

Start

Omhoog

Ipce

NEWSLETTER

Number E 16, May 2004

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Ipce is a forum for people who are engaged in scholarly discussion about the understanding and emancipation of mutual relationships between children or adolescents and adults.

In this context, these relationships are intended to be viewed from an unbiased, non-judgmental perspective and in relation to the human rights of both the young and adult partners.

Ipce meets once every one or two years in a different country, publishes a newsletter and a web site, co-ordinates the (electronic) exchange of texts and keeps an archive of specific written publications.

Introduction

Citizen: "Oh Sir, how to live in this country with a child molester hidden behind every tree!"

Minister: "We will protect the nation's children by removing and forbidding every tree."

Regrettably ...

As Ipce's secretary and webmaster since years, I had claimed myself a sabbatical year. Thus, I gave over my tasks and data to other Ipce members who promised to take over the flag.

Regrettably, they have done nothing, being attacked by severe stress or depression. So: no report of the Ipce Meeting 2003, no new Newsletter, no update of the Ipce web, no pile of files or documents ready to use, even no financial report. The latter could be reconstructed. Well, I have taken over the flag, and here I am back again.

Regrettably ...

Back again, I had to face a lot of problems arisen. From November 2003, a lot of people, citizens of Canada and the US, have exchanged a lot of messages, soft ware and plans on a Forum. This had lead to a series of attacks on pedophilia-related web sites, especially in February 2004, mostly DDoS (Distributed Denial of Service) attacks. Some tens of people send some thousands of messages or hits to the same address at the same time, so the server will be overloaded and stop its service. The provider will take that web site away. Claims were sent to providers, reports to police, and the names and addresses of domain owners were published to attack them in their neighborhood. I have seen all those messages and began to make a table of sites proposed to attack. My list counts 115 sites, and still I had not reached the end of those messages.

However, only a few sites are disappeared, other had installed protection again DoS attacks, others came back on another address.

Regrettably ...

Problems have also arisen for groups and webmasters in Denmark, Germany and the Netherlands, as well as the US. You can read about them in this Newsletter, which is – as life is – a mixture of *the good, the bad and the ugly*, to say it with the title of one of Iris Murdoch's excellent books. As an *ugly* section, you will read about a series of absurdities in this Newsletter.

Note, that all this kind of odd law proposals and juridical decisions are made on the basis of fallacy, biases and emotions – supposedly scapegoat processes in society – and not on the basis of unbiased honest research and true facts.

Ipce continues to gather & publish good unbiased research and true facts on its web site.

Fortunately...

there are also written good proposals, good articles and good books.

Your secretary and webmaster

Frans



1. This Too Is Love - A Proposal

By Jay Baskins

There is power in telling one's own story, in one's own way. Also, one finds healing and sustenance, as well as intellectual clarity, in reading truthful accounts written by other people. This is one of the reasons why the sort of research done by Sandfort was so powerful. He allowed the boys, and some of the people close to them, to tell their own stories.

This idea is more fully explained in an essay "[Quiet, Solitude, and the Telling of One's Own Story](#)", which is placed on the Ipce web site.

It has, unfortunately, become almost totally impossible for men who have loved boys, or the boys who were loved by men, to tell their stories as they experienced them. Only the politically correct story can be told, and as we all know, this is a story of pain, harm, abuse, violence and exploitation.

In treatment groups the language of 'victim' and 'abuser' is insisted upon. Participants are required to fit their stories into narrative templates provided by the sex abuse industry. Courts use the same kind of language, and the same set of stories. They are careful that an honest account of the "sex crimes" they process will never see the light of day.

In popular books and magazines, and in stories presented on TV, one sees the same stock characters - the same folk demons and helpless children who are ruined for life -- and the same stereotyped plots of seduction and exploitation.

With reporting laws in place, not even in therapy can a man or a boy safely tell the story of a forbidden love as he experienced it. This suppression of narrative freedom and honesty leaves men who love boys in a dangerous isolation. It makes it difficult, and at times impossible, for a boy to integrate experiences that he may have desired into his life and identity in a positive manner. And it leaves the general public in a state of almost complete ignorance as to the actual nature of a phenomenon that it is surrounded with violent talk, inhuman punishments, and draconian laws.

Those who are in control of a society control how its stories get told. We see this in history books, which are always told from the perspective of the winner. We also see it in the newspapers and on television where only one kind of narrative can be told with regard to key political and social issues. It seems to me that this is more true in the United States than in any of the other industrialized countries. Nowhere else is there a greater discrepancy between the self image of a country which sees itself as free, and the reality of a strict de-facto suppression of competing narratives. But the same issue exists to a greater or lesser extent in all countries.

People act on the basis of their understanding of reality. This understanding is provided primarily by the narratives they hear and with which they identify. This means that political power has to do mainly with the ability to control the availability of narratives that ring true, are potentially transformative, and that might challenge the dominant version of reality. This ongoing struggle to suppress or to make available alternative stories about the life of a people could perhaps be called *the politics of narration*. To tell one's own story in a manner that is true to one's experience is a political act. Often it is the most important one, or even the only one, open to a member of an oppressed minority.

In a society inflamed by uninformed and violent rhetoric on the subject of intergenerational intimacy between males it often seems that there is nothing to be done to improve the situation. It is easy to become hopeless. I think the politics of narration can suggest to us a productive course of action even in these difficult times. It seems to me that one of the central goals of political action at this time must be to make alternative narratives available to men and women who have a genuine interest in the issue of intergenerational intimacy - people who want to know just what it really is all about. Perhaps this agenda can be approached in a variety of ways. I would like to suggest just one.

I would like to see a web site opened that would be called "This Too Is Love." In it, biographical, auto-biographical, and fictional accounts men and boys who have loved each other would be made available to the general public. Some of the accounts might contain fairly graphic material, and some not. But it would not be a site for erotica.

I would make here a distinction between erotica and serious literature. The aim of erotica is to sexually arouse. The aim of serious literature, whether fiction or non-fiction, is to show how something is. I am not interested in arguing whether erotica can serve a social purpose. But the "This Too Is Love," site would not be a place for posting it. "Serious literature" as I have defined it might be funny or whimsical, or it might be quite somber. It is the intent to portray something as it is that defines it, at least for the purposes of what I am talking about.

I would like to this site be a place where current writings sent in for publication would be considered along with some older pieces of writing. It would contain both fiction and auto-biography, and perhaps even some research that was done from a narrative perspective (such as Sanford's).

Naturally we all like to read narratives that are skillfully crafted, and there is nothing wrong with that. However, on the TTIS site, the literary excellence of the piece, at least as it is usually judged, would be secondary to the question of whether it showed something important about how things really are. Writings by boys and by relatively unskilled writers might be posted if they "rang true" and managed to highlight some important aspect of the situation. A good example of this approach is *The Sun*, a small but high quality literary magazine. It has a section that is composed of narratives of one sort or another that readers, send in. Most of these readers are quite ordinary in their writing skills. Yet this section is one of the most vivid and interesting

parts of the magazine.

The site would need to be introduced by a paragraph containing some of the key phrases that people in search of more information on the issue of intergenerational intimacy might put in a search engine. Also it could be advertised on sites where people interested in this issue would be likely to see it.

While the site would be open to a wide range of material as long as it was narrative in nature, it would be an edited site. Material would not be posted here that was simply erotica, or that did not have the ring of truth to it.

Perhaps the most serious problem in establishing the site concerns the matter of safety. I recall reading an article in the National Geographic that portrayed the mating problems of a species of frogs that lived in a rain forest. The problem was that there were a lot of frog-eating bats in the vicinity. So when a frog sang, as they are prone to do, in order to attract a mate, the impassioned suitor was always in danger of attracting a bat instead. To sing is to tell one's own story.

This is the dilemma of men and boys who have loved each other. They want to sing, but are afraid of being eaten by the bats. To provide people the opportunity to tell their stories in a forum that is safe might take some planning and finesse. But I would argue that it would be worth the effort because to provide men and boys who have loved each other the opportunity to tell their stories, and to hear the stories of other who are like them, may be the most important kind of political action that possible today. Only in this way can we provide these men and boys the support they need, and at the same time show the rest of society what it is that we are actually talking about.





2. The wrong is in the eye of the beholder

A part of:

Pornography in the eye of the beholder Context should govern how we judge artistic images of children

Matt Seaton
Tuesday March 9, 2004
The Guardian

[\[Article in full\]](#)

Three years ago, police were called to the Saatchi gallery in north-west London when the question of indecency was raised in connection with photographs by the American Tierney Gearon of her young children in various states of undress. This week it has been photographs by Betsy Schneider of her daughter naked at east London's Spitz gallery that have made headlines.

The Gearon case was resolved when Chris Smith, the then culture secretary, intervened on the gallery's behalf with a brisk lecture to the police about censorship. Much of the furore had been got up, with characteristically synthetic moral outrage, by the News of the World. [...]

In 2001, the Saatchi gallery stayed open and refused to remove any of Gearon's pictures, despite a police threat to seize them. Today, it is the Spitz gallery that has called in the police. One of the ironies of Schneider's predicament is that she knows her work could not be exhibited in her conservative small-town home of Tempe, Arizona, without provoking trouble, but she had assumed a more liberal standard might apply in a cosmopolitan European capital. A further irony is that Schneider once worked as an assistant to Sally Mann, who not only pioneered this territory of intimate family portraiture, but also took far greater risks with offending public sensibilities.

Mann's work is tinged with an ambiguity about her daughters' precocious sense of themselves both as subjects and objects. Perhaps the very heart of her matter is to question our cherished idea of childhood innocence. [...]

[...] Schneider's series of snaps of her daughter seems platitudinous, so bald in statement as to be almost bland. One might ask not whether her work is pornographic, but whether it gets past developmental anatomy to count as art.

Since her work has made it on to the walls of a gallery, it is, ipso facto, art. But because some onlookers choose to regard it as pornographic, that does not mean that it becomes, ipso facto, pornography. If Schneider had posted these photographs on the web and was charging people via credit cards to download them, that would be pornography. The context governs the meaning.

Artists cannot ultimately control what people make of their work, but there are laws of copyright to restrain improper distribution. Unfortunately, part of the context governing the meaning of these pictures is a state of heightened anxiety about child sex abuse and paedophilia.

Where images of adult nudity are concerned, we have a category for stuff we haven't quite made up our minds about - a practically useful, if morally gray, area of sexual content known as "the erotic". No such category exists for images of children since children are not officially regarded as sexual beings until they reach the age of consent.

This social rule may be naive, but since the overriding concern is to forestall the potential sexual exploitation of a child by an adult, that is where we are at. Public awareness of child sex abuse has grown enormously in recent decades. But what comes with such an awareness is the knowledge that most child sex abuse takes place within the home and that the perpetrator is an adult known to the child. And that knowledge is unacceptable; it holds up too harsh a mirror to the contemporary family. So a convenient scapegoat is devised - the paedophile.

Art that addresses this collective psychodynamic becomes explosive. [...]

From the Saatchi gallery to the Spitz gallery, it is only too clear how controversy knits itself into self-censorship. It is time to look again at the legislation governing "indecenty". It is impossible to believe that there is no statutory way to make a distinction between the work of artists and the work of pornographers.

The final irony of the Schneider case is that it is precisely those who are most hysterically insistent on the innocence of childhood who are, by their actions, reneging its possibility. To slap the label of pornography on any nude image of a child is, through fear, to view everything with the tainted eye of the paedophile. Is that really a grown-up way to look at the issue?

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Pornography in the eye of the beholder

Context should govern how we judge artistic images of children

Matt Seaton

Tuesday March 9, 2004

The Guardian

Three years ago, police were called to the Saatchi gallery in north-west London when the question of indecency was raised in connection with photographs by the American Tierney Gearon of her young children in various states of undress. This week it has been photographs by Betsy Schneider of her daughter naked at east London's Spitz gallery that have made headlines.

The Gearon case was resolved when Chris Smith, the then culture secretary, intervened on the gallery's behalf with a brisk lecture to the police about censorship. Much of the furore had been got up, with characteristically synthetic moral outrage, by the *News of the World*. What is disturbing now is that the Spitz gallery itself has closed the exhibition and blacked out windows - acting on complaints from the public.

In 2001, the Saatchi gallery stayed open and refused to remove any of Gearon's pictures, despite a police threat to seize them. Today, it is the Spitz gallery that has called in the police.

One of the ironies of Schneider's predicament is that she knows her work could not be exhibited in her conservative small-town home of Tempe, Arizona, without provoking trouble, but she had assumed a more liberal standard might apply in a cosmopolitan European capital. A further irony is that Schneider once worked as an assistant to Sally Mann, who not only pioneered this territory of intimate family portraiture, but also took far greater risks with offending public sensibilities.

Mann's work is tinged with an ambiguity about her daughters' precocious sense of themselves both as subjects and objects. Perhaps the very heart of her matter is to question our cherished idea of childhood innocence. In turn, some of Gearon's pictures captured a little of this unsettling sensation with their elements of the surreal - the children photographed semi-nude wearing masks.

By comparison, Schneider's series of snaps of her daughter seems platitudinous, so bald in

statement as to be almost bland. One might ask not whether her work is pornographic, but whether it gets past developmental anatomy to count as art. Since her work has made it on to the walls of a gallery, it is, ipso facto, art. But because some onlookers choose to regard it as pornographic, that does not mean that it becomes, ipso facto, pornography. If Schneider had posted these photographs on the web and was charging people via credit cards to download them, that would be pornography. The context governs the meaning.

Artists cannot ultimately control what people make of their work, but there are laws of copyright to restrain improper distribution. Unfortunately, part of the context governing the meaning of these pictures is a state of heightened anxiety about child sex abuse and paedophilia. Where images of adult nudity are concerned, we have a category for stuff we haven't quite made up our minds about - a practically useful, if morally grey, area of sexual content known as "the erotic". No such category exists for images of children since children are not officially regarded as sexual beings until they reach the age of consent.

This social rule may be naive, but since the overriding concern is to forestall the potential sexual exploitation of a child by an adult, that is where we are at. Public awareness of child sex abuse has grown enormously in recent decades. But what comes with such an awareness is the knowledge that most child sex abuse takes place within the home and that the perpetrator is an adult known to the child. And that knowledge is unacceptable; it holds up too harsh a mirror to the contemporary family. So a convenient scapegoat is devised - the paedophile.

Art that addresses this collective psychodynamic becomes explosive. Perhaps it would be nice if Tessa Jowell "did a Chris Smith" and stepped in to restore a little sanity in this instance, but should we have to rely on the good sense and liberal instincts of whichever elected politician happens to fill the seat of culture secretary at the time?

From the Saatchi gallery to the Spitz gallery, it is only too clear how controversy knits itself into self-censorship. It is time to look again at the legislation governing "indecenty". It is impossible to believe that there is no statutory way to make a distinction between the work of artists and the work of pornographers.

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3. The DPA and its Phoenix

<u>a</u>	BBC Report on Danish Paedophile Association
<u>b</u>	The Paedophile Group to be dissolved - Press announcement, Copenhagen March 21. 2004
<u>c</u>	Like a Phoenix

a. BBC Report on Danish Paedophile Association

The report and the two taped inserts are here:

http://www.bbc.co.uk/radio4/today/reports/international/danish_paedophiles_20031008.shtml

These are (almost) verbatim notes of an early morning news slot on Wednesday about an attempt in Denmark to outlaw the Danish Paedophile Association by changing the Danish constitution. The notes will contain errors, but a number of the issues raised are important if true.

"Today". BBC Radio 4, Date: Wednesday 7 October 03 Time: 08.35-48am
www.bbc.co.uk/today
 ("Today" is the BBC's national radio flagship news programme)

Thirteen minute news slot introduced by Mike Thompson

The Danish Paedophile Association (DPA) has a paedophile website which is quite legal. Should it be outlawed? Its presence raises the question of freedom of speech or danger to the public.

Thompson describes the experience of Christian Jensen, 32, who says he was abused as a 10-year-old boy and eventually told the police about 10 years ago. Has suffered as a result of it ever since. He attributes various ailments, including heavy drinking, to it. The DPA claims that relationships are benign and that their claims are supported by a wealth of scientific literature.

Cuno(?) Sorenson of the charity Save the Children (Denmark) wants the DPA outlawed. He(?) believes that the DPA have sex with children because they believe so strongly in what they say.

Social Liberal Member of Parliament, Elizabeth Arnold, says that if you force the closure of the

DPA, it would send it underground and give paedophilia an added attraction. Save the Children are relying on the Danish Parliament to change the constitution. A change requires a referendum and two conclusive votes by MP's in Parliament.

Peter Skorop(?) of the Danish People's Party is campaigning to outlaw the DPA. He wants the constitution to be changed next month.

Detective Commander Per Laarsen(?), head of Copenhagen CID, says that paedophiles work clandestinely, almost like secret agents. And he adds that it is not possible (in law?) to prosecute a group.

Thompson finishes the news slot by saying that "..meanwhile paedophiles continue to have their say..", and gives Jensen the last word, that this is "outrageous".

As presented, the account did not clearly explain the grounds for changing the Danish constitution. The presenter, Thompson, twice stated that the DPA website was "quite legal", so that I can only infer that the aim of the campaign is to alter the constitution in such a way as to make it "not quite legal".

b. The Paedophile Group to be dissolved

Press announcement, Copenhagen March 21. 2004

The Paedophile Group stops all activities from this day on, including maintenance of the group's website; www.danpedo.org.

The reason for this unfortunate situation is that the group's work has been made impossible. Not least because of widespread feelings of insecurity among the group's members after the massively negative media coverage the group has received. Also, the group can no longer maintain its most important function - the anonymous telephone counseling - because no one dares to associate their phone number with something that is connected with paedophilia, and because a lot of people no longer dare to call.

The last couple of years, there has been an unreasonable and increasingly powerful criticism of the Paedophile Group's legality in the media. This culminated when Justitsminister (Minister for legal issues etc) Lene Espersen chose to ask Rigsadvokaten (Highest prosecuting authority) to inquire whether the Paedophile Group could be dissolved by a judge.

The constitution's §78 says that an association can only be prohibited by law if it seeks to achieve its goals by using violence or similar punishable ways to influence those who disagree with it. The Paedophile Group has from the beginning had openness and legality as a basis for its work. The goal has been only to offer counseling and information, as well as inspire serious debate on paedophilia, as a counter-weight to the attitudes dominating society. The Paedophile group has never advocated or attributed to any criminal activity. Therefore, an inquiry by the Rigsadvokaten would pose no problem if the group hadn't closed down.

We are very sorry to take these drastic measures, because society - in spite of the massive front against those with paedophilic tendencies - never in a decent manner has handled the problems paedophiles face. The Paedophile Group has throughout its history been dedicated to support its members in showing responsibility. We fear that this function, which has been important to many paedophiles, will no longer be performed by anyone.

This press announcement will be available at our web site during a limited time span. The group is dissolved as of today, and all activities are stopped. This decision has been made by a large majority of the group's members. The member list has been destructed.

c. Like a Phoenix

< <http://www.danpedo.info/> >

The website of the Danish Pedophile Association re-emerges - the association itself remains closed (18th of April 2004)

As most people will know, a press release was issued on the 21st of March 2004, stating that the members of the Danish Pedophile Association had decided to close the association. The shutdown of the association and its website followed several weeks of intense debate among the active members of the association on whether this drastic step would be the best solution considering the massive, incorrect and unjustified attacks against the DPA lately. A group of active members of the former association disagree on political grounds and for principal reasons with the decision to close the DPA. And that is why we have decided to open this new website.

Politically we consider the shutting down of the website to have been a mistake while the public prosecutor is conducting an investigation of the association. This could be, and already has been seen as, an attempt to hide the truth about the contents of the website. However, as we have nothing to hide we have decided, so far temporarily, to open this website with the contents from the DPA's website the way it was at the time of its closing. Only contents regarding the organizational affairs of the now abolished association have been removed. We confidently anticipate the results of the public prosecutor's investigation.

For principal reasons we object to the closing of the website, because we refuse to be subdued by unjust pressure from journalists, politicians and not least rabid anti-democratic groups in Denmark and abroad, who (contrary to us) have threatened to use illegal means or have already done so (the website of the DPA has been subject to attacks from hackers several times, and the association Stop Pædofili Nu ("Stop pedophilia Now") has threatened to steal and publish the DPA's membership list.

There are competent professionals in society who share our opinion that there is a need for a

more varied debate as regards pedophilia. We want to be able to use the same constitutional freedom of expression and democratic rights that befalls all citizens in this country to work politically for this purpose. The demise of the association and website is tantamount to giving into terrorism: If only the (unjust) pressure is strong enough, if only the (unfounded) accusations and lies are many enough, if only the threats are serious enough, then we will all abandon our civil liberties, close down our legal association and cease our non-violent political struggle for what we think is right. This, in our opinion, is unacceptable, (self-)discriminatory and an expression of disrespect of democracy!

We would have liked to have had sufficient resources to re-establish a counseling for pedophiles, but realizing the state of things, we find this impossible for the time being. For this reason the purpose so far is solely the continuation of a website in order to give the public access to more varied views in the debate on pedophilia. No meetings, no members, no statutes, only this informative website on the Internet as a unique source of scientific information regarding pedophilia and related topics. Any remaining references to the DPA on this website are to be considered "historical material" regarding the now abolished association. What will happen later has not been decided yet. The former association's P.O. Box has been closed. The group behind this new website calls itself the "DPA Group 04" (after the year 2004) and can be contacted on this address:

DPA - Gruppe 04, P.O.Box 51 - DK-6000 Kolding (Denmark)

Or by e-mail: admin@danpedo.info

As we emphasized above, there is no actual association behind this website and the human resources are limited. For this reason we cannot guarantee that all inquiries will be answered.

We gratefully accept any kind of financial support. Contributions may be sent by cheque etc. to our P.O.Box or deposited into our Danish bank account: 1551 - 3719 029 078

Best Regards
DPA - Gruppe 04





4. Problems in Germany

a	Munich group infiltrated and arrested
b	Letter to the Editor of the <i>Süddeutschen Zeitung</i> , Munich - Translated by Ipce
c	Letter to Ipce, 19 April 2004
d	PaedoForum closed
e	Webmasters convicted ... and acquitted of charge

a. Munich group infiltrated and arrested

Thursday October 30, 2003, night, many of the members of the Munich group and other people who they know have been arrested and accused. The houses of eighteen people were searched and twelve were arrested, the speakers of the group were among them. They are charged to have formed a criminal group. It is said that they have used the label of a self help group only to hide their criminal activities, especially producing, exchanging and hiding forbidden pornographic material.

The main charge brought against the people involved in the Munich case has been adherence to and forming of a criminal association (§129 StGB). This is an ages old provision (which has been abused sometimes and which is, in a way, dangerous). It may have been subconsciously confused with §§ 129a, 129b StGB, concerning the terrorist association and foreign ones, the latter being an unwanted fruit of the war against terrorism.

The German criminal code (Strafgesetzbuch, StGB) contains two provisions regarding what may be called criminal association in a wider sense. § 29 StGB makes it a crime to per se to enter an agreement to commit a felony (this is a kind of attempted crime), and § 129 StGB makes it a crime to support or be member of an association which is used to commit crimes.

The danger lies in sometimes extensive interpretations of the support clause, e.g. when normal communication is maliciously interpreted as criminal support, as often in political cases.

As far as I know it is relatively unusual to use this law, as it is usually sufficient to punish the crimes proper -- this provision is really only for the cases where the division of work makes the persecution difficult.

However, there is a definite tendency here to see conspiracies (organisierte Kriminalität) everywhere. This may be due to the tendency of the police to overstate the cases, which is well

established.

The group had been infiltrated by a journalist of the magazine "Stern", Manfred Karremann, who called himself Bernd Waibl and presented himself as a Pedo. He attended not only the Munich group, but investigated also in Berlin and at the AG-Pädo meetings. So he could take many phone and film recordings which were presented to the police and in part in the German television. He wrote a series of two articles in the last two issues of the magazine "Stern" too. According to the police there had been another police under cover agent in the Munich group since one year.

The Munich group is paralyzed now. It has to be seen, how the court trials will end. If the group as a whole will be discharged from the suspicion of being a criminal organization, then it might be possible to take up the work somehow again.

The whole affair is a big backlash for the emancipation and self-help work not only in Munich, but for all Germany. One other group has dissolved itself already out of fear. There will be the meeting of the AHS in Mainz. There will be discussions how to carry on. The AHS itself got under pressure too.

b. Letter to the Editor of the Süddeutschen Zeitung, Munich

Translated by Ipce

Concerning the article 'Pedophiles disguise themselves as a self-help group', Süddeutsche Zeitung, 4. 11. 2003

Since the late-70s, there was in Munich a pure legal and open Pedo-Self-Help & Emancipation Group, the Münchner Pädo-Emanzipationsgruppe.

From the beginning, the meetings have been open: interested people was invited, including police and prosecutors. Without any doubt, the group has been observed by police and the security service. In forty years there never have been serious problems.

There is not any reason to say that 'Pedophiles disguise themselves as a self-help group'. Eventually, it might be possible that recently some members or visitors of the group, for their own responsibility and in contrast to the self-evidence and the actual practice of the group, have violated the law.

By the way, pedophilia is not an offence. The fact that the Süddeutsche Zeitung follows the fashion by taking pedophilia as the same as crime, and witch-hunts the pedophiles, means a sliding down to a very low level.

Werner Wildgartner, 4. 11. 2003.

c. Letter to Ipce, 19 April 2004

The investigation against friends and visitors of the Munich group and against other regional and super-regional initiatives have not yet come to an end. Two Munich participants are still in detention pending investigation. I understand that you would like to know and share, what has been happening in Munich and in other cities of Germany (mainly Berlin) since the end of October 2003, but I could not tell much anyway, as the facts are not at all clear. The whole affair seems to have started as a strange kind of cooperation between an undercover working journalist (Martin Karremann alias Bernd Waibl) and the state attorney or the police

The Munich group is inactive now. Illegal pictures have been found in the homes of some (not all !) participants, but it is clear that they were not exchanged at group meetings. Severe allegations came up against two or three other men who never or only very rarely had visited the group. Sixteen of the eighteen arrested of October 2003 have been released by now.

Maybe the group will take up its work again after trials have come to an end and the group has been rehabilitated. Under the present circumstances safe and profound work is not possible. Now it is not possible to contact the group, the postbox and the e-mail account of the group are out of function.

d. PaedoForum closed

In Germany, on 1 April 2004 a new law says that it is not allowed to positively speak about offences, among which sexual abuse. For surety, the German "PaedoForum" has been taken offline. A spokesman says:

"First: I think this new laws are so ridiculous that I fear that they may come even more ridiculous laws. The politics in this field are completely out of control. They only follow short term emotions. I don't want to be the one provoking even harsher laws. I think it is better to hold still and concentrate my efforts on well written websites like ahs-online.de or paedo-portal.de than a emotional/angry forum.

Second: The person who lend his name for the forum for the WHOIS [*] doesn't want to be listed there any more. But I think I would have closed the forum anyway because of the first reason."

[* "WHOIS" is a data base on the Internet, containing the names and addresses of the domain owners.]

e. Webmasters convicted ... and acquitted of charge

The first court decision

A webmaster is convicted to eight months in prison, and a staff member to six months and a fine of 3000 euros.

Why? Because they have placed a text-only file on the web. The file is one of the thousand (!) files of the PDR, the Pedophile Directory Resource, a quite old collection of texts, collected for scientific reasons, that had found place on the web site of Krumme13, a German group.

In the file, Stephan.html, tells about his relationships with two men when he was 9-11 year old and 13-15 year old. Stephan is absolutely positive about both relationships and he says explicitly not to feel abused. He wrote his report years afterwards, when he himself already had adult sons. Both men were died and he was forgotten to thank them for what they had done. So, he gives his testimony afterwards.

The prosecutor and the (female) judge in Trier agreed in saying that Stephan's report, as such, is not pornographic, but it became pornography as soon as it was part of a web site that promoted pedophilia. Now, it was promoting abuse. The judge 'reasoned' that the case was abuse, even if Stephan (an adult man while writing!) was not conscious of it.

Clearly, a positive report may not be told in our time. Clearly, the freedom to express oneself and to do scientific research is limited to what is allowed by right wing authorities. What openly could be told were the words of the 'survivors' present in the public's room of the court. For a tv camera, they could tell their ideas about death penalty or castration of 'those people'. For those ideas, there is freedom of expression, not for Stephan and his report.

The case is absurd, so the condemned have already appealed, which in Germany pauses the conviction.

The appeal

Translated from: < <http://fdpd.org/web/news.php?s=read&id=8> >

The Stephan text from the PRD is now officially declared legal and not dangerous for youth. As we have said earlier, this story about the experience of 'Stephan', part of a scientific collection of texts in the PRD, has been viewed in the court in Trier as intentional [wrong] behavior.

In the meantime, the combated text has been published in a sexual-politic magazine "GiGi", after which it is free accessible for youth. This has been investigated by the prosecutor. The conclusion ends simply and juridically correct with:

"[...] decided that in this case prosecution not correct is, because there are no clues for a prosecutable act."

Thus, there really are officials who act in accordance with the law and the constitution. Clearly, the prosecutor and the court in Trier were not among them.

In the meantime, it became known that # 27 of the sexual-political magazine "GiGi" is presented for indexing under the Law For Youth Protection, a law that should be abolished. In # 27 is the Stephan text, which earlier illegally has been criminalized by purely political motives.

To index is factually the same as to forbid. Moreover, the social-scientific study "Die Lust am Kind" by Prof. Dr. Rüdiger Lautman, and the crime story "Knabenliebe" (Boylove) by Frank Goyke, which belongs to the well-known recent and progressive gay literature, indexed under this doubtful law.

Again, supposedly fanatic so-called child advocates and Christian or Catholic fundamentalists have tried to surpass the constitution and the human rights. We might remark that freedom of scientific research and arts are an essential basis for the constitution of a democratic society. If a scientific study, as "Die Lust am Kind", caused controversies, it keeps being a methodologically correct study, which results not can be changed by rational scientific methods.

It's not the first time that some people try to silence scientists, as if there are reactionary forces that the round earth want to change in a flat one. It's also not the first time that some people try to forbid literary works of a minority, in this case the gays.

If such actions would be successful, we would leave a society that honestly can be called a constitutional state. It is a trend back to the past, which we some years ago believed to be overcome.

- - -

From < <http://www.whk.de/whk0504.htm> >

Control Office for Youth-dangerous Media refuses to index the WHK Magazine.
Parish strands with accusation of spreading child pornography.

[...]

In the meanwhile, the WHK Magazine hears with pleasure that the BPjM [Control Office of Youth-dangerous Media] factually has followed the Berlin prosecutor, who already in October 2003, has declared the anonym Stephan text as not pornographic after an investigation. (...). Contrarily, the Court in Trier had convicted two man to eight (factually: six) months in prison for spreading child pornography. "GiGi" had several times reported this scandalous trial. At the end, it has published the forbidden text, to start a debate, and to point to the remarkable lack of harm in it.





5. From the Netherlands

a	Association Martijn attacked
b	No positive TV show
c	The group JON

a. Association Martijn attacked

Martijn is the well known Dutch Association since 21 years. There is started an anti-Martijn Group with a web site (in Dutch), by some extreme-right-wing people.

No participation in Gay Parade

Martijn was not permitted to be part of a Gay Parade Day in the city of Deventer. The anti's were threatening. There were a lot of posters of this anti-Martijn Group in Deventer.

No Demonstration 1

About the end of June 2003, this group had planned a demonstration in Amsterdam. There appeared... five men with flyers. There also appeared about forty strong men from anti-fascist- and anarchistic groups. So, the five went away. They have dropped a complaint that police had not protected their right to express their opinion (freedom of speech).

No Demonstration 2

Later on, a second demonstration was planned. Now, two busses of people arrived at the border of the city Amsterdam. However, there also arrived a lot of anarchistic en anti-fascist people at the Central Station of Amsterdam.

To prevent a collapse between both groups, mayor Job Cohen forbid the demonstration of the anti-Martijn Committee, and police prohibited them to enter the city. Also the anti-fascist people were removed by police.

So, no demonstration and no collapse.

Next demonstration

In the spring, 2004, a new splinter party of the Dutch extreme right wing, the 'New Nationalist Party' (NNP), has demonstrated against the Association Martijn. People have spread pamphlets in the neighborhood of the chair of Martijn, named Martin. Mentioned was his name and his address and accusations that he would be dangerous for the children in his neighborhood - and some other liars around a photo of a toddler. The demonstrators claimed that police should start house raids at the homes of the board members - and so on.

The new political party has a web site which is hosted on the domain of the 'Anti-Martijn

Committee', which has hold earlier demonstrations against Martijn.

b. No positive TV show

A talk show lead by Catherine Keyl had made a show about pedophilia by interviewing some people. Remarkably, the peds present could speak and say all they wanted, while miss Ireen van Engelen was present but could not say any word. Also one of the extreme right-wing people of the Anti-Martijn Committee was present, but he could not say very much. More remarkably, the head editor of the show has canceled it. Formally, the reason was that "the public would be left with too much questions", and that Catherine "had be too less critically".

Read: the show was too positive!

Thus: no show!

c. The group JON

JON is a regional group in the east of the Netherlands. It organizes self-help group talk sessions for people with pedophilic feelings. It has a web site in seven languages on <http://home.uni-one.nl/jon/>

A member of JON has given a false testimony about JON in June 1, 2003. JON should be a cover for kiddy porn and sex traveling. He gave to police three phone numbers, those of his recent visitors from the group. From June 6, 2003, phones are tapped from those three people and anyone who phoned them, and who phoned them, and so on. Thus gradually a lot of people were tapped.

Seven people, among which six JON members, went to Tunisia last summer.

On November 29, 2003, there were eighteen house raids and seven arrests. Arrests for all who had gone to Tunisia. House raids for all who had phoned with them and who appeared to be the leaders of JON. Computers and all digital data were confiscated.

A TV crowd was filming one of the houses and broadcasted it several times. TV crowd and newspaper journalists went to every house in the same street. The media reported (falsely) that JON was 'only a cover for organizing sex traveling and exchanging child pornography.'

The owner of the filmed house dropped a complaint against that TV company and a local newspaper and went also house by house to his neighbors. The complaint has been acknowledged. The local police has protected the house against attacks.

The arrested people have been hold in complete isolation for one month. Even no TV or newspapers, no phone, no family, nothing. At the end of 2003, they gradually got permissions.

So they could call and tell where they were.

As soon as possible, we have visited all seven prisoners, traveling all over the country. We have formed small teams for each to visit and help them.

We got a lot more information after being able to lay hands on the juridical dossier about the case. We quickly made a copy and studied it intensively. So, we could know what had happened and why and for who. We have informed all people whose names were in the dossier.

In that dossier, we read a lot of accusations against JON. We have made a series of defenses in a series of letters to the Prosecutor and the lawyers of the seven. With a lot of pressing and seven copies of all defenses, we have forced the Prosecutor to present the defenses to the court. We also gathered testimonies pro JON and have sent them to the same and to the court.

On March 10, 2004, was the court trial. It was a "pro forma" session, but it was during three hours. The prosecutor asked for more time and delay. So she got until June. All prisoners had to wait for it in prison.

The court and the lawyers were very critical to the Prosecutor, and all spoke positive about JON.

"The Prosecutor has nearly been bombed by papers from JON, which told quite another story than I have read in her reports."

The Prosecutor now acknowledged that she saw only the seven arrested people as 'a criminal organization' as private persons, and not JON as a group or an organization. Thus, the defense of JON with the help of a lot of letters and copies and testimonies, has helped.

With this data and quotes from the court and the Prosecutor, we were able to inform the newspapers with a positive message about JON.

Gradually, after several months, people have got back a part of their properties, however, no hard disks. There is written a very sharp protest to the prosecutor and a formal complaint to the court.

JON goes on, albeit with less members. At the start of this story, JON had 33 members, at the end of it just sixteen. Some are arrested, others became frightened and ended their membership.





6. From the USA

a	'All About Sex' shut down
b	Immigrants and 'predators' deported - A part of: Mass Deportations Mostly Go Unnoticed; 63,000 and Counting By TOM REEVES, CounterPunch, 6-7 March 04 [Full article]
c	In Memoriam: Ralph C. Unterwager
d	Levine wins Times award for powerful 'Harmful to Minors'
e	I'm tired of being forced into the shadows by society'; February 22, 2004, By RUSS FLANAGAN, The Express-Times

a. 'All About Sex' shut down

It appears as though George Bush's moral campaign is having its desired effect on those who wish to provide factual information to young people about their bodies and sexuality.

The webmaster explains this decision in a last message:

Quote: SOME ADDITIONAL FACTORS...

To be perfectly honest, there are other factors in our decision to shut down, and although those factors are a little embarrassing to admit, they are important enough that others need to know about them. Speaking now just for myself as the creator of this site and primary owner, I have had other things to consider in keeping AAS open the last year or so including the fact that I now have a wife to consider and a family of my own to start, and negative opinions about this site (even though we rarely hear any) no longer affect me alone. Also, sadly, the political climate in America has changed so dramatically since the Bush Administration and the Tom Delay Congress came to power that people no longer feel that they can speak out freely on controversial issues - especially if one is daring to disagree with the current political forces. Free Speech in America has been chilled by the Bush Administration in ways I did not think was possible in this country.

Obviously I am not a fan of President Bush - no secret there - but my dislike is not based on anything personal; it is based on the sweeping policy changes related to sex education and reproduction issues in area after area of our government. In order to push their religion-based idea that there should be no sexual activity outside of marriage (between a male and female only) they have issued Executive Orders and quietly issued new policies to department after

department in the U.S. Government, and most recently has begun targeting for investigation organizations and websites speaking out against their "abstinence-only" programs and ideology. As much as I hate to admit it, this is very intimidating, especially for a couple of individuals who could be ruined, financially, just attempting to defend themselves against such an investigation, even if no wrong-doing is ever found. Below is a clip from a Salon.com article :

"Only a few weeks after No New Money went live last August, 24 House Republicans, led by Joseph Pitts, R-Pa., jotted off a letter to HHS Secretary Thompson asking that both SIECUS and Advocates for Youth (which was listed on the site along with more than a hundred other 'supporting organizations') be investigated."

And that is just one small example of what the political climate has become... SIECUS is now under further vicious attack by Republicans in Congress and a score of Religious Right groups. Keep in mind that SIECUS has been writing the sex education curricula for public and private schools in America since 1964 and is hardly a "controversial" group. To get a better idea of exactly what is going on, you can read the complete last article posted on the AAS site in December 2003. You can also visit the SIECUS website for the latest news.

On the up-side, All About Sex has never taken grant money to operate and there was nothing illegal on this site. However, neither of these organizations are anywhere close to being as controversial as some of the content on this website and we cannot afford the high-powered attorneys they can in defending themselves.

In past rulings about Free Speech by the United States Supreme Court they have talked about situations like what the Congress and Bush Administration is doing and said that such intimidation and censorship "chills" the air for those speaking out against government policies. This is what our elected officials are doing - and will keep doing until the American public decides they've had enough. Well, the way I see it, when it comes to talking honestly and openly about teens and sexuality in North America, it has gotten downright freezing, and is likely to remain that way until a new, less conservative Administration is voted in. And American children will be the ones paying the price for years to come.

b. Immigrants and 'predators' deported

A part of:

Mass Deportations Mostly Go Unnoticed; 63,000 and Counting

By TOM REEVES

CounterPunch, 6-7 March 04.

<http://www.counterpunch.org/reeves03062004.html>

The Bush administration is using "predator" to conflate terrorist acts and the specious construct "pedophilia". The government's expansive definition of "predator" is a semiotic strategy to foment a moral panic in furtherance of its totalitarian ends. Tom's work is an important step in elucidating these connections.

The sub-headings are added by us. [The full article](#) is on the Ipce web site.
Ipce.

After reporting about the mass detentions and deportations of immigrants, especially those who have committed any tiny misbehavior, Reeves continues:

Operation Predator

This past July, Homeland Security announced a new initiative, Operation Predator, spearheaded by ICE.

"Sexual predators, especially those who prey on children, will have the highest priority in terms of deportation."

As of late February, 2004, Operation Predator claims to have detained nearly 2000 of these 'predators,' since last July alone.

(see the ICE website -- <http://www.ice.gov>)

Operation Predator and Homeland Security have widely publicized the sheer numbers of detentions -- though seldom reveal the names and details of the individuals arrested. Officials seek to validate the link between snagging so-called pedophiles and other sex offenders and anti-terrorism.

John Walsh -- host of the Fox program, "America's Most Wanted," appeared with Homeland Security Secretary Tom Ridge at a press conference in July, 2003, announcing Operation Predator:

"If you are the parent of a murdered or missing child, if there's a predator lurking in your area trying to grab kids in the vicinity of a school, that's a terrorist... That kind of terrorist is at the top of my list, a terrorist who preys on children."

All of this provides a sad déjà vu.

The U.S. government has long used "predator" to stigmatize other groups. Yale Law School Professor of Jurisprudence William Eskridge traces its history in the second

half of the 20th century, during which conventional society, he says, sought to eliminate homosexuality in the United States:

"The concept of the predatory homosexual crystallized as an *idée fixe*," wrote Eskridge.

("Privacy Jurisprudence and the Apartheid of the Closet, 1946-1961", 24 Fla. St. U. L. Rev. 703 [1997].)

An intensification of this preoccupation occurred under FBI Director J. Edgar Hoover. Mark McHarry, who has long studied the ongoing world-wide sex panic, says Hoover added a lavender tinge to the now-discredited government driven "red scare" of the 1950s. Writing for Z Magazine, McHarry [\[His article is also here\]](#) said,

"[T]oday the government is branding others as predators, including young people themselves."

The government sees its best-selling initiative as protecting children, preying on people's fears to push for greatly expanded powers to deport persons not accused of child-related violations.

"Homeland Security has been able to coordinate fragmented resources to protect children from these horrendous crimes in a way previously unheard of," says a statement from the Operation Predator homepage.

OP Director, Michael J. Garcia, details coordination not only with other government agencies such as U.S. Postal Inspectors, FBI, CIA and Secret Service, but with quasi-private groups like the National Center for Missing and Exploited Children. They often coordinate "multi-level" investigations with state and local police, using the NICC database. The ICE mission statement says,

"Children are one of the most important and vulnerable assets of the American homeland. ICE will do everything in its power to protect them."

Like the flashing electric boards above many interstates, both ICE and OP home pages flash a tips hotline, operating 24 hours a day, and urges citizens to "report suspicious activity." In this case, it urges reports of any "foreign nationals" suspected of immigration violations or more serious crimes, especially against children.

"Keep your eyes peeled," is the watchword, "You may save a child from death or worse."

One of the few major national articles about Operation Predator, "Sex Criminals from Abroad Are Arrested in Crackdown," by Susan Saulny, in the Oct. 30, 2003 New York Times, is entirely

dependent for its information on government spokespersons. She quotes them as saying 1,300 people had been arrested as of that date -- yet nowhere is it clear how many of these are legal aliens in the U.S., how many have been caught in international cyber-crime investigations, and how many were U.S. citizens indicted for acts abroad. Saulny quotes an OP spokesperson in listing types of cases as including sexual assaults on infants and violent rape, but also "sodomy and public indecency." It is nowhere clear how many of the 1,300 (or nearly 2,000 by late February 2004) had committed crimes against children -- as opposed to other types of sex offenses.

Law-abiding lives

A great many of the foreigners apprehended had been living quiet, law-abiding lives for many years -- and in many cases their offenses from long ago were quite minor. The Operation Predator spokesperson told Saulny of the Times, "Most were arrested at their homes." Many of the 'sexual predators' are far from fitting the image conjured up in most people's minds by 'predator.'

Jeff Joseph is the Colorado chapter president of the American Immigration Lawyers Association (AILA), who represents a number of recently apprehended aliens, including sex offenders. One of his clients is a Laotian immigrant living in Idaho. Joseph told me recently,

"He came with his entire family as refugees in 1980, after his father was killed in Laos. He married here and now has a son serving in Iraq."

According to Joseph, this Laotian pled guilty in 1990 to sex with a woman under 18.

"Both of them were in a Laotian rock band -- he was 36, she was 16. The Laotian told his wife about the relationship, and when the girl's mother found out, she went to authorities. He was given a 120-day sentence plus five year's probation. He complied with all requirements of probation. He registered as a sex offender when Idaho initiated its registry. He reconciled with his wife, and has had a clean record since, gainfully employed and active in a Buddhist temple. Suddenly he was picked up and threatened with return to Laos -- which he does not know at all, and where he might be in grave danger."

The Laotian was held without bail until an immigration judge ordered his release pending a hearing. Yet ICE intervened directly, as it claims it can in cases related to homeland security, and blocked the man's release. Finally, at a bail hearing this January, the immigration judge granted the man one of the rare 'forgiveness waivers,' and ICE, perhaps realizing this case represented an over-reach, did not appeal the decision.

Joseph also spoke of a man arrested years ago, while homeless in Chicago, for urinating within

100 yards of a school, who had since turned his life around and had no further arrests, yet who was detained by ICE and held without bail.

Joseph noted,

"In these cases, the consequences are often more severe than mere imprisonment. People are being separated from their families, their lives, and sent off to places largely unknown to them, with no hope of ever returning."

President Palma Yanni, of the national AILA said in a press release last fall,

"America is a nation of immigrants, but our immigrant communities now feel besieged as a result of the continuing assault on their fundamental liberties."

Joseph continued,

"September 11 has now trickled down to our bedrooms. Terrorism has put such a fear into us that our civil liberties seem to mean nothing. There is an ever-expanding area of civil liberties infraction. The proposed Patriot ACT II actually proposes that the U.S. do something we have never even talked about in our history -- revoke citizenship in some cases."

David Shomloo, the attorney in the Oregon cases, is quoted in the Oregonian,

"(These arrests) do not take into consideration any evidence of rehabilitation, history of employment or treatment. There is no safeguard in this policy."

Joseph said,

"If that's what we're fighting for in the war on terror, we've already lost it."

It is difficult to oppose expelling child molesters. Although many cases have been uncovered of gay men who are being expelled for various sex offenses -- usually sex between young adults and adolescent males, but also for public sex, and even the now legal act of sodomy -- gay rights organizations will not touch these issues.

Victoria Nielson, a spokesperson for the Lesbian and Gay Immigrant Rights Task Force told me,

"We would not get involved unless there is a specific complaint from a gay man, and unless he was convicted solely of a sodomy offense. Our position would be that detentions for people with past records of sex offenses is not a gay issue."

In January 2004, the Supreme Court agreed to decide whether authorities can indefinitely imprison hundreds of Cuban immigrants among those detained -- and others whose countries refuse to accept them if deported. Homeland Security says there are 2,200 such people currently in U.S. custody. Among these are 920 Cubans who fled during the Mariel exodus when Castro's 'undesirables' (homosexuals, sex workers, and others deemed social misfits) were expelled. Many of these men were subsequently arrested for various offenses. Some Mariel Cubans have been held for up to six years. (Baltimore Sun, Jan. 17, 2004). The Court is considering how to deal with such cases, but is not likely to rule on automatic detention and deportation for other immigrant offenders.

For now it would seem that U.S. justice simply does not apply to several hundred thousand men and women who came to these shores legally, made mistakes, paid for them, and assumed law-abiding lives for years, only to be taken from their homes and jobs, imprisoned without bail, and detained or deported. The old adage, "they've paid their debt to society," does not apply. Common practice in most democracies is to treat such cases much more humanely. As in so many other instances, the U.S. standard is far harsher and less tolerant. The Patriot Act has provided the government the power it needs to rid this country of a whole host of what it considers 'undesirables,' including many who have lived here decades, mostly without a problem. Since so little of this mass deportation has been reported, few of our country's citizens will have the information they need to decide if this is truly in their interest.

Tom Reeves is a retired Caribbean studies professor from Boston.

c. In Memoriam: Ralph C. Unterwager

Minneapolis Star Tribune: Ralph Underwager deceased

Underwager Ralph C. Underwager, age 74, of Northfield, died November 29, 2003. Born in Elgin, IL. Survived by wife, Hollida Wakefield Underwager; son, [... etc ...]

Dr. Underwager, a 1955 graduate of the Concordia Seminary, was an ordained pastor with the Missouri Synod Lutheran Church. He served as pastor at Lynwood Lutheran Church (California), Zion Lutheran Church, St. Paul Lutheran Church (Iowa) and Grace Lutheran Church (Colorado). He was assistant pastor at Christ Church Lutheran in Minneapolis from 1966 to 1976. From 1980 to 1983, he was associate pastor at Family of Christ Lutheran Church in Chanhassen.

Dr. Underwager received his Ph.D. in 1970 from the University of Minnesota. He was a research scientist at Youth Research Center in Minneapolis from 1969 to 1972. From 1972 to 1975, he was an associate professor at St. Olaf College in Northfield. In 1974, Dr. Underwager founded the Institute for Psychological Therapies and served as its director with his wife, Hollida Wakefield until the time of his death.

In 1989, Dr. Underwager was elected a Fellow of the American Psychological Society. Over the years, Dr. Underwager consulted in over 1000 cases of sexual abuse of children as well as false accusations of sexual abuse. As a licensed psychologist, Dr. Underwager and his wife published books and papers, and presented numerous seminars and workshops on sexual abuse allegations and related issues.

Consider his words below:

PAIDIKA: Is choosing paedophilia for you a responsible choice for the individual?

Underwager: Certainly it is responsible... Paedophiles can boldly and courageously affirm what they choose. They can say that what they want is to find the best way to love. I am also a theologian, and as a theologian, I believe it is God's will that there be closeness and intimacy, unity of the flesh, between people.

A paedophile can say: 'This closeness is possible for me within the choices that I've made.' Paedophiles are too defensive.... With boldness they can say, 'I believe this is in fact part of God's will.'

PAIDIKA: You are speaking mostly about paedophiles in the U.S. What tack should they take given the societal attitudes? What solutions do you envision for their lives?

Underwager: The solution I'm suggesting is that paedophiles become much more positive. They should directly attack the concept, the image, the picture of the paedophile as an evil, wicked, and reprehensible exploiter of children...

I was in the courtroom for the case that Holly just cited and I actually heard the prosecutor say, 'No man should ever be permitted to claim as an excuse that he was just being affectionate when a child says they were uncomfortable.' I don't know; I don't think, we can just label these attitudes 'hysteria'. Perhaps 'madness' is better, or 'pathology'. What we see going on in the United States is the most vitriolic and virulent anti-sexuality I know of in our history.

d. Levine wins Times award for powerful 'Harmful to Minors'

By J. Michael Kennedy, Times Staff Writer
(discussion of other prize winners snipped)

Judith Levine, whose provocative book on children's sexuality created a firestorm of controversy even before it was published, was awarded a Los Angeles Times Book Prize in the current interest category Saturday night.

"Harmful to Minors: The Perils of Protecting Children from Sex" presents the argument that children are often deprived of realistic advice about sex. She also makes a case that young Americans are entitled to safe, satisfying sex lives.

The award came as something of a surprise, given the topic and that one of the finalists was Samantha Power, who recently won the Pulitzer Prize for "A Problem From Hell: America and the Age of Genocide," which documents the United States' failure to confront global crimes against humanity.

Levine was rebuffed by numerous publishers before the University of Minnesota Press accepted the manuscript. One publisher called the book "radioactive." But the judges for the book prizes thought differently, calling the work "a cogent and passionate critique of the war against young people's sexuality. An uncompromising humanist and feminist, Judith Levine exposes the moral panic behind such policies as 'abstinence-only' sex education and insists on adults' responsibility to give affirmative support to children's and teenagers' sexual development."

The judges also commended the University of Minnesota Press for its courage in publishing the book in the face of attacks by outraged state legislators. Levine was presented the prize, a commendation and \$1,000 at UCLA's Royce Hall as part of the 2003 Los Angeles Times Festival of Books.

The prizes reward excellence in nine categories to books published in 2002, including fiction, biography, current interest, history and poetry. Each category was judged by three notable writers from the genre.

e. Express article

<http://www.nj.com/printer/printer.ssf?/base/news-0/10771184634220.xml>

'I'm tired of being forced into the shadows by society'

Sunday, February 22, 2004

By RUSS FLANAGAN

The Express-Times

After nearly three decades of failed relationships and emotional discontent, Lindsay Ashford has finally found himself.

Since he was a child, Ashford has always had a deep attraction to young girls but never acted on his urges or knew they had a name.

It wasn't until five years ago, at the age of 30, that Ashford realized why his brief marriage and his countless flings across the United States and Europe always ended the same. Ashford is a pedophile.

For most of his life, he has buried his emotions and masked his long-secreted attraction. It wasn't until recently that Ashford decided to throw off the shackles of pedophilia and shed light on what he says is a misunderstood "sexual orientation." Last year, he became perhaps

one of the first pedophiles in the world to put his name and face on a Web site to publicly profess his love for children.

"I am tired of being forced into the shadows by society," Ashford said recently in an e-mail interview. "I have committed no crime, therefore there is no good reason that I should have to hide myself. As long as pedophiles continue to hide, there is no chance of them ever being accepted."

Ashford, an American expatriate living in the south of France, believes it is time the public learned pedophiles are different from child molesters in that they enjoy a romantic and emotional, but not always sexual, connection with children. He also believes it is time for a child rights movement that will give kids more say in how to live their lives.

Ashford, 35, an unemployed business consultant, is part of a pioneering group of pedophiles from around the world who also believe pedophilia is not a sexual disorder that can be cured by medication and psychotherapy. He believes, rather, that it is a sexual orientation with which he was born, and therefore, cannot deny.

This is a view shared by numerous pro-pedophilia groups around the world. In the United States, the most notorious may be the New York-based North American Man/Boy Love Association, or NAMBLA.

According to its Web site, NAMBLA's goal is to end the "extreme oppression" of men and boys in mutually consensual relationships by educating the public on the "benevolent nature of man/boy love," and working to abolish age-of-consent laws.

NAMBLA representatives did not return telephone messages left at their New York offices seeking comment, but the association's Web site is clear about its agenda.

"NAMBLA calls for the empowerment of youth in all areas, not just the sexual. We support greater economic, political and social opportunities for young people and denounce the rampant ageism that segregates and isolates them in fear and mistrust," the Web site says. "We support the rights of youth as well as adults to choose the partners with whom they wish to share and enjoy their bodies."

The Danish Pedophile Association is another group with global reach and may offer the most-extensive set of links to similar pro-pedophilia groups on the World Wide Web. Like Ashford, it takes the position that pedophilia is not a sexual disorder, but an orientation that cannot be changed.

Pedophilia "has all the same characteristics as homosexuality, transvestism, fetishism, etc.," said Dan Markussen, spokesman for the 100-member association, which was founded in 1985. "Sexual orientation is defined as a lifelong attraction,

which pedophilia obviously is."

Homosexual groups keep their distance

The assertion by pedophiles that their attraction to children is a natural sexual orientation with which they were born has done little to gain them allies. It is especially touchy for homosexuals -- who were similarly maligned in the past -- because gay advocacy groups used the same argument to win segments of social acceptance over the past two decades.

That, coupled with the notion of man/boy love, has caused gay rights groups to distance themselves from the pro-pedophilia movement to preserve their efforts for acceptance in the mainstream.

"We completely condemn these types of organizations. There's no question about it," said Michael Young, the associate director of regional media for the Gay and Lesbian Alliance Against Defamation, or GLAAD.

While many may disagree with the pedophiles' claim that they are born with a taste for the young, a leading American doctor on the subject of pedophilia is willing to concede they are half-right.

"I think it can be both a disorder and an orientation," said Dr. Frederick Berlin, founder of the Sexual Disorders Clinic at Johns Hopkins Hospital in Baltimore.

While he believes people who are sexually attracted to children should not feel ashamed of their condition, he also says they should not act on them.

"Many of these people need help in not acting on these very intense desires in the same way that a drug addict or alcoholic may need help," he said. "We don't for the most part blame someone these days for their alcoholism. We do believe that these people have a disease or a disorder, but we also recognize that in having it that it impairs their function, that it causes them suffering that they need to turn for help."

Markussen, the Danish Pedophile Association spokesman, said that Berlin's line of thinking only leads to further public persecution of pedophiles.

"If it were a disease then it should be possible to cure it," Markussen said. "A few therapists have claimed that they could cure pedophilia as well as homosexuality, etc., but follow-up studies have never confirmed this."

Berlin, who also is a consultant on the National Conference of Catholic Bishops' ad hoc committee on sexual abuse, said many pedophiles have an unhealthy tendency to think of

children as "mini adults," and want to lavish them with all the rights and responsibilities currently given only to those over the age of 18.

Battle continues to change perception

Pedophiles need to understand that "children are not mini adults, they can be harmed by these activities," he said.

Ashford said pedophiles see children as nothing more than children and are attracted by their innocence.

"This is a total nonsense," he said. "I do not see children as 'mini-adults' at all. I would argue that society sees them this way much more than I do. I see young people as individuals who see the world more clearly than many adults do, due to the fact that they have not yet been conditioned by society to see things the way that society wishes for them to."

Ashford and the other pedophile groups are quick to condemn child rape and those who prey upon children for sex. He said that while pedophiles and child molesters are often linked, they are in reality nothing alike. He blamed the media for distorting the difference.

"The media has an inaccurate conception of what a pedophile is, using the term 'pedophile' synonymously with 'child molester,'" he said. "In actual fact, most pedophiles are not child molesters at all and do not act out upon their desires, while many child molesters are not actually pedophiles. Numerous studies support this claim, and indeed, many anti-pedophile organizations state this as well."

Still, pedophiles, and NAMBLA in particular, fail to get the same support from organizations that traditionally stand up for groups fighting for acceptance, such as the American Civil Liberties Union.

"We're not taking any position on NAMBLA," said Larry Frankel, legislative director for the ACLU in Pennsylvania.

Despite public outrage, pedophiles will continue to press on through their intricate links of Web sites. Both Ashford, who has a daughter from his failed marriage, and Markussen claim to be celibate pedophiles, which they say has led to a feeling of emptiness in their lives.

"For a long time, I found a physical level of satisfaction by having relationships with adult women or with teenage girls over the age of consent," said Ashford, who claims to have twice tried to take his own life. But "emotional or spiritual satisfaction is not a possibility. The feeling of futility leaves me frequently sad and

depressed."

Markussen's tale is similar.

"Most pedophiles lead a terrible life," Markussen said. "They can't tell anybody about their feelings. They have to fake interest in adults. Many live in social isolation which leads to weirdness."

Both Ashford and Markussen maintain they have never been arrested for having sexual relations with minors. Ashford said that because he has broken no laws, he does not fear retaliation from law enforcement for his beliefs.

"I am certain that law enforcement knows about me since a number of anti-pedophile organizations have informed me that they have reported me to the FBI, Interpol and other law enforcement agencies," he said. "But since I am guilty of no crimes, I do not see why this is a reason for fear. I believe that there is a greater danger from vigilante activity than from law enforcement. At the same time, I must remain mindful that official harassment and persecution of pedophiles does exist."



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Mass Deportations Mostly Go Unnoticed

63,000 and Counting

By TOM REEVES
CounterPunch, 6-7 March 04.

<http://www.counterpunch.org/reeves03062004.html>

The Bush administration is using "predator" to conflate terrorist acts and the specious construct "pedophilia". The government's expansive definition of "predator" is a semiotic strategy to foment a moral panic in furtherance of its totalitarian ends. Tom's work is an important step in elucidating these connections.

The sub-headings are added by us.

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Many people are talking about President Bush's "guest worker" proposal for undocumented immigrants. Right-wingers rebuke it as an 'amnesty.' Most immigration and advocates view it as a way to flush out illegals, keeping them at the mercy of greedy employers who can enforce silence about abuses by threatening to fire them, thus subjecting them to immediate expulsion.

63,000 Immigrants in detention

Few people, beyond immigration lawyers, have noticed a Bush initiative already in full swing -- the detention of more than 63,000 immigrants (as of late January, 2004) over the past year, most legal residents. The Department of Homeland Security says it has already deported as many as 70 per cent. These are mostly men and women with green cards who have been in this country from five to 50 years, and who were convicted of a criminal offense, often decades ago.

As Homeland Security press releases point out, they served their sentences and "then got lost somewhere in the justice system." Lawyers representing some of them insist the number is higher. Leading immigration lawyer, Richard Iandoli of Boston, estimates it at about 100,000. This includes legal immigrants with minor technical violations of immigration law -- such as a failure to update addresses and other required information within mandated deadlines.

Few articles have been written about this mass expulsion. Most are about individual cases, and those are often short, perfunctory and depend largely on government sources for information.

One of the few articles attempting a more balanced view, focused on only one facet of the problem. "Crime Database Misused, Suit Says," by Nina Bernstein, *New York Times*, December 17, 2003) points out that the departments of Homeland Security and Justice have been sued for adding immigration and other civil information to the National Criminal Information Center (NCIC) database, used by the FBI to notify state and local police about those wanted for crimes. Until now, this database was restricted to information about serious felonies. Since June, 2002, the *Bureau of Immigration and Customs Enforcement (ICE)* has added more than 300,000 names of non citizens.

(ICE is the chilling acronym for the revised INS, folded into the Department of Homeland Security, and given additional powers and scope, ostensibly to deal with terrorism.)

Criminal Alien Removal Act

There is no law requiring -- or even allowing -- state and local police departments to routinely arrest people for such violations. A bill introduced last summer to do this, the *Criminal Alien Removal Act (CLEAR)*, faced stiff opposition. Yet Attorney General John Ashcroft announced last summer that local police have 'inherent authority' to arrest and detain such people. The legal basis for this has yet to be determined. Legal counsel to President Bush have insisted that "only high-risk aliens who fit a terrorist profile" would be placed in the database.

Since mid-2002, many otherwise legal immigrants have been arrested through a routine database check by local police. Of the 100,000 immigrants picked up last year, more than 5,100 were arrested by state or local police and held in local jails, with numbers increasing month by month. The rest were apprehended by agents of the Office of Detention and Removal within ICE, and held in eight ICE detention centers or seven private detention centers contracted by ICE. Some of the detainees entered the U.S. illegally and others over-stayed tourist or student visas, but many were green-card holding permanent residents. This appears to be the most massive deportation of legal resident aliens since the post World War I 'red scare.'

Those arrested are held without bond until a deportation hearing or until they waive their rights to such a hearing. Some with serious offenses may be deported without hearings. A Supreme Court ruling in April 2003 held such treatment is justified in cases involving terrorism. The Justice Department now assumes the power to hold without bond in *all* immigration cases. In some cases, including those not remotely related to terror, Homeland Security has intervened when a Federal judge ordered the immigrants released on bail or personal recognizance.

Those immigrants who can garner public support have sometimes been released pending hearings. On December 29, a Federal District Court judge in Oregon ordered four of nine detained immigrants released. Two of these had been convicted and served parole for offenses which a court had not deemed serious enough for prison time.

Willi Aigner, who has been a legal U.S. resident since 1968, was found guilty of *fondling* a 17-year-old boy in 1993, but -- according to his attorney, David Shomloo, he successfully completed sex offender treatment and persuaded the sex offender registry that he should not be required to register.

(For this and other information on these cases, see the articles by Ashbel S. Green in the Daily Oregonian, Portland, Dec. 27, 2003, and subsequently.)

ICE spokeswoman for the Northwest, Virginia Kile, expressed dismay that these defendants were ordered released.

"The immigration laws passed in the 1990s eliminated all forms of legal relief for aggravated felonies," she noted. "You're here as a guest, and you should be held to a high standard in terms of your conduct."

Immigration reform Act

Until 1996, 'forgiveness waivers' were granted many non-citizens who served time for many crimes, including some major offenses. The 1996 *Immigration Reform Act* defined these waivers narrowly, and few have been granted since.

The 1996 immigration changes were draconian, yet unevenly enforced until after the 9/11 catastrophe. Since then, any immigrant with a conviction -- and in some cases, merely an indictment -- is subject to deportation. In the past two years, this has meant sudden arrest and detention without bond until deported.

Serious crimes?

The 'crimes' all sound serious: 'aggravated felonies' and 'crimes of moral turpitude,' yet aggravated felonies range from murder to assault, theft or burglary, almost all drug crimes (including many misdemeanors), and a range of other infractions such as falsification of documents and forgery.

'Moral turpitude' includes not only child abuse and statutory rape (along with actual rape), but also prostitution, domestic violence, willful tax evasion, marriage fraud and all crimes against children -- again including many misdemeanors, as well as kidnapping one's own children in a custody dispute. Also included as crimes of moral turpitude are some rather dubious categories

such as indecent exposure and sodomy, no longer illegal after a recent U.S. Supreme Court ruling.

One example of 'aggravated felony' is cultivation of small quantities of marijuana. Marijuana activists have documented many cases of immigrants facing deportation for this. One is a Norwegian immigrant and mother of two young children, Kari Rein -- convicted in 1992 of growing six pot plants for personal use. She received probation and community service at the time. Yet last December 30, returning with her children from vacation in Norway, she was detained for three weeks and released on bail of \$15,000. Homeland Security has appealed her release and still seeks to deport her. The Oregonian newspaper has urged Oregon's governor to pardon her.

Her attorney, again David Shomloo, who is himself an Iranian immigrant, commented,

"It makes the hair on my neck stand up because it reminds me of conditions in Iran, a country we say is the Axis of Evil."
(Oregonian, Jan. 23, 2004).

The Norwegian press has condemned the case as evidence of U.S. hysteria in the wake of September 11.

(Oslo Forsiden Nyhyten, Feb. 23, 2004).

Operation Predator

This past July, Homeland Security announced a new initiative, *Operation Predator*, spearheaded by ICE.

"Sexual predators, especially those who prey on children, will have the highest priority in terms of deportation."

As of late February, 2004, *Operation Predator* claims to have detained nearly 2000 of these 'predators,' since last July alone

(see the ICE website -- <http://www.ice.gov>)

Operation Predator and *Homeland Security* have widely publicized the sheer numbers of detentions -- though seldom reveal the names and details of the individuals arrested. Officials seek to validate the link between snagging so-called pedophiles and other sex offenders and anti-terrorism.

John Walsh -- host of the Fox program, "America's Most Wanted," appeared with Homeland Security Secretary Tom Ridge at a press conference in July, 2003, announcing *Operation Predator*:

"If you are the parent of a murdered or missing child, if there's a predator lurking in your area trying to grab kids in the vicinity of a school, that's a terrorist... That kind of terrorist is at the top of my list, a terrorist who preys on children."

All of this provides a sad *déjà vu*.

The U.S. government has long used "predator" to stigmatize other groups.

Yale Law School Professor of Jurisprudence William Eskridge traces its history in the second half of the 20th century, during which conventional society, he says, sought to eliminate homosexuality in the United States:

"The concept of the predatory homosexual crystallized as an *idée fixe*," wrote Eskridge.

("Privacy Jurisprudence and the Apartheid of the Closet, 1946-1961", 24 Fla. St. U. L. Rev. 703 [1997].)

An intensification of this preoccupation occurred under FBI Director J. Edgar Hoover. Mark McHarry, who has long studied the ongoing world-wide sex panic, says Hoover added a lavender tinge to the now-discredited government driven "red scare" of the 1950s. [Writing for Z Magazine](#), McHarry said,

"[T]oday the government is branding others as predators, including young people themselves."

The government sees its best-selling initiative as protecting children, preying on people's fears to push for greatly expanded powers to deport persons not accused of child-related violations.

"Homeland Security has been able to coordinate fragmented resources to protect children from these horrendous crimes in a way previously unheard of," says a statement from the Operation Predator homepage.

OP Director, Michael J. Garcia, details coordination not only with other government agencies such as U.S. Postal Inspectors, FBI, CIA and Secret Service, but with quasi-private groups like the National Center for Missing and Exploited Children. They often coordinate "multi-level" investigations with state and local police, using the NICC database. The ICE mission statement says,

"Children are one of the most important and vulnerable assets of the American homeland. ICE will do everything in its power to protect them."

Like the flashing electric boards above many interstates, both ICE and OP home pages flash a tips hotline, operating 24 hours a day, and urges citizens to "report suspicious activity." In this case, it urges reports of any "foreign nationals" suspected of immigration violations or more serious crimes, especially against children. "Keep your eyes peeled," is the watchword, "You may save a child from death or worse."

One of the few major national articles about Operation Predator, "Sex Criminals from Abroad Are Arrested in Crackdown," by Susan Saulny, in the Oct. 30, 2003 New York Times, is entirely dependent for its information on government spokespersons. She quotes them as saying 1,300 people had been arrested as of that date -- yet nowhere is it clear how many of these are legal aliens in the U.S., how many have been caught in international cyber-crime investigations, and how many were U.S. citizens indicted for acts abroad. Saulny quotes an OP spokesperson in listing types of cases as including sexual assaults on infants and violent rape, but also "sodomy and public indecency." It is nowhere clear how many of the 1,300 (or nearly 2,000 by late February 2004) had committed crimes against children -- as opposed to other types of sex offenses.

Law-abiding lives

A great many of the foreigners apprehended had been living quiet, law-abiding lives for many years -- and in many cases their offenses from long ago were quite minor. The Operation Predator spokesperson told Saulny of the Times, "Most were arrested at their homes." Many of the 'sexual predators' are far from fitting the image conjured up in most people's minds by 'predator.'

Jeff Joseph is the Colorado chapter president of the American Immigration Lawyers Association (AILA), who represents a number of recently apprehended aliens, including sex offenders. One of his clients is a Laotian immigrant living in Idaho. Joseph told me recently,

"He came with his entire family as refugees in 1980, after his father was killed in Laos. He married here and now has a son serving in Iraq."

According to Joseph, this Laotian pled guilty in 1990 to sex with a woman under 18.

"Both of them were in a Laotian rock band -- he was 36, she was 16. The Laotian told his wife about the relationship, and when the girl's mother found out, she went to authorities. He was given a 120-day sentence plus five year's probation. He complied with all requirements of probation. He registered as a sex offender when Idaho initiated its registry. He reconciled with his wife, and has had a clean

record since, gainfully employed and active in a Buddhist temple. Suddenly he was picked up and threatened with return to Laos -- which he does not know at all, and where he might be in grave danger."

The Laotian was held without bail until an immigration judge ordered his release pending a hearing. Yet ICE intervened directly, as it claims it can in cases related to homeland security, and blocked the man's release. Finally, at a bail hearing this January, the immigration judge granted the man one of the rare 'forgiveness waivers,' and ICE, perhaps realizing this case represented an over-reach, did not appeal the decision.

Joseph also spoke of a man arrested years ago, while homeless in Chicago, for *urinating within 100 yards of a school*, who had since turned his life around and had no further arrests, yet who was detained by ICE and held without bail.

Joseph noted,

"In these cases, the consequences are often more severe than mere imprisonment. People are being separated from their families, their lives, and sent off to places largely unknown to them, with no hope of ever returning."

President Palma Yanni, of the national AILA said in a press release last fall,

"America is a nation of immigrants, but our immigrant communities now feel besieged as a result of the continuing assault on their fundamental liberties."

Joseph continued,

"September 11 has now trickled down to our bedrooms. Terrorism has put such a fear into us that our civil liberties seem to mean nothing. There is an ever-expanding area of civil liberties infraction. The proposed Patriot ACT II actually proposes that the U.S. do something we have never even talked about in our history-- revoke citizenship in some cases."

David Shomloo, the attorney in the Oregon cases, is quoted in the Oregonian,

"(These arrests) do not take into consideration any evidence of rehabilitation, history of employment or treatment. There is no safeguard in this policy."

Joseph said,

"If that's what we're fighting for in the war on terror, we've already lost it."

It is difficult to oppose expelling child molesters. Although many cases have been uncovered of gay men who are being expelled for various sex offenses -- usually sex between young adults and *adolescent* males, but also for public sex, and even the now legal act of sodomy -- gay rights organizations will not touch these issues.

Victoria Nielson, a spokesperson for the Lesbian and Gay Immigrant Rights Task Force told me,

"We would not get involved unless there is a specific complaint from a gay man, and unless he was convicted solely of a sodomy offense. Our position would be that detentions for people with past records of sex offenses is not a gay issue."

In January 2004, the Supreme Court agreed to decide whether authorities can indefinitely imprison hundreds of Cuban immigrants among those detained -- and others whose countries refuse to accept them if deported. Homeland Security says there are 2,200 such people currently in U.S. custody. Among these are 920 Cubans who fled during the Mariel exodus when Castro's 'undesireables' (homosexuals, sex workers, and others deemed social misfits) were expelled. Many of these men were subsequently arrested for various offenses. Some Mariel Cubans have been held for up to six years. (Baltimore Sun, Jan. 17, 2004). The Court is considering how to deal with such cases, but is not likely to rule on automatic detention and deportation for other immigrant offenders.

For now it would seem that U.S. justice simply does not apply to several hundred thousand men and women who came to these shores legally, made mistakes, paid for them, and assumed law-abiding lives for years, only to be taken from their homes and jobs, imprisoned without bail, and detained or deported. The old adage, "they've paid their debt to society," does not apply. Common practice in most democracies is to treat such cases much more humanely. As in so many other instances, the U.S. standard is far harsher and less tolerant.

The Patriot Act has provided the government the power it needs to rid this country of a whole host of what it considers 'undesirables,' including many who have lived here decades, mostly without a problem. Since so little of this mass deportation has been reported, few of our country's citizens will have the information they need to decide if this is truly in their interest.

Tom Reeves is a retired Caribbean studies professor from Boston.

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7-year old ...

7 - Year - Old Boy on Trial for Molestation; November 13, 2003

MORRISTOWN, N.J. (AP) -- A 7-year-old boy accused of molesting a 5-year-old girl earlier this year will go on trial next week.

The Morris County Prosecutor's Office accused the Kinnelon boy and a 15-year-old neighbor of improperly touching the girl on May 8. The teen pleaded guilty to a disorderly persons charge of harassment by offensive touching and is now serving a year on probation, but the boy rejected the same plea offer.

Larry Goodman, the Kinnelon boy's attorney, called the charge "preposterous" and has sought to have the case dismissed. He claims his young client could not have formed the intent to commit the sex act and suggested the teenager may have influenced him.

"He wants to dig in the yard and play hockey. He doesn't even know what a sex act is," said Goodman, who likened the case to children playing doctor.

The names of the two youth were not released, and county Prosecutor Michael Rubbinaccio would not discuss specifics of the case, saying only that it will be "appropriately handled in juvenile court."

8-year-old ... too young ...

to be in sex offender program, AP, December 4, 2003

MOUNT CLEMENS, Mich. -- An 8-year-old boy accused of fondling four female classmates will be the youngest participant in Wayne County's sex offender rehabilitation program, prosecutors said.

The boy, who was not identified because of his age, pleaded guilty to a misdemeanor assault charge and no contest to a felony assault charge. He was sentenced Wednesday. If he completes the program, the felony charge will be dropped. The boy will receive individual counseling because the group sessions for teenagers are not age-appropriate, prosecutors said.

The judge also sentenced him to two years probation.

Authorities said the boy fondled a 7-year-old girl and touched three other 7-year-old girls inappropriately outside their clothing while the children watched "Mary Poppins" at a Mount Clemens school in May.

11-year-young...

11-Year-Old Charged With Molesting Boys

WESTON, Fla., January 30, 2003 - An 11-year-old Weston boy has been charged with sexual battery and child molestation after police say he engaged in forcible sex acts with three younger children.

Two of the victims in this case were 6 years old at the time of the incidents. The third alleged victim was 7. The mother of one of the 6-year-olds contacted Broward sheriff's deputies after her son allegedly told her that he and his seven-year-old friend had been molested by the older boy, who was an acquaintance.

Deputies referred the case to the BSO Sex Crimes Unit, who conducted an investigation. The suspect (shown at left), whose name was being withheld, surrendered to authorities in Weston on Monday. He was scheduled to be released from the Broward Juvenile Detention Center on Wednesday. He will be required to wear an electronic ankle bracelet so he can be monitored by authorities.

The boy faces one count of sexual battery and two counts of lewd and lascivious molestation. If he were to be tried as an adult, he could face a maximum life sentence plus 60 years. But authorities say he will be tried as a juvenile. The mother of one of the victims and the father of another spoke to WTVJ News on Wednesday. Both said they were unhappy with the BSO investigation, and that detectives did not immediately arrest the boy.

A BSO spokesman expressed sympathy for the victims and their families, but said detectives wanted to conduct a thorough investigation before proceeding with such serious charges. The mother of a 6-year-old victim said she was heartbroken by the attacks, which allegedly involved forcible oral sex and both attempted and actual penetration of the younger boys. The mother of the suspect said after Wednesday's bond hearing that her son was too young to understand what is going on.

War against boys... as young as twelve

Zero Tolerance for the Sexual Boys in Illinois, Associated Press.

SPRINGFIELD, Ill.-- Sex offenders as young as 12 can be ordered to register as "sexual predators" for the rest of their lives, the Illinois Supreme Court ruled.

The justices upheld a law Friday that requires juvenile "predators," those who commit the most serious sexual offenses (like giving younger boys blowjobs), be held accountable for their actions. Three of the justices -- one in a dissent and two in a concurring opinion suggested the law should be rewritten.

Justice Thomas Kilbride, in his dissent, noted that the law required a 12-year-old sexual predator to be labeled for life but not a 16-year-old sex offender convicted of murder.

10 years for teener?

Court weighs teenager's sentence; Georgia case raises questions about mandatory minimum Sentences; January 21, 2004

ATLANTA, Georgia (AP) -- Attorneys for a high school football player convicted of having consensual sex with a fellow student told the Georgia Supreme Court on Wednesday that the teen's automatic 10-year sentence amounted to cruel and unusual punishment.

Prosecutors insisted the mandatory prison term was exactly what state law intended for Marcus Dixon, who was convicted of aggravated child molestation and statutory rape. Dixon was 18 at the time; the girl was 15.

Defense attorney David Balser said Dixon's sentence "so deviates from society's view of sexual conduct that it shocks the conscience." Unless the court overturns the case, any teenager who has sex could potentially face prison time, he said.

Prosecutor John McClellan defended Georgia law, which classifies Dixon's crime as one of the state's "seven deadly sins" that come with a minimum decade-long sentence.

"It is the job of the Legislature and not the courts to define crimes and their penalties," McClellan said.

The high court issued no immediate decision but was expected to rule in the next few months.

At the time of his arrest, Dixon was a senior football player with a 3.96 grade-point average and a scholarship to attend Vanderbilt University. Dixon's scholarship was later rescinded. Dixon was enrolled in a home-economics class with the 15-year-old girl. He said he arranged to visit her in a trailer containing classrooms, where she was working as a student custodian. She told school counselors about the incident, and they contacted police.

Dozens of people packed the courtroom to hear Dixon's case, which has become controversial because he is black and the girl is white. Protesters have said Dixon would not have received such a long sentence if not for his race.

Boy & Girl Teen Charged For Having Mutual Sex

Boy, girl referred for sex assault, April 14, 2003

Village of Pewaukee - Two teens are being referred to the Waukesha County District Attorney's Office for sexual assault.

According to police, a 14-year-old city of Pewaukee boy and a 13-year-old village of Pewaukee girl allegedly engaged in sexual activity in a residence on Sunnyridge Road between 1 and 2 p.m. April 4. Under state law, teens under 16-years-old cannot consent to sexual activity. The incident came to light when police were called to Asa Clark Middle School regarding a harassment complaint.

Some boys allegedly talked about the girl and the incident at the school, police said.

The girl made a complaint with school officials who called police.

Officers questioned the girl and boy and they admitted to their involvement in the incident. Police are seeking to charge both with second-degree sexual assault.

Sentenced to Life for Sucking Boys' Toes

Former Youth Supervisor Sentenced to Life for Sucking Boys' Toes

SANTA ANA, Calif. - The former supervisor of a Newport Beach youth program was sentenced Friday to life in prison on 25 counts of lewd conduct and assault for sucking the toes of 20 boys.

Trenton Veches, 32, will be eligible for parole in 15 years.

At his trial, Veches' lawyer said his actions with boys 6 to 10 years old were "horseplay." But the prosecutor said Veches "clearly befriended these children, manipulated them and he sexually molested them."

Veches' mother, Joyce Ormes, said the sentence was too harsh.

"I don't know how he can spend life in prison for this when there was no sexual contact with the genitals, things like that," she said.

"Clearly Mr. Veches posed a danger to the children of our community and he needed to be in prison," prosecutor Sheila Hanson said.

Veches was arrested in April 2002 after a co-worker reported seeing him sucking a boy's toes.

Is a kiss a crime?

Teacher makes bail; sex probe is still on; Teacher accused of sex with a former student is on house arrest while police investigate additional allegations;

By ROCHELLE BRENNER AND PAMELA PEREZ, Palm Beach Post

The Boynton Beach music teacher accused of having sex with an 11-year-old former student was granted \$30,000 bail Thursday and placed under house arrest while she awaits trial.

Carol Lynn Flannigan, 49, was arrested by the Palm Beach County Sheriff's Office Wednesday and charged with capital sexual battery on a child under 12 in connection with the alleged 19-

month affair.

A new police probe could net more charges. Boca Raton police said Thursday they are reinvestigating allegations that she kissed the same boy romantically in 2002.

"Now, with this new evidence, all parties will be interviewed to see if there is any new evidence in the case," said Officer Jeff Kelly, Boca Raton police spokesman.

Flannigan befriended the boy's family and invited him and his two brothers to her house for sleepovers, authorities said. She had sex with the victim at her home, a Lake Worth park and a Lantana airport parking lot, officials said.

The alleged affair was revealed when the now 13-year-old's stepmother found text messages on his cellphone.

"We trusted her like a family member," said the boy's father outside the courtroom for Flannigan's first appearance Thursday. "That's why I never thought something like this would happen."

He said he had hoped the judge would side with prosecutors who asked for no bail. But Palm Beach County Circuit Judge Sheree Cunningham allowed Flannigan's release on the conditions she remain under house arrest at her parents' home and have no contact with children or the victim's family, but she is allowed to have supervised visits with her 16-year-old autistic son. She was also barred from using the computer.

Sitting together in one row at the courtroom were Flannigan's supporters: her husband, parents, sister, brother-in-law and several neighbors. They didn't comment, but one woman gasped and began to cry quietly after catching a glimpse of Flannigan walking in a blue jail-issued uniform before the hearing.

Flannigan's lawyer, Kenneth Ronan, told reporters that she will plead not guilty, citing the first investigation conducted by Boca Raton police and the state Department of Children & Families, when allegations that Flannigan and the boy kissed were ruled out as "unfounded."

Inappropriate behavior was brought to the attention of investigators by a therapist of Flannigan's husband, Douglas DePue, who filed for divorce in 2002. "Back then DCF just had the husband's hunch," Kelly said.

DCF officials are prohibited by law from commenting on specific cases. But Alan Abramowitz, deputy district administrator for DCF in Palm Beach County, said families have differing standards for appropriate contact and a kiss is not always sexual.

The boy told investigators he did not feel uncomfortable. But Flannigan's arrest report alleges the two already had sex at the time of the first investigation.

"If everyone were to deny it, you really have no evidence to go forward," Abramowitz said. He said cases with female abusers and male victims are among the hardest to investigate because it is nearly impossible to find physical proof that a male victim had sex.

The evidence that led to her arrest this week includes the text messages and a phone call the boy made to Flannigan that was monitored by police. Authorities alleged that in that

conversation, she apologized, urged the boy to keep lying about their relationship, offered him \$1,000 and said that revealing the truth would ruin her life.

She is on paid leave from her job as a music teacher at Rolling Green Elementary School, where she first met the boy in her music class.

Principal Gay Voss sent a generic letter to parents, translated into Spanish and Creole, alerting them that a teacher had been arrested and that the charges involve "inappropriate behavior" with a student.

When does a snapshot of a mother breast-feeding her child become kiddie porn?

Ask the Richardson police. BY THOMAS KOROSEC

Jacqueline Mercado, a 33-year-old Peruvian immigrant, took a few photos of her young children

at bath time. A week later, Richardson police were rummaging through her house for kiddie porn, and a state child welfare worker came to take her kids away.

The photo in question Jacqueline Mercado and Johnny Fernandez say they took this image last October to memorialize the breast-feeding stage of their son's life. Defense lawyers argued that while breast-feeding images are a second-degree felony in Richardson, they are also on public display in the finest art museums in the world.

The legal team Steven Lafuente, Bill Stovall and Andrew Chatham all went to work on the Mercado-Fernandez case.

The service was fast, the judgments even hastier. Never did Jacqueline Mercado imagine that four rolls of film dropped off at an Eckerd Drugs one-hour photo lab near her home would turn her life inside out, threaten to send her to jail and prompt the state to take away her kids.

For Mercado and her family, last fall was a happy time, one they wanted to record and save in the venerable tradition of the family photo. Johnny Fernandez, Mercado's boyfriend, had just emigrated from Lima, Peru, ending a yearlong separation, and on top of that, it was their son's first birthday.

The photographs they took over several days in late October included pictures of Fernandez reunited with the family at their modest home in suburban Richardson. Others captured their 1-year-old son Rodrigo, and 4-year-old Pablizio, from Mercado's earlier marriage, playing in a neighborhood park. Using the camera's timer, they also took three snapshots of themselves, naked in their bed. They arranged their bodies in ways that showed less flesh than most freeway billboards.

A half-dozen others recorded the kids at bath time. Fernandez took several photos of the boys "playing around," naked and innocent, with the oldest flashing a big smile. Mercado, who says she often bathed with the kids, is in several of the shots unclothed from the waist up, holding her arm modestly across her bare chest. In one--the photo that would threaten to send Mercado

and her boyfriend to prison--the infant Rodrigo is suckling her left breast.

After Mercado dropped off the film for processing, a technician viewed the images and decided they were "suspicious," according to a police report. As required under Texas law, he immediately contacted local police. Mercado says that when she went to pick up her pictures, the clerk told her there would be a delay, and then only returned three of the four sets of prints. To Richardson police, who arrived at the store that afternoon and apparently made up their minds from the content of the pictures alone, this was nothing short of a felony case of child pornography.

"We thought they contained sexuality," says Sergeant Danny Martin, a Richardson police spokesman, explaining why two Richardson police detectives began pursuing a criminal case. "If you saw the photos, you'd know what I mean."

With nothing else to support their contention that the photos were related to sex or sexual gratification, the police and the Dallas County District Attorney's Office presented the photos to a grand jury in January and came away with indictments against Mercado and Fernandez for "sexual performance of a child," a second-degree felony punishable by up to 20 years in prison.

The charges centered on a single photo, the breast-feeding shot. Fernandez and Mercado say they took it -- although the child had ceased breast-feeding -- to memorialize that stage of their baby's development.

"We wanted to see if he would take it, and he did," says Mercado, explaining through an interpreter that it was a spur-of-the moment notion to which they gave little thought. "Johnny never saw the child breast-feeding, so this was for memories. For us."

Mercado, who brushed back strands of brown hair from her reddened eyes as she spoke, has a story that has not changed from the start. She told the Richardson police officer who responded to the store's call that she had always taken pictures of her children nude, and that it wasn't uncommon in her native Peru to do so. They were innocent baby pictures, taken for the family's benefit, she said. [...]

[The full article and another one about the case are available: see the Documentation List in this Newsletter]

200 Years for a few pictures...

Cortez ex-teacher gets 200 years for owning child porn; Carol Sowers, The Arizona Republic Mar. 8, 2003

A former Cortez High School teacher convicted last month of possessing child pornography was sentenced Friday to 200 years in prison. Judge Ruth Hilliard of Maricopa County Superior Court sentenced Morton Robert Berger, 51, to 10 years for each of 20 counts of sexual exploitation of a minor in connection with possessing 20 images of child pornography. The sentences must run consecutively.

Phil Wooten, Berger's lawyer, tried to get the charges dismissed in December, arguing that Arizona's child pornography law has been declared unconstitutional by one Superior Court judge on grounds that it is vague on the definitions of child pornography. Berger's lawyers also argued that the mandatory sentencing for possessing child pornography is far harsher than for defendants who actually touch children. But prosecutor Lisa Parsons said Berger didn't just "look at pictures, he kept them in three-ring binders." Parsons agreed that Arizona's law is the most severe in the nation but said it was passed to protect children. Texas has the next-toughest law, with sentences of 2 to 10 years. Some states consider the crime a misdemeanor.

Foul Play In Fair Oak

The London News Review, 27 January 2004

David Snugge, the vicar at St. Thomas Church in the Hampshire village of Fair Oak, is sleeping uneasily in his bed tonight. Around the vicarage, angry villagers gather, with pitchforks and bricks and raised fists. We know what you're thinking, but no, David Snugge, despite being a young rural priest, is not (to our knowledge) a paedophile. Quite the opposite: the fury of his parishioners is his reward for trying to keep his beloved village free from child molesters. And how did try and do that? By chopping down the 140-yr-old yew tree that stood next to his church. The Daily Express explains: ...the church council has had it chopped down without permission - because paedophiles might hide behind it.

And the parishioners are furious. Not - we should stress - because they're all paedophiles, who used to enjoy hiding behind the yew tree but who have had that simple pleasure snatched away from them by an unsympathetic clergyman. They are angry because they loved their tree. Joan Owen, 81, a longtime Fair Oak resident, says: "The idea that paedophiles might hide behind the tree is ludicrous" - and we agree with her. The Rev Snugge might very well not be a paedophile, but he is certainly an idiot.

However, the remarkable thing about this whole sorry saga is not the idiocy of David Snugge, it is the idiocy of The Daily Express. The Express presents this story as just another example of political-correctness-gone-mad: The tree, which was planted as a sapling when St Thomas Church was built in 1864, simply became a victim of 21st century correctness.

Simple as that. But completely false. The tree wasn't a victim of "21st century correctness" it was the victim of paedophile paranoia: a relatively modern madness, the primary cause of which is

the constant tabloid fear-mongering about child molesters. They're out there. They want your children. Be afraid, be very afraid. And the Daily Express is perhaps the worst offender when it comes to whipping up the terror. They love fear at the Express. Fear of paedos, fear of disease, fear of gypsies, fear of terrorists, fear fear fear fear fear.

Note: the headline of today's paper: PANIC AS BIG FREEZE BITES

It is the most breathtaking piece of hypocrisy for the Express to go on and bloody on about the threat of paedophiles lurking behind every corner and in every dark bush (if they can find a bush which isn't full of asylum seekers, that is) - and for them to then criticise the fruits of their terror campaign as "21st century correctness." More than anyone - more than the tree surgeon who did the chopping, or the idiot vicar David Snugge - it is the Daily Express which is responsible for the loss of that lovely old yew tree. The parishioners should take their bricks and pitchforks and hurry along to Ludgate House. See if Richard Desmond is home. Put the fear up him, good and proper.

Little girls might not like to have beards...

STUBBLE AND STRIFE, Evening Express, LEE MACKAY, 06 February 2004

A suggestion that children could wear disguises to get round a school photo ban has been branded "silly and unworkable". North-east MSP Richard Lochhead has slammed a decision taken yesterday by Aberdeenshire Council to set guidelines on parents filming their children. And education director Hamish Vernal caused even more fury by suggesting pupils could wear beards so they are not identified in pictures or videos.

The new guidelines mean mums and dads could be stopped from recording sports days, nativities and concerts - unless all parents agree in writing. If just one parent refuses, other parents might not be allowed to take photos or film.

The proposal - which was passed by 24 votes to six - sparked outrage from parents, experts and politicians. Mr Vernal said options would be looked at for children whose parents did not want them photographed - or left out of the event. He said: "In a nativity, for example, the child could be one of the kings and wear a beard and their identity would be protected." Mr Lochhead said:

"The comments by officials just sums up how difficult these guidelines will be for school staff to put into practice. I have no objections to general guidelines to deal with parents who do not want their kids photographed. But this must not lead to silly situations or any bans on other parents."

He branded the proposal as "heavy handed" and "unworkable" adding:

"Edinburgh City Council tried to adopt this measure but backed down in the face of criticism. "Aberdeenshire Council must do likewise."

One mum, who has two children at an Ellon primary school, said: "Forcing children to play particular roles seems a shame - particularly for girls if you are making them dress as a king in a beard when they might want to play the pretty fairy."

"I think it is absolute nonsense. It is just political correctness gone mad. It is part of the joy of having young children - seeing them in school plays and their pictures in the paper."

After school club worker Sian McGregor, who is based in Newmachar, said:

"Banning parents from taking pictures of their children at school events does seem a bit extreme. And the suggestion the disguises could be used is bizarre."

Oldmeldrum play leader Lindsay Milne stressed children's safety was paramount but added:

"It's a daft idea to put them in beards to disguise them."

And a former school board member from the Inverurie area, who declined to be named, added:

"The education director must have been speaking on the spur of the moment when he suggested children in nativities could wear beards to protect their identity."

Speaking at yesterday's meeting, SNP councillor Jim Towers said:

"It's a sad state of affairs if one person could spoil things for the other 99% of parents." Tory councillor Jill Webster branded it "political correctness gone haywire".

But Mr Vernal said he hoped alternative solutions would be found before a ban would be necessary. These could include the child withdrawing from the event or wearing costumes where they can't be identified - such as a beard. Earlier this week in the Evening Express child protection and sex crime experts spoke out against the plans.

Professor Frank Furedi, a world-renowned expert in childhood sociology, said: "Steps like this mean the paedophiles have scored something of a victory."

"Their worldview is now starting to dominate, with every parent or adult seen as a potential pervert."

Mr Lochhead added:

"Many parents take photographs of their children in the school play, or on school sports day, as a cherished memento of their son or daughter's youth. The council's proposal could pave the way for the loss of such opportunities. It is in no way a common sense approach. It doesn't do anything to truly protect children and merely obstructs the rights of parents."

Aberdeen City Council operates an "opt-out" procedure rather than a blanket ban. If parents do not give their consent, their children will withdraw from the event or performance.

Italian ban on kids on TV spots

Ban on Kids in TV Spots Riles Advertisers

ROME (Reuters) - How can you advertise a brand of diapers without showing a baby, or vaunt a new toy without a happy child playing with it? Italian advertisers face these tough challenges after parliament approved a new media law that bans the use of children under 14 years old in television advertising.

"What are we supposed to do? Use little dolls, or teenagers dressed up as children? Animation? This is a big problem," said Federica Ariagno, creative director at advertising firm McCann- Erickson in Milan.

The ban slipped into a controversial media law that parliament approved Tuesday. It was one of more than 3,000 amendments presented by the opposition to slow the bill's passage through parliament, but by a fluke it was adopted. The thought of Christmas without miles of footage of cute kids trying out their new toys has horrified both advertisers and producers, who are mounting a fierce campaign to have the rule scrapped.

"We will do everything we possibly can to get rid of this strange and ridiculous measure, which seeks to create a world without children," said Felice Liroy, head of UPA, the main Italian association of firms that advertise.

Nude child cannot violate law

Judge: Nude child, mother not guilty.

Marialice Redmiles is not guilty of breach of peace just because her three and a half year old son was in the front yard naked. That was the decision of Fort Morgan Municipal Court Judge Ronald Lebsack Tuesday as he laid out the precedents in the case that has run for nearly 17 months.

On Oct. 3, 2001, Redmiles' child was playing nude in the front yard of his home across the street from Abner Baker Central School, a school for fifth and sixth grade kids -- no one disputed that. Seven school staff members and a resident of the neighborhood then decided to file complaints of breach of peace with Fort Morgan police.

By common law it is clear a child that young "cannot be charged with committing a criminal offense," the decision states. In addition, even though the Fort Morgan City Code says "No person shall...aid in isturbing the peace of another person," a parent cannot be found responsible for the criminal act of a child unless it "was done under the fear of, of compulsion by, the parent" or a parent "must have actually known his child was violating the ordinance or the circumstances must have been such that a responsible parent should have known the child" was violating a law. Evidence showed Redmiles did not know her son was violating the breach of peace ordinance when he played in the front yard without wearing clothes, Lebsack said.

"In the case before the Court, the evidence does not support a conclusion that (Redmiles) prevented her son from wearing clothes in the front yard or encouraged him not to wear clothes while in the front yard. In fact, the undisputed evidence is that the defendant did not prevent her son from wearing clothes or require him to be nude in the front yard, nor did she encourage him to do so," the decision reads. "By charging (Redmiles), the People are attempting to do what they cannot do under the law, i.e., charge the child with the offense," it adds.

Prison without a crime

2003 nov, slashdot.org

It's even easier than you think. I know from very personal experience, having spent a year in jail - and I'm on the state sex offender's list - for a "sex crime" that never even took place. A young girl (a couple of weeks before her 15th birthday) confided in me that she'd been with her 16-year-old boyfriend only twice, but she thought that she was pregnant and she was considering running away from home. I tried to talk some sense into her head, but then a couple of her friends AND her boyfriend told me that she was also considering suicide. The boyfriend asked me to help, one of her girlfriends pleaded with me... and I, in complete naivete, decided to try to "do something" to help.

She spent the night at my house. We spoke to her friends on the phone several times, I even offered to talk to her father (she freaked and threatened to leave if I did). Later in the evening, when she'd talked to her best friend again, and after a trip to the bathroom, she announced that she had started her period. So she wasn't pregnant after all. So I'd talked her out of running away from home. And I'd kept her from thinking about suicide, and she'd started her period, so the reason she'd been so upset had been resolved. The next morning, I took her home and

talked with another friend of hers who thanked me for my help. She told me that she'd actually been fearing for her friend's life.

Her father was pretty pissed, to say the least. And he wanted me arrested for something. But the original charge would have been "contributing to the delinquency of a minor". Sex never crossed his mind. But when the county's newly-formed Sex Crimes Unit got wind of it, it changed quickly into Child Molestation. Never mind that there was no sex involved, confirmed by her gynecologist.

The doctor's report was deemed "inadmissable" by the Assistant DA. Can't have us talking about the girl's sex life in the courtroom! We have to think of the victim's rights! Talking about the suicide threat was disallowed, too. We can't pretend there's something wrong with the victim! So, by the time it got to court, there was nothing left but the single event: she spent the night at my house. What other reason could there have been? SEX! Isn't there something in the law about being able to confront your accuser? She wasn't going to be allowed to testify. Indeed, she wouldn't even have been in the courthouse.

They kept me in jail for eleven months before getting near a courtroom. It could have been another year or two to go to trial. I was offered a plea bargain, and I took it. What I pleaded to was "Enticing a Child for Indecent Purposes". My conviction isn't for anything that I did, it's for something that they think that I maybe thought about doing. A sex crime. One equal to the child molestation charge, in the eyes of the court.

I've been through three years of counseling (at my expense), and eight years of probation. And in two more years, I have to apply to have my name taken off the sex offender registration. Five years after that, I can apply to get my civil rights back (voting, etc.). I'll never be allowed to own a gun. It's downright difficult to find or keep a job. I'm currently self-employed, mainly because it's just easier than dealing with the FUD in the job market.

Sex Offender registration has very little to do with sex offenses. It has even less to do with protecting the community. Its only function is to appease the media and the politicians, and the parents of kids who truly were abused, molested or killed by a paroled sex offender. I'm sorry that these things do happen, but erring on the side of caution and sending an innocent person to prison is not the way it's supposed to work in this country. I'm paying the price.

Therapy as a crime

Psychologist Investigated For Child Abuse; Doctor Says Social Services Was Aware Of Treatment; February 27, 2002, TheDenverChannel.com

DENVER -- It is a case of horrible child abuse involving a 5-year old boy, and how officials at Adams County Social Services have tried to prosecute the very doctor they called in to help

him.

7 NEWS Investigator John Ferrugia has the story of how a mother in search of help for her son, has been living a nightmare while the sexual abuser remains free.

John Ferrugia: It was a tough case. Two other therapists couldn't get the child to talk. But Dr. John Dicke used some unconventional therapy and the child literally acted out his sexual abuse, and his condition improved. That's when Adams County Social Services officials went after the doctor who they had recommended.

Karen/mother: "My son was very aggressive to other kids. I had him in a day care and he just started acting out. It was like a big puzzle. It just seemed like nothing would work."

John Ferrugia: His aggression finally made sense when in a fit, her son described how he had been sexually abused. But an investigation by Adams County Social Services was closed after the child did not repeat his allegations to authorities, so they referred the mother to Dr. Dicke.

Dr. John Dicke is a clinical psychologist treating, among others, victims of child abuse. In the first session with the 5-year-old boy, he was stunned.

Dr. John Dicke: "I wasn't even engaged with him when he touched me. I was fully clothed talking with his mother when he came over and touched the area of my crotch."

John Ferrugia: After the session he reported in detail to the caseworker at Adams County Social Services. But this was just the beginning.

Dr. John Dicke: "I was again sitting on the couch with his mother and he went behind another couch of mine and you could hear some rustling back there and he appeared totally naked and then he began acting out the sexual abuse that had been perpetrated on him."

Karen/mother: "It was really hard watching what was coming out."

John Ferrugia: Karen was in every session and she said the therapy made their family life so much better.

Karen/mother: "I mean, it was just phenomenal the improvement in my son after we would leave. It was almost as he knew it was a place where he could get everything out."

John Ferrugia: As Dicke reported information to Adams County Social Services the agency re-opened its child abuse investigation and pressed Dicke to videotape the sessions. They hoped to identify and prosecute the person who did it. John Dicke agreed. At the same time, Dicke felt the child could benefit from traditional therapy with an anatomically correct doll, but the doll wasn't immediately available.

Dr. John Dicke: "There were two phalluses made available to him. One that was small and one that was large and he could do with them what he wanted."

John Ferrugia: Almost immediately the child used the large phallus to demonstrate what happened to him.

Karen/mother: "It was almost too horrible to comprehend. He was enraged. He was biting on it."

John Ferrugia: Dicke felt the child had begun to master his fear and anxiety. He was also sure that he had evidence on tape that would convict the abuser. But when he turned the tapes over to Adams County Social Services, officials turned on him. They charged that his unorthodox therapy constituted child abuse. But wait a minute! Weren't these sessions monitored by social services?

Karen/mother: "The social worker was well aware of what was going on in therapy through Dr. Dicke and through myself after practically every session. I would call her and give her a rundown."

Ferrugia: In detail?

Karen/mother: "In detail of what happened in the therapy sessions, and she would say, 'That sounds great. It seems like you are really making progress.'"

Ferrugia: Concurrent with the process, are you telling social services everything that's going on? That you are using a phallus?

Dr. John Dicke: Yes.

Ferrugia: That the child has used the phallus to demonstrated what has happened to him?

Dr. John Dicke: Yes.

John Ferrugia: Even so, officials turned the tapes over to Denver police and to the Denver D.A. for criminal prosecution. The Denver district attorney found no criminal activity on the tape and dropped the case.

Karen/mother: "I felt so betrayed because he is an organization you are supposed to trust."

John Ferrugia: Even though her child was showing dramatic improvement, social services threatened Karen, telling her if she continued to take her child to John Dicke, the boy would be placed in foster care.

Karen/mother: "It was like he had a safe place where he knew he was safe to express it and he no longer had that."

John Ferrugia: Dr. Donald Cassatta, director of Adams County Social Services, admits the caseworker was informed about the therapy. But he says, no one in his department was actually aware of what was happening until they saw the videotape. He claims what was seen on the tape was abusive to the child.

Adams Country Socials Services has now filed a complaint with the State Board Of Psychologists and the Attorney General is investigating whether John Dicke provided sub-standard care. Ironically, there is yet another complaint to the state board about Dickey. It is from the person who was the chief suspect in the sexual abuse of the child. No one has been charged in the case.





8. Book reviews:

G. Greer: *The Boy* & J. Davies: *The Boy* -

Nothing but the boy

By Cameron Woodhead
October 25, 2003

THE BOY By Germaine Greer Thames & Hudson, \$90

THE BOY By Julian Davies Text Publishing, \$24.95

Controversy is Germaine Greer's echo. Whatever she says, a cackle of dissension follows. Although Greer's is one of the most supple, passionate and original intellects of our age, it is also an incorrigibly narcissistic one.

Her new, lavishly illustrated art book about the erotics of boyhood flaunts all the qualities of its author's flawed brilliance and is sure to provoke more than its fair share of debate.

Part of the purpose of her book, Greer tells us, is to "advance women's reclamation of their capacity for, and right to, visual pleasure".

The public recognition and legitimation of female sexual desire in the 20th century should now be refined, she thinks, by the recognition and legitimation of women's right to appreciate male beauty in art.

Unfortunately for men, Greer's vision of male beauty is transient and fleeting. It is typified by the boy "old enough to be capable of a sexual response, but not yet old enough to shave".

"This window of opportunity is not only narrow," she writes, "it is mostly illegal."

But to regard the boy as an object of erotic celebration, as Greer points out, was not always seen as child pornography. The nude boy as the subject of figurative painting and sculpture has a long and illustrious history, and Greer presents it alongside a range of literary analogues with remarkable erudition and enthusiasm.

Greer refutes the notion that the boys depicted in ancient Greek and Roman art (or indeed during the classical resurgence that occurred in the early modern period) were largely the byproduct of a pederastic culture. Rather, she suggests, they were indicative of "universal joy and pride in their visibility," a tendency that continues to this day.

However, the history of art does seem to be skewed by recent developments, and the author's contention that the male nude was only eclipsed by the female nude as the icon of ideal beauty as recently as the 19th century is incontrovertible. From the kouroi of Ancient Greece to

Michelangelo's David, boys, in all their ambiguity and evanescent charm, are ubiquitous.

One of the interesting aspects of Greer's argument is the overt link she makes between the disappearance of the male nude in the visual arts and the opening of public galleries to the female gaze. Both occurred during the 19th century and Greer musters a formidable amount of evidence to demonstrate the gradual de-eroticisation of the male form during this period. Where the boy was presented as effeminate or sexually polymorphous, denunciations came thick and fast. Greer's description of the fall from grace of the Belvedere Apollo among art critics during the 19th and early 20th centuries is a particularly instructive example of patriarchal anxiety in action.

Even worse, if the art depicted the boy as a passive object of aggressive female desire - a frequent motif in classical mythology - it was reviled. When Edward Burne-Jones exhibited Phyllis and Demophoon in 1870, the boy's undersized genitals and unmanly flight from the embrace of his imperious-looking lover provoked the curator's ire. It was removed.

Contrast this with Shakespeare's Venus and Adonis (or contemporaneous art involving similar tales of active female sexuality) and you get some idea of the cultural shift. Although Venus is clearly a bit of a cradle-snatcher -

"The tender spring upon thy tempting lip/
Shows thee unripe; yet mayst thou well be tasted"

- she pursues her reluctant boy vigorously until he relents. Shakespeare's poem was a bestseller, printed in at least 11 editions before 1620.

In Greer's view, the attempt over several centuries to purge boyhood of sexuality and inure us to its wiles is a patriarchal effort "to avoid the phase of troubling misrule and extravagance out of which Apollonian brilliance may be said to rise".

Our contemporary delusion that childhood is a time of innocence is likewise a regrettable vestige of 19th-century paternalism made still more obnoxious by the current panic surrounding pedophilia.

Greer believes that vulnerability to pedophilic assault peaks between 10 and 12 and that "tinkering with what can be legally consented to at age 16, say, can have nothing to do with child protection". Instead, she implies that what is at issue is "the father's fears that his sons will replace him or have already replaced him as the focus of female attention" - the same fear, she suggests, that drives older men to send boys to war.

As for where the boy stands in the perennial battle between men and women, Greer argues that gender studies have by and large concentrated on adulthood. Boyhood is either ignored or elided into some version of the man. "Biological maleness," she writes, "only takes to itself

phallic activity and mastery when it assumes patriarchal power. The boy, being debarred from patriarchal power, is endowed simply with a responsive penis rather than a dominating with impunity."

Greer posits the boy as the forgotten middle term in the gender debate. She contemplates the man as an incomplete boy rather than the other way round. "The boy Eros," runs her triumphant final sentence, "would bring the sexes to a reconciliation, if only we would let him."

If Greer's passion for boys did not throw her into such obviously irrational ecstasies as these, her book would be more academically watertight and her arguments less prone to attack - but it wouldn't, I suspect, be quite the same tour de force that it is.

The Boy is both an insightful survey of male beauty through the ages and a powerful and radical polemic that challenges the hypocrisy of contemporary culture on the subject. It is occasionally undermined by erroneous statements (some artists clearly did have access to female models before the 19th century, for example) and self-indulgent whimsy that you will find - depending on whether you love or hate the author - either endearingly idiosyncratic or utterly outrageous.

Whatever you think of its thesis, this is an extremely intelligent, unconventional and thought-provoking book that also contains a trove of ravishing art.

If they hadn't been published at exactly the same time, Greer's book might well have served as an aesthetic manifesto for Julian Davies's novel of the same name. Set in New York in 1956, it involves an erotic attachment formed between Zimzam, a 16-year-old street boy, and Marian, a celebrated jazz singer in her mid-30s.

Marian is an orphan, brought up in Canberra by her formidable Aunt Flavia, who constantly inveighed against men. Headstrong Marian did not listen, of course - as a famous entertainer she was courted by thousands and frequently mulls over her one long-term relationship, a disastrous and abusive one as it happens, with a mad clown called Andre.

Zimzam is also an orphan. His entire family perished in a fire and he fled from his pedophile uncle to wander the streets.

When the two lost souls meet by chance, the boy flirts shyly with the older woman. Before they know where they are, Zimzam is staying in Marian's ritzy hotel, living the high life, and it is not long before his insouciance and lack of guile lead to an encounter in the bath. And so on.

The contrast between Zimzam and the men in the novel - who are all represented as wanting to possess Marian - could not be starker. The ageing owner of the hotel is repulsively emblematic - when she spurns his advances, he invites both her and the boy up to his penthouse and presents Marian with a wooden dildo. Zimzam, on the other hand, does not seem to want anything from her, is always content in the moment.

Their erotic sanctuary was never going to last, though, and it doesn't. Zimzam turns out to

have a hidden agenda and the denouement of their short, blissful reverie is brutal and shocking.

Davies writes in finely sculpted sentences and the two central characters are wonderfully observed. The liaison he describes occurs with the kind of natural inevitability that makes you ponder why it is that, as Greer notes, we live in a world that more than ever stigmatises intimacy between individuals of disparate ages.

In different ways, both of these books pay tribute to the short-lived appeal and special vulnerability of the boy. They also demonstrate that to contemplate the allure of boys is a fraught experience - a fact that seems a constant throughout the ages, from the cautionary tale of Narcissus to the pathos of von Aschenbach perving on Tadzio in Thomas Mann's *Death in Venice*.

Greer is right when she says that the incomparable beauty of the boy is made more vivid to the viewer by the certain knowledge that it will fade. "Only in art," she writes, "can (it) be preserved against the ravages of time."





10. This is cute

Read through these Children's Science Exam Answers. These are real answers given by children.

Q: Name the four seasons.

A: Salt, pepper, mustard and vinegar.

Q: Explain one of the processes by which water can be made safe to drink.

A: Flirtation makes water safe to drink because it removes large pollutants like grit, sand, dead sheep and canoeists.

Q: How is dew formed?

A: The sun shines down on the leaves and makes them perspire.

Q: How can you delay milk turning sour?

A: Keep it in the cow.

Q: What causes the tides in the oceans?

A: The tides are a fight between the Earth and the Moon. All water tends to flow towards the moon, because there is no water on the moon, and nature hates a vacuum. I forget where the sun joins in this fight.



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Quiet, Solitude and the Telling of One's Own Story

By Jay Baskins
2003

Silence in the night

It is 4:30 AM, I am sitting in the game room of a minimum-security prison enjoying two things that are rare here: solitude and quiet. Another inmate is upstairs in the poolroom. He also gets up early to be quiet and to write in his journal. We understand each other and carefully avoid getting into each other's space.

A guard comes by. People are getting up too early, he informs me. We are not to get up before 5:00 AM. I protest. This is the only time I have each day when I am able to be up without the TV on - the only time to be alone in a quiet place. 5:00 AM is exactly when the TV comes on. I have organized my entire schedule around the one-hour of quiet and solitude I find here. I bother no one. I really need this.

My arguments are to no avail. This is getting out of hand, I am told. I am astonished at his conception of "out of hand": two and sometimes three people getting up early to find a quiet place to meditate and write. Well one must draw the line somewhere. He lets me know that this disruptive practice must stop and he walks off.

"You are taking everything from me," I yell at him. I pick up a plastic chair and throw it into a pile of other chairs. I am gratified at the loud noise it makes. This is just what I want to say. I kick another chair across the room. I don't care at this moment what they do to me. I do feel that they have taken everything.

About fifteen minutes later I am called into the office. Two additional guards have arrived, making a total of four. I realize that they think they may have to physically overpower me. That is a little gratifying as I am 60 years old and not especially athletic.

I explain that I am not a violent person and that even though I might occasionally lose it and kick a chair, I would never attack a person. Then I try to tell them why taking my moment of quiet from me is such a big issue in my mind. My needs are irrelevant. I must not throw chairs. Rules are rules. I must not get up before 5:00 AM

"But that's exactly when the TV comes on," I protest.
 They neither understand nor care why that is important to me.
 So why is this important, I ask myself.

Narrative well-being

Except when prevented by external events, the average person will spend a significant amount of time dwelling on the story of his or her life. We write letters in which we try to tell our story, or clarify some aspect of it. We write journals with the same intent. We read stories in books and magazine for the light they shed on our own stories.

At times these stories told about others may even provide us with the fundamental form and meaning around which we structure our own. We tell our stories to others and listen as tell they us theirs. When we are alone we reflect on the events of the day and wonder about the meaning of what is happening in our lives.

At night we dream.

Dreams are narratives; they help us assimilate the experiences of our immediate past and provide us some anticipatory exploration of our fears or hopes for the future. The aim of these various forms of story telling is, if I may coin a new term, *narrative well-being*. By *narrative well-being* I mean the state that obtains when we are able to assimilate the events of our lives - past, present and anticipated - into a *story* that is

- ☀ *coherent,*
- ☀ *true to our experience,*
- ☀ *informed by our aspirations, and*
- ☀ *meaningful.*

The activities that facilitate narrative well-being require a reasonable degree of quiet and solitude. We cannot write a letter or a journal entry that accurately reflects the nature of our current experience if the TV is blaring in our ears and we are subject to being interrupted by people around us at random intervals.

Ah

As I walked down the pink fleshy corridor I
 was oppressed by a weightiness --
 An opposition to my walking --
 A refusal of things to focus.

Was this a dream, or the hall,
 or some strange hybrid fused
 within the space
 between sleeping and waking?

My father woke me as I urinated
 in the corner of the bathroom.
 "What are you doing?" he asked.
 What could I say?

I was being born,
 I think.
 I was trying to wake
 from the other world.

Today I awoke again.

A honey bee weaved in and out

It is difficult to reflect on the day's events while we are in the midst of chaos of discontented shouting, arguing and laughing. We require a quiet environment if we are to connect both cognitively and affectively with a significant novel or short story. And two people need some insulation from the hubbub around them if they are to share their stories with each other in any depth.

of the bars at the window.
Idly I pictured myself following her
to the flowers, the open fields and the hive.

What then?
Could I steal a little honey?

I sat up.
"Ah." I said.
"A prison."
"Ah."

Maybe, as it involves two people, it is stretching a point to call this "solitude". On the other hand, there is a card game called "double solitaire"; perhaps we can speak of a "solitude for two."

Without a reasonable degree of quiet or solitude, narrative well-being is difficult to attain. Based on my experience of being incarcerated, I would suggest that the environment created for inmates by the criminal justice system undermines our need for quiet and solitude in at least six ways:

- ✱ TV,
- ✱ Psychotropic drugs,
- ✱ Schedules and programming,
- ✱ Cognitive-behavioral therapies,
- ✱ Overcrowding and
- ✱ Disregard of personal boundaries.

Television

My daily round is dominated by my desire to escape the ubiquitous, disorienting and soul numbing presence of the TV. The first issue with regard to TV has to do with the mental and affective states that are either created or prevented by the simple exposure to TV on a continuous basis, regardless of the specific content. TV inundates the viewer with a continuous bombardment of very vivid images that are extremely brief in duration. By not allowing time for any active response to the images, TV enforces a passive receptivity on the part of the viewer. It allows no time for reflection.

Over time the events, people and images seen on TV usurp the events, people and images of the person's actual environment as the primary focus of significant experience. When the TV is off, habitual TV viewers often feel threatened with a frightening void - the void of actual life.

As long as he is in the unit (even if he is not in the room) my roommate will not allow me to turn his TV off, or ever turn the sound down. A part of this is an assertion of power and status on his part. He claims his territory (the whole room) with sound in much the same way as a wolf might mark its territory by urinating. But another aspect of it, I believe, is that he fears silence. Having virtually lost his capacity for meaningful personal experience, a quiet place is a void for him. Even brief spells of quiet remind him of his emptiness. Either the TV or a video game is on from the time he wakes up until 11:30 at night, at which time a prison regulation requires that he turn it off. He then turns on the radio and fill the threatened void with the drone of country music thought the entire night. I find that this inability to tolerate silence even at nighttime, and the use of an all night country music station as a solution to the problem, to be a common pattern in prison.

The content of TV is not totally irrelevant. It is not only that TV fills our minds with a noise that makes it very difficult to reflect on our own stories. TV forces into our minds its own repertoire of stories. The primary purpose of TV is not to provide programs but to sell products. The programs are the bait. The ads are the hook. Therefore the most important story on TV is the one conveyed in the ads. It's always the same story. "I was never really happy until I bought brand A."

The programs themselves inundate us with stories that prevent us from seriously reflection on our own. These are always safe and familiar stories - the same ones over and over. No matter how violent, absurd or obscene the stories are, they are still safe and familiar because they never challenge us with radically new possibilities for understanding ourselves and our lives.

Drugs

When I moved into a cell for two men in the protective custody unit, the first information that my roommate gave me after his name that he suffered from both bi-polar and schizo-affective disorders. He may have known about my background in mental health work and thought that these credentials would be especially informative to me.

I did not tell him that I felt it was both scientifically and politically inadmissible to treat the majority of the entries in the DSM-III as discreet disease entities that could be treated with disease specific medication. Rather, I saw the labels as *social constructs* created to justify tinkering with the human brain with a variety of chemicals, the primary purpose of which, in this setting, if not in most situations, was *social control*.

During the next few days I was amazed to see how much he slept. After observing him I calculated that he slept about 15 out of every 24 hours. The drugs were apparently putting him in a state that approached suspended animation. They were, one must concede, effective in controlling any tendency he had toward becoming agitated.

My roommate, I will call him Simon, was a gentle and, in so far as the drugs permitted it, reflective soul. As we came to know each other during the next few weeks he shared a great deal about himself. His strongest sexual feelings were clearly directed toward men and boys. Yet he had a girl friend that seemed important to him.

I subscribe to the belief that each person's "love map" is unique and may involve a variety of attractions. There was no reason, in principle, to doubt that he might have a significant interest in women along with his other feelings. But after coming to know him better I became persuaded that women occupy, at best, a weak and secondary place on his love map. Why then, this commitment to a girl friend, and no mention of any boy friend? By this time he knew me well enough to know that, although I had no strong attraction to adult men myself, I would be pretty accepting of him, whatever inclinations he had.

Simon kept his reading material in two paper bags on the floor. In one he had his bible study materials. He was taking correspondence courses from a conservative Christian academy of some sort. He worked on this course religiously (as it were) every night before going to sleep. Only after he knew me pretty well did he risk letting me know what was in the other paper bag. With some trepidation he showed me a magazine with articles and erotic photos for gay men.

A few days later I asked Simon how he reconciled the contents of the two paper bags. I was confident that the religious groups that prepared this course he was taking would see his homosexual leanings as profoundly sinful. He acknowledged that this was true. The two most important things in his life were in these two paper bags - his almost exclusively same-sex sexual orientation and his evangelical religious beliefs.

I suggested that the opposition between these two forces in his life must be very painful to him. He conceded that this was so. I raised the possibility that this conflict, rather than some inborn error in his brain chemistry, might be the primary source of the psychic distress that was being medicated. Surprisingly, this was a new idea to him.

Three narratives

During the niches of time when we were locked in our cells, and he was awake, we discussed how he might understand his need for obviously disabling quantities of psychotropic drugs. What emerged from these discussions is that there were *three* very different ways of framing his story. Simon told me *two* stories about himself.



The first one was a story about a victim of a chemical imbalance in his brain who was struggling to overcome his disability with the help of a medical community which was using its arcane knowledge for his benefit.



The second story was about a Christian man who was struggling (with varying degrees of success) to overcome sinful and obscene impulses that were perhaps placed in his soul as a test.

I was persuaded neither by the medical story nor the spiritual one, and offered him *an alternative story*.



In my story he was a man who was incarcerated spiritually as well as physically - and his jailers were exactly those people he had gone to for help in working out his salvation.

He had been taught by his spiritual teachers to condemn and attempt to suppress the mainspring of his love - to hate one of the most fundamental aspects of his inner nature. By internalizing the judgments of his teachers he became one of his own jailers. It stands to reason that a man who has declared war on his inner nature will suffer from overwhelming psychic distress. In my story he was a political prisoner - not a criminal. His inner nature was no crime.

So then he went to the medical people for help with his distress. There he was told he had a "disease" or a "disability" - something akin to diabetes. But his chemical deficiency he was told affected his brain rather than his pancreas.

When psychiatrists listen to people talk they are trained to listen for symptoms that will enable them to diagnose the person as having one or more of the socially constructed hypothetical disease entities listed in their Diagnostic and Statistical Manual, so that people can become patients who can be treated by chemical means. Whatever capacity psychiatrists may have once had to actually listen to the person's *story* or to offer other and possibly more helpful *narratives* has been almost totally lost.

I was able to offer Simon an alternative story - one that reversed the *Gestalt* within which he lived as radically as a finished print reverses the negative from which it is made. In my story those he saw as liberators - the religious teachers and the doctors who were medicating him -- became his oppressors, and the most despised and repressed aspect of his soul became the Christ child pursued by Herod - the carrier of new possibilities for love and life.

Whether Simon will accept the story I offered him, or he will cling to his old ways of seeing his life, remains to be seen. Even if it were within my capacity to force my story on him I would not do so, for then I would become another of his oppressors. It is his life and his choice.

My own story

This is a participant observer study. It is theoretically grounded in the conviction that it is in narration - in the stories we tell about ourselves and each other - that we discover and clarify

the meaning of our experience. My own story must therefore be included in the data. I share with you, then, a few snippets from my personal history, the relevance of which, I hope, will soon become evident.

I am sitting in a classroom in elementary school.

I don't know what the teacher is trying to teach, as I am not paying attention. I am staring at the clock on the wall, trying to anticipate the exact moment that the big hand will jump forward with a little click, bringing me closer, by a tiny increment, to my liberation - or at least to a brief reprieve from this daily hell.

My current experience of being incarcerated reminds me of nothing more than the daily experience of being forced to attend school when I was a child. Why, then, did I not protest more actively - raise hell - refuse to remain in class? I was afraid of my parents, of course, and of the teachers, and of authority in general. But also I knew that the principal kept a paddle in his office. I had heard stories about this paddle from some of the more aggressive and bolder boys who were able to speak from first hand experience. The principal is your "pal" we were taught in spelling, so as to distinguish between "principal" and "principle." I did not believe it.

When I was growing up the problem of forcing students to be where they didn't want to be, performing tedious tasks that they didn't want to do, was solved by the paddle. When physical punishment was ruled out, something had to take its place. There were, after all, still a large number of students who did not want to be there - some of whom had the gumption to "act out."

It was to fill this gap that psychiatry steps forward with its theory of "attention deficit disorder." If children could not be beaten into submission, perhaps it would be possible (and more humane) to medicate them into submission. That schools themselves needed to change - that they needed to become places where children's natural interests and desires might be taken seriously, where the slower ones would not be humiliated and the faster ones bored, where students would have some real input into what they learned and how they studied, and where they would feel cared for regardless of how successful they might be - in short, that schools needed to become places where children wanted to be, never seemed to enter the minds of those who made the decisions.

The story of my first eight years of school is the story of my first imprisonment.

Medicalization

The medicalization of a political problem occurs when we have the replacement of an authentic *political* narration with a spurious *medical* one. The medicalization of political problems serves the interests of the ruling group by defusing potentially explosive or disruptive situations. It

does this in three ways.

- ☀ First, it re-frames the story one must tell about his or her suffering from a "socio-political" one to a "bio-technical" one. In this way it obfuscates any economic or social inequities or oppressions that might be the actual source of the individual distress.
- ☀ Second, it disqualifies the one in distress as his or her own storyteller. The core issue becomes a (pseudo) scientific-technical one that only an expert (the mental health worker) can accurately narrate.
- ☀ The third way in which the medicalization of political problems serves the interests of the ruling group is by opening the door to medical and legal procedures that make the disenfranchised person incapable of political action.

Political action is grounded in the capacity of individuals within a group to tell *their own* story in a way that will be heard and not automatically discredited. The primary techniques used by the medical profession for incapacitating potentially troublesome people are

- ☀ labeling,
- ☀ surgery,
- ☀ medication, and
- ☀ incarceration.

I am not suggesting that the story one tells about his or her own suffering is always the most accurate one. But neither is the one told by the expert. In fact, experts are generally hired by those with the most money. Therefore they tend to identify with the interests and world views of the power elite and are motivated to misrepresent the stories of the disenfranchised people with whom they work. Common sense therefore suggests that we approach the stories told by experts with a degree of suspicion.

Therapy

The difference between offering a narrative alternative and forcing one on a person is an important one for professional practice. It marks the distinction between a valid therapy grounded in cognitive and narrative principles and brainwashing.

About a month ago I was eating lunch at a table with an inmate who had been friendly with me, but with whom I had actually talked very little. For a few minutes we were the only ones at the table.

"The thing is, they won't believe that a boy might actually like sex," he said.

The comment startled me with its boldness and its lack of any apparent context. But without his needing to spell it out for me in more detail, I immediately knew that he was in prison

because of engaging in sexual activity with a minor, that it was a consensual relationship, and that he had participated, probably against his will, in a sex offender "treatment" group.

"That's right," I said. "They will only allow the story to be told in one way."

With this encouragement he went on to tell me that when he was a boy a man had introduced him to sex.

"At first it seemed strange," he said. "But then I liked it - a lot."

"Don't share anything with them that they don't already know," I said, "Or they will use it against you - and anybody else they can."

He nodded. "I know that," he said.

Sex offender's programs

as they are currently structured, are generally described as "Cognitive-behavioral," and claim the scientific authority that cognitive and behavioral therapies have established for themselves. The behavioral principle that is employed in these groups is that if you punish people enough they will generally stop doing what you don't want them to do.

It doesn't require a great deal of insight to understand why such a model might be popular in prisons. This principle can, with some degree of effectiveness, be applied to any set of behaviors that an authority wants to extinguish in a subject over whom he or she has sufficient power. A variety of punitive techniques are employed that intrude even into the fantasy and dream lives of the participants. But the central punitive methods are forced confessions and shaming by the group.

My friend at the lunch table was trying to deal with the fact that his own experience - *his* story as he knew it and would tell it if he were being truthful - simply did not fit the only story it was permissible to tell. This *permissible* story had to conform to a number of clear guidelines:

- ☀ No boys below 14 years of age enjoyed or wanted sex with men whether they did or not.
- ☀ Sexual activity between a boy and a man could not be a part of a loving relationship, whether it was or not.
- ☀ A man who allowed this to happen could not be gentle and empathic, whether he was or not.
- ☀ A boy could not consent to such an activity, whether he did or not.
- ☀ Certainly a boy could not seek out a loving relationship with a man that was based in part on sexual feelings, whether he did or not.
- ☀ Such an event was always damaging to a boy, whether it was or not.

In fact, many different kinds of relationships exist between men and boys in which some degree of sexual activity has taken place. Some are exploitative and damaging. Others are gentle and consensual.

Actual research - anecdotal, statistical and cross-cultural - suggests that a sexual experience with a man may have any of a variety of consequences for a boy - some harmful, some neutral, and some beneficial - depending on the circumstances.

One participant in a sex offenders group told me that he came to a point where he felt he needed to control the content even of his dreams. Dreams and fantasies are the most intimate *stories we tell ourselves*, and they take place in the most private and solitary place in our souls.

To force a person to share his fantasies, and try to replace them with others, and to make him feel guilty even about his dreams are profound invasion of a persons solitude. Only the forced administration of psychotropic drugs constitutes an invasion of the innermost core of who a person is to a comparable degree.

Traditional law enforcement was concerned with *behavior*. A person was free to have whatever thoughts, feelings, and fantasies he wanted, so long as he did not break the law. Society is now claiming the right to go far beyond this. It claims the right to control a person's *feelings* and *thoughts* as well. It claims the right to dictate how a person will tell his or her own story. For this reason the places where these stories are created - where they emerge as the primary interpretive structures in our lives - are suspect. These places of quiet and solitude where one might dream and meditate with freedom must be sought out and destroyed.

The mandated participation in processes by which society now tries to force its stories on people, and to destroy the places of quiet and solitude in which alternative stories to its own might emerge, is called "treatment" or "therapy." But it is not therapy. It is law enforcement, and its not even good law enforcement. It is brain washing.

Programming

By programming I refer to the planning and decision-making done by prison administrators, guards, and crew bosses, regarding the organization of time and space in the facility. Programming decisions are motivated by the desire to punish inmates, maintain control, save money, and maximize the convenience and status of the staff.

Most staff members probably give little or no thought to the impact their decisions might have on an inmates desire for solitude or quiet. Yet it is curious that no provision is made for such obvious needs as a little privacy and some peace and quiet. One wonders whether there might not be some instinctive fear that autonomy, self-respect, insight or even rebellion might fester in any silent and solitary niches that were made available to inmates. And perhaps so.

Yesterday morning I planned to work on this section of the article you are reading. My work schedule allowed me a couple of hours free in the morning. Both of my roommates were scheduled to work. That meant I would have the room to myself - without the TV blaring in my ear. I could close the door, be by myself, and think my own thoughts until it was time to go work the lunch shift - a blissful prospect.

One roommate had already left. I was anxious for my second roommate to leave. The clock crept forward ever so slowly, as it did when I waited for a class to end in grade school. The men, dressed for work, sat downstairs watching TV, or milled around in the rec. room where I sat. A couple of them took their coats off. It was like waiting for Godot. When would the crew boss arrive? It was like waiting for Jesus. You knew not the hour.

I had seen this before. When a crew boss was not coming to pick up his workers, he didn't bother to call or let them know. He simply didn't arrive. When I finally realized that I was not to have the room to myself this morning, I began to berate myself for allowing myself to hope in a situation where one could depend on nothing.

The program decisions with regard to space are as inimical to the needs of the inmates for quiet and solitude as are the practices re: the scheduling of time. A couple of months ago they instituted a no smoking policy in the prison. Up until then they had smoking rooms, which worked fine for everybody. If you wanted to smoke, you could. If you didn't smoke you didn't have to breath other people's smoke. But the former smoking rooms are now not being used for anything. So that was the bright side of another repressive policy.

A number of people have asked that they make these former smoking rooms into *quiet rooms*. I am not the only one who craves a quiet place to read a book, write a letter, or just think his own thoughts. All that would be required are a couple of chairs and a small table. But quiet rooms turned out to be an idle dream. A couple of days ago I learned that they will be converted into more rooms so that the overcrowding in the dorm can be increased.

Overcrowding

My room is about 10 by 11 feet. Three of us are crowded into that space.

(Although I did not know it at the time, they were soon going to place four people in a majority of the rooms.)

Even under the best circumstances this affords little opportunity for privacy or quiet. The rooms were created for two people, and the present overcrowding is in violation of state regulations. But nobody is much bothered by that.

It serves the purposes of the prison in a variety of ways.

- ✱ It keeps prisoners at each others throats, and therefore disempowered in relationship to the prison.
- ✱ It lowers the per-capita cost.
- ✱ It adds to the punishment of inmates.

For me the biggest problem with the overcrowding is that it makes it much more difficult to find a quiet or private time or space.

Personal Boundaries

In the absence of the physical privacy that might afford them the solitude they crave, some inmates attempt to create a niche in which social boundaries will be respected. I think of the man who woke up at 4:00 AM every morning and took possession of the checkers table in order to write in his journal.

Although the journal writer had everything but a sign around his neck saying he wished to be left alone, repeatedly another inmate would sit down at the table with him and begin chatting. Amazingly, they would even persist when the journal writer blatantly ignored them.

Or I think of the surprisingly gentle and reflective member of Hell's Angels who created a little niche in the dish room where he worked - a place where he sat on a couple of milk crates and day dreamed and dozed. Everybody who came into the dish room had to intrude into the fragile solitude of the Hell's Angel. Even if his eyes were closed they would tell him a joke, make a noise to wake him, or even pull his beard. They were like religious evangelists at your door. Short of being extremely rude, there was no way of getting rid of them.

Social boundaries are that last bastion of men who are seeking solitude in prison. Often it is not possible to defend these boundaries without offending people or making enemies. If a person chooses to keep the peace between himself and the men with whom he must live he may find himself without any place where he can find a modicum of solitude. It's a difficult choice.

Conclusion

To achieve and maintain a reasonable level of narrative well-being requires periods of solitude and quiet.

In this article I have identified and briefly explored six different ways in which the prison environment hinders a person's ability to find that solitude and quiet. I have tried to show that this is not simply a matter of creating discomfort or inconvenience. Rather, the absence of solitude and quiet in a prisoner's life impairs his capacity to reflect upon his "story," and

thereby threatens his capacity to achieve a viable and coherent identity.

It is possible that in prison life we see a microcosm of the larger society. Therefore it might be worth exploring whether my speculations about the six factors that make narrative well-being difficult to attain in prison might be usefully generalized to life outside of the prison system.

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