



Written by [Becky Akers](#) on May 21, 2010

## The Filthiest Criminals

The case before the Court concerned five “respondents” who had pled guilty to sexual sins: three to possessing pornography featuring children and two to sexual abuse of a minor. Unspeakably wicked, yes – but are government and its prisons the best answers to such horrors?

The Bible and just about every religion and culture on earth prohibit sex outside heterosexual marriage, regardless of the participants’ age or circumstances. Lovers of liberty ought to vigorously uphold and defend this moral law not only for its beauty and righteousness but because it protects one of our strongest bulwarks against the State: the family.

The more highly we value something, the more vehemently we should object to government’s interfering with it. And indeed, Leviathan’s record in “protecting” morality is as shameful as the immorality it purports to punish. For starters, many Americans convicted of molesting children are innocent – some ridiculously so since the [Feds define “child” as anyone under 18](#), including willing girlfriends who are 17. And so Leviathan incarcerates [young men](#) – though usually not their partners – [for consensual activity](#). Then there was the [“day care sex abuse”](#) of the 1980’s and ‘90’s, when authorities manipulated kids into perjuring themselves so juries would convict their parents and teachers.

All that and we’ve said nothing of the State’s usual tricks: planting evidence, lying, railroading defendants with plea deals, etc. We should always turn a jaundiced ear to governmental allegations of an individual’s guilt, especially when it comes to vice.

Which, unless it involves physical force, isn’t even an actual crime. All violent crimes are immoral, but not all immorality is criminal. Murder, theft, rape, assault (sexual or otherwise) – these physically hurt specific victims. But vices, though equally immoral, don’t: their harm is emotional and spiritual, not physical, and therefore impossible to measure (and to retribute, which ought to be the *raison d’etre* of any system of justice). Empowering government to punish our vices establishes a police state because





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unlike murder or robbery, vices don't pile up corpses or loot. Cops must instead ferret out the "evidence" - testing urine to detect drugs, raiding clubs for drinkers under 21, ransacking bookcases and computers to find pornography.

It follows then, that however we abhor their perversions and no matter how immoral they are, non-violent sexual offenders don't belong in jail (but then, neither do violent ones: there are far more effective, cheaper ways to handle such miscreants - beginning with an armed citizenry that can defend itself from them). Prisons exponentially empower government and enrich the corporations that run increasing numbers of them. Meanwhile, they turn good men bad and bad men worse: creeps content to look at child porn before the prison-industrial complex brutalizes them often emerge with all the warped skills and rage they need to rape, torture, and murder. Congregating perverts in prison to fester and influence one another is just the sort of lunacy we should condemn - and in which politicians specialize.

Including the bozos on the Supreme Court. They not only want sexual offenders incarcerated, they approve of holding them indefinitely. All five men before the bench had completed their sentences; with release imminent, "[the Government claimed](#) that [each] respondent ... had engaged in sexually violent conduct or child molestation in the past, and that he suffered from a mental illness that made him sexually dangerous to others."

For decades, some states have pulled this same ploy: they pay psychiatrists to declare inmates who have finished their sentences too "mentally ill" or "dangerous" to release. The Feds now want to do so as well; like children who see other kids pulling the wings off butterflies, they whine, "The states get to imprison indefinitely, why can't we?" Though they don't call it "imprisonment," of course. They prefer "civil commitment."

The euphemism doesn't fool its victims: "Each of the five respondents moved to dismiss the civil commitment proceeding on constitutional grounds. They claimed that the commitment proceeding is, in fact, criminal, not civil, in nature and consequently that it violates the Double Jeopardy Clause, the Ex Post Facto Clause, and the Sixth and Eighth Amendments," as well as a host of other constitutional points.

That the Court disagrees, that it recommends "detaining" people because "experts" have decreed that they're just too dangerous for the Constitution to apply, pushes us a giant step closer to totalitarianism. We've heard this rationalization before, with regard to alleged terrorists. Who will be next, now that our rulers have succeeded in stripping them and pedophiles of due process under the law? Drug dealers? Dissidents? And what other Constitutional restraints will courts cut? Habeas corpus, warrantless searches, torture, and now "civil commitment."

Courts often indulge in chains of "reasoning" whose nonsense would embarrass the Mad Hatter. And so the justices both damn and excuse degenerates who lust after children by declaring them "mentally ill." But when politicians and psychiatrists speak of "mental illness," it usually means nothing more than that their subject doesn't behave as they want him to. There is no "illness": the "patient" isn't running a fever, or coughing, nor does infection rage. There are no objective means for discerning his pathology. His "diagnosis" is simply an opinion, and opinions can be very, very wrong.

You needn't take my word for it: Dr. Thomas Szasz, professor of psychiatry emeritus at SUNY Upstate Medical University in Syracuse, New York, says, "[Psychiatrists alternately deny](#) and delight in possessing special professional skill at detecting future 'dangerousness' that entitles them to the special



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power to incarcerate individuals they so stigmatize in prisons that masquerade as hospitals. The American legal system makes heavy use of psychiatric determinations of dangerousness, as a result of which vast numbers of Americans are deprived of liberty and, at the same time, of opportunity to demonstrate the injustice of their detention.” Via this ruse, the State not only imprisons citizens, it “treats” them against their will, as the Court admits: “[Congress has long been](#) involved in the delivery of mental health care to federal prisoners, and has long provided for their civil commitment. ... The Federal Government, as custodian of its prisoners, has the constitutional power to act in order to protect nearby (and other) communities from the danger such prisoners may pose.”

Terrorists and pedophiles today, the rest of us tomorrow.

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