adhered to by the U.S. National Academy of Sciences, NAS) is that the scientific community and its institutions have the responsibility to try to help those members of the scientific community who suffer political repression. This position recognizes that intellectuals are often the most persecuted because they frequently are the most vocal about the abuses they detect. It also takes note of the particular vulnerability of members of the scientific community and the exposed position they occupy in certain societies. For example, in the Soviet Union, scientists are well paid, highly respected, the recipients of numerous perquisites not enjoyed by other members of the society, and the objects of heavy state investment in their education and the facilities required for their work. Thus, criticism of the state or "the system" by some of its most favored sons and daughters is regarded as an act of almost unbelievable ingratitude as well as a political act that could serve for ordinary citizens as a dangerous model of the way the elite think.

Other questions of ethics perplex scientists, engineers, physicians, and scholars whose technical training and skills make them desirable servants of or allies to any government. These questions range from whether to provide sophisticated econometric help to the economic planners of repressive regimes in developing countries, to the terrible decisions of physicians who may be called upon to treat wounded rebels clandestinely, or to patch up the victims of torture so that they can be tortured again. To what extent do these matters relate to questions of human rights? Or, put another way, to what degree should human rights considerations overrule other (and sometimes equally pressing) issues? These questions transcend the decisions of scientists, physicians, economists, or any other group, for they are the decisions that individuals and society must make. They are very difficult questions.

Rather than plunge into discussion of all or only some of these issues, we shall show how one institution of science, The Committee on Human Rights of the National Academy of Sciences, has grappled with the scientists' dilemma of communication.

This Committee was created in 1976 in response to a plea from the floor at the Annual Meeting of the Academy. Since its founding, it has polled the membership of the Academy (who now total 1224) and has received the voluntary assurance of some 334 members that they wish to be "Correspondents" of the

Committee and will act on behalf of individuals the Committee selects for attention (or "adopts," to use more common parlance). The Committee has limited its attention to individuals who are suffering severe repression and about whom it believes it has sufficient evidence to be reasonably sure that the repression is in contravention of the Universal Declaration of Human Rights. In practice, this means people who are in jail, or are about to be persecuted, or those who have suffered torture.

The Committee focuses its attention on scientists, engineers, physicians, social scientists, and others whose technical training makes them part of the natural constituency of a broadly-based academy of sciences. Occasionally we are asked why we do not confine our efforts only to the problems of other members of academies of science. There are two answers to that query: first, very few academy members are in trouble compared to the rather large number of scientists and engineers who are; and, second, the membership of the National Academy distinctly rejects such a position, on the grounds that the institution has a responsibility to the entire scientific community.

In the three years since the Committee was established, it has taken formal public action for eighteen people and informal action for about half that number. Of the eighteen formal cases six have been released from jails, and four others are believed to be dead (they are considered "disappeared" in Argentina). Of the several informal cases, three have been helped in some tangible way and we hope others may have benefitted in ways we do not (perhaps cannot) know. The Committee has met ten times, released seven public statements, sent ten mailings to its Correspondents, made two statements at Congressional hearings, mobilized one group effort to cable in behalf of a prisoner, and sent one mission to Latin America on behalf of prisoners. Much of this effort was accomplished in 1978. It took some time for the Committee to really get started and 1978 was a year of substantial human rights activity for reasons noted above.

How does the Committee work? The group is now being expanded beyond its original ten members, and some of the original members are being rotated off. Several members of the NAS professional and support staff have volunteered as part-time staff members (their effort is not, however, charged to the contracts and grants that support specific projects within the institution). All Committee members are members of the Academy and all public statements of the Committee must be reviewed by members of the Council of the Academy in a group chaired by the Foreign Secretary.

In practice, the Committee attempts to select the cases of people who have symbolic importance, and to find and adopt cases of people who are under severe repression in different parts of the world. (It has had cases or made inquiry for people in Africa, Indonesia, Latin America, Eastern Europe, Korea, Taiwan, and Israel as well as the USSR.) It attempts to assure itself that the person about whom it is concerned has not participated in or advocated acts of violence.

The Committee's preferred mode of operation is to direct inquiry to appropriate authorities in the countries where repression has taken or is taking place and, politely but firmly, to ask for explanations of charges and details of legal procedures, the status of prisoners, information about their whereabouts or their well-being, and modes of possible legal redress. If, as is

frequently the case, the response is either noncommittal, evasive, or pro forma, further inquiry will be directed both to the Washington embassy and other institutions within the country in question. When there is no official response, which is usually the case in the USSR and the countries of Eastern Europe, inquiry will be made to the appropriate Academy of Science. The Committee frequently also asks the local U.S. Embassy to provide either information or advice about how to proceed, but it is not Committee practice to ask the U.S. Embassy either to intervene on behalf of a prisoner (unless the Embassy volunteers to do so) or to "carry the Academy's mail" to authorities in the host country. Thus, only after private inquiry and expressions of concern have failed does the Committee make a public statement and ask its correspondents to send letters and cables in behalf of a prisoner.

We are frequently asked about our "successes." Without being evasive, it is germane to consider what a success in these matters may be. Certainly, the spotlight of public opinion, shown so as to illuminate the murky areas of unconscionable behavior, is in itself the beginning of assistance to the repressed. Whenever we talk to the victims of repression or to their families we are assured that in their view to remain silent is to acquiesce and to speak out -- either privately or publicly -- is to have taken sides against wrongdoing. This is an act of solidarity with the victim.

Once a stand is taken on behalf of a victim, the authorities that are repressing him or her are put on notice. This may have the effect of reducing the level of repression, or it may have the effect of improving the chances for the victim's release, exile, trade for some other prisoner elsewhere, or amnesty. In no case have we been told to be silent to avoid further repression (although that is a possibility) or to reduce the danger to the prisoner. Obviously this does not mean that the spotlight is infallible or that public outcry will necessarily lessen the ultimate punishment suffered by the prisoner. It does suggest that sustained expression of concern is critical once a private or public campaign is begun. We fear the ephemeral quality of protest.

The Committee is also deeply committed to personal support for a prisoner and his or her family and friends. For example, after considerable study and review by legal and other authorities, a briefing paper was prepared for our Correspondents suggesting ways they can manifest sustained interest in the three Soviet prisoners for whom we have spoken (Kovalev, Orlov, and Shcharanskiy).^{*} The paper applies to all Soviet prisoners, but carried the specific addresses and information germane to these three. Briefly, the paper points out that efforts on behalf of imprisoned Soviet scientific colleagues may appear to be of little avail. Rarely will a correspondent receive confirmation that a book or letter has reached its destination. A prisoner may not receive all the letters and packages addressed to him, but he may become aware of their existence, and this can be of great psychological comfort. Even if the only persons directly aware of outsiders' actions are government officials, this may result in amelioration of the conditions of confinement, or at least help prevent their deterioration. The prisoner's family will be more likely to receive mail or

* Copies may be obtained from: The Committee on Human Rights, National Academy of Sciences, 2101 Constitution Avenue, N.W., Washington, DC 20418.

telephone calls from abroad, but may never be able to say "thank you." Nonetheless, expressions of interest and concern will have great meaning.

Article 10 of the Corrective Labor Code of the RSFSR (1970) (RSFSR -- Russian Soviet Federated Socialist Republic) requires that:

All activity of corrective labor institutions, and organs executing court sentences for exile or banishment without deprivation of freedom, is based on strict observance of the laws. Officials of these institutions and organs are responsible for ensuring legality in their activity.

Moreover, Article 11 states that:

Supervision over the precise observance of the laws in the execution of sentences for deprivation of freedom, of exile, banishment, and corrective labor without deprivation of freedom, is exercised by the General Procurator of the USSR, the Procurator of the RSFSR, and Procurators subordinate to them in accordance with the Statute on Procurator's Supervision in the USSR. Exercising in the name of the Government the highest supervision of observance of legality, the Procurator is required at the same time to take measures to prevent and eliminate all violations of the law no matter under what circumstances those violations took place, and to bring guilty parties to responsibility.

In view of these legal provisions, one may write to the Procurator General of the USSR inquiring about a prisoner's conditions of confinement and his general welfare. The purpose of such inquiries is to let responsible government officials know that people are concerned.

Once a legal appeal of a conviction has been made and heard by the Supreme Court of the USSR (as we believe to be the case with Orlov, Kovalev, and Shcharanskiy), the only channel that Soviet law provides for relief seems to be a clemency decree by the President of the USSR, L. I. Brezhnev; therefore, letters appealing for clemency should be addressed to him.

There are strict limitations on the number of parcels with items of personal use (e.g., food and clothing) that prisoners can receive, so such parcels should not be sent by anyone but a prisoner's family. However, prisoners apparently may receive an unlimited number of packages containing scientific literature, and they may also receive personal correspondence. All packages and communications are, of course, closely inspected, and any attempt to convey literature or information deemed unfit by the prison administration may be considered a provocative act and may result in even harsher terms of confinement for the prisoner.

University administrations have, on occasion, arranged to have official invitations issued to scientific colleagues who are in prison. This is not an empty gesture and, although obviously the invitation will have to remain open for quite some time, it can have the same psychological effect vis-à-vis the government as other actions on his behalf.

Sending a prisoner simple personal greeting cards on appropriate occasions may stand the best chance of having an expression of interest reach its intended destination. In particular, cards sent on the occasion of official Soviet holidays -- January 1, May 1, May 10 (V-E Day), October 7 (Constitution Day), November 7 (anniversary of the October Revolution) -- might be the most successful in this respect. In the light of these suggestions, it has been particularly dismaying in recent weeks to read in the press that Yuri Orlov has been forbidden by prison officials to write anything about science to his family. It can be hoped that this is an isolated and correctable instance of the abuse of authority.

The NAS Committee on Human Rights treads the fine line between, on the one hand, relegating human rights to the human rights establishment, and, on the other, severing scientific communication in the name of human rights. We do not, nevertheless, find the middle of the road a comfortable position; yet, as we know from being privy to their agonizing, neither do the scientists who choose other paths. Put simply, there is naught for anyone's comfort in responding to persistent and widespread repression of fellow human beings. Ironically, we may take some comfort from our discomfort, for it is evidence of widespread caring and sharing, diversity and pluralism, and common humanity in the house of science.

DOE-NEH JOINT SUPPORT FOR FACULTY DEVELOPMENT WORKSHOPS
ON ENERGY

The Department of Energy is expected to issue guidelines soon for proposals to conduct summer 1980 energy education workshops for college and high school faculty (deadline for submission: October 1979). For the first time there will be provision for joint support by DOE and the National Endowment for the Humanities of workshops for high school teachers which include substantial humanities content. Guidelines may be requested from: U.S. Department of Energy, Attn: Document Controls Specialist, Office of Procurement Operations, 400 First Street, N.W., Washington, DC 20585; (202)-376-9819.