

The West Casually Bans Legitimate Speech

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It is July 2021. We are on the verge of a criminal trial against myself and two others. The three of us stand accused of continuing a banned organization. This document attempts to provide context for understanding what prosecutors claim constitutes the continuation of banned pedophile association Martijn. Given the globality of contemporary life, and knowing that some foreign peers are following our struggle closely, I've opted for using English and an international scope.

Since the conflict primarily revolves around the (il)legality of certain written texts, this document starts off by describing developments that shed light on the legal status of fictional narratives involving pedosexual acts. The 'obscene' or child pornographic nature of such narratives puts their creators and publishers at risk of persecution. Next, this document argues that non-fictional, dissenting utterances on pedosexuality are increasingly qualified as unlawful. The 'normalizing' effect of such utterances puts their conveyors at risk of persecution. Finally, this documents speculates that, within the European Union, as of June 2022, such dissenting remarks may be construed as terrorist content.

Hey, at least I'll be able to say I've had a front row seat witnessing the destruction of freedom of expression in the Western world. See you on the other side!

Fictional Narratives

George W. Bush's second inauguration was in January 2005. Also in 2005, the US Department of Justice (DOJ) created the Obscenity Prosecution Task Force (OPTF):¹

"The prosecution is the first in Southern California by a U.S. Department of Justice task force formed in 2005 after Christian conservative groups appealed to the Bush administration to crack down on smut."

That same year, the FBI joined the war on porn:²

"Early last month, the bureau's Washington Field Office began recruiting for a new anti-obscenity squad."

The initiative was designed to crack down on deviant pornography:³

"According to FBI headquarters, the war against smut is "one of the top priorities" of Attorney General Gonzales and FBI Director Robert Mueller. [...T]his new initiative is unique in that it targets Internet pornography featuring consenting adults."

The OPTF was dissolved in 2011, leaving obscenity prosecutions in the hands of DOJ's

1 <https://www.latimes.com/archives/la-xpm-2008-jun-09-me-obscene9-story.html>

2 <https://www.washingtonpost.com/wp-dyn/content/article/2005/09/19/AR2005091901570.html>

3 <https://arstechnica.com/uncategorized/2005/09/5346-2/>

CEOS:⁴

"Department officials say the administration is not giving up on prosecuting obscenity but that such violations are better handled by U.S. Attorneys' offices and the Criminal Division's Child Exploitation and Obscenity Section."

Late 2005, media reported BDSM websites coming under fire.⁵ In 2007, producer Paul Little (aka Max Hardcore) was indicted on obscenity charges;⁶ in 2008 he was found guilty on all counts.⁷

News reports also document prosecution of possession and distribution of written narratives involving pedosexuality.⁸ A notable example is Red Rose Stories being shut down by the FBI late 2005,⁹ and its owner sentenced in 2008:¹⁰

"And in August, Karen Fletcher, a 56-year-old Pennsylvania woman, was sentenced to five years of probation, including six months of home detention, and forfeiture of her computer after pleading guilty to six counts of using an interactive computer service to distribute obscene materials. Fletcher owned and operated the Web site Red Rose Stories, which featured stories, but no pictures, describing sexual molestation and violence against children."

Around the same time, in 2006, an Australian was jailed for such stories:¹¹

"In what is considered a Territory first, a man has been sent to jail for possessing fictional text stories about sex with children. Former senior public servant Nick Gill was sentenced to 14 days' jail, suspended on the rising of the court, and fined \$3000 after being found guilty of having 66 stories, featuring mostly young boys, on his desktop computer. There were no images involved in the case."

Also in 2006, Florida's Marion County Commission was challenged to determine whether *Lolita* should be pulled from public library shelves:¹²

"On a 3-2 vote, the County Commission determined "Lolita" will stay on the adult fiction shelves, but they also ordered the county attorney to come up with his determination on whether "Lolita" is indecent for minors."

The prosecution of possession and distribution of stories involving pedosexuality has continued in recent years. In 2019, author Yvan Godbout and editor Nycolas Doucet were prosecuted:¹³

"It is our understanding that the prosecution of the author and publisher in this

4 <https://www.politico.com/story/2011/04/holder-accused-of-neglecting-porn-053314>

5 https://web.archive.org/web/20070926232208/http://www.sfbaytimes.com/article_p.php?article_id=4436
<https://www.thestranger.com/seattle/Content?oid=25246>

6 https://www.justice.gov/archive/opa/pr/2007/May/07_crm_393.html

7 <https://avn.com/business/articles/legal/jury-finds-max-hardcore-guilty-on-all-counts-in-obscenity-trial-53133.html>

8 See also *Purely Written Speech and the Doctrine of Obscenity*. <https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1602&context=wmborj>

9 <https://www.xbiz.com/news/10680/red-rose-stories-closed-by-fbi>

10 <https://www.computerworld.com/article/2533543/new-obscenity-charges-raise-questions-in-internet-age.html>

11 <https://web.archive.org/web/20071114124530/www.news.com.au/story/0,10117,18748877-17001,00.html>

12 <https://web.archive.org/web/20210717092249/https://www.wesh.com/article/lolita-could-be-pulled-from-library-shelves/4343666>

13 <https://ccla.org/letter-quebec-minister-justice-regarding-child-pornography-prosecution-authoreditor/>

case stems from the description, on one page of a 270-page horror novel, of the sexual assault of a young child."

Also in 2019, Thomas Alan Arthur (Mr. Double¹⁴) was arrested for trafficking stories.¹⁵ In 2021, he was sentenced:¹⁶

"A federal judge today sentenced 65-year-old Thomas Alan Arthur to 40 years in federal prison for operating a website dedicated to publishing writings that detailed the sexual abuse of children."

Note though that his massive sentence is not just for the writings. In the process, his house and estate may have been taken from him.¹⁷

Prosecution is not always successful. One notable example is *R v Sharpe*,¹⁸ where the Supreme Court of Canada ruled that stories written by John Robin Sharpe "had artistic merit and therefore were exempt from the pornography laws".¹⁹ (See also earlier remarks by judge Mary Southin.²⁰) From the decision of the Supreme Court of British Columbia, on the retrial of items passed back by the Supreme Court of Canada:²¹

"Under s. 163.1 of the Criminal Code the Crown must prove beyond a reasonable doubt that written material advocates or counsels the commission of sexual crimes against children. I find that this has not been proven. The first defence therefore succeeds. [...] The Supreme Court of Canada in *R. v. Sharpe*, supra, decided that any objectively established artistic value, however small, will suffice to support this defence. I find that there is some objectively established artistic value to *Boyabuse*. The second defence therefore succeeds."

Another notable example revolves around an account (story) of a pedosexual experience, from a child's perspective.²² This German text came from a "Stefan", is still accessible online,²³ and became known as the "Stefan-Text".²⁴ Dieter Giesecking and Ilja Schmelzer, who distributed the account as part of the Pedosexual Resources Directory (PRD), were initially convicted. (Giesecking 8 months prison without parole, Schmelzer 6 months probation.²⁵ Appeal: Giesecking 6 months prison, Schmelzer 3+ years but this included unrelated charges.²⁶) However, their conviction was

14 <https://abcu8.co/2021/01/22/thomas-alan-arthur-64-of-terlingua-ran-a-website-featuring-stories-about-child-sexual-abuse-it-was-his-sole-income-for-20-years/>

15 <https://www.cbs7.com/content/news/FBI-arrests-man-in-connection-to-website-that-trafficks-in-child-sex-abuse-stories-564860402.html>

16 <https://www.justice.gov/usao-wdtx/pr/terlingua-man-sentenced-prison-running-child-obscenity-website>

17 <https://web.archive.org/web/20210707045525/https://www.newswest9.com/article/news/investigations/federal-gov-seeks-to-take-property-of-terlingua-man-who-ran-website-featuring-stories-of-child-sex-abuse/513-4ae90a40-6802-47c0-9a27-855b77aca73e>

18 https://en.wikipedia.org/wiki/R_v_Sharpe

<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1837/index.do>

19 <https://www.cbc.ca/news/canada/sharpe-sentenced-in-b-c-child-pornography-case-1.315991>

20 <http://www.efc.ca/pages/media/globe.27apr99.html>

21 <https://www.robinsharpe.ca/legal/SCBC2002.html>

22 https://www.volksfreund.de/region/rheinland-pfalz/die-perversion-von-kinderliebe_aid-5614663

<https://www.mz.de/panorama/kriminalitat-kinderschander-verlangen-strauffreie-liebesspiele-3001744>

23 <http://web.archive.org/web/20030404170901/http://www.paedosexualitaet.de/German/exp/Stefan.html>

24 <https://www.boywiki.org/de/Stefan-Text>

25 <https://www.welt.de/print-wams/article117066/Schatten-ueber-der-Gartenvorstadt.html>

26 <http://www.swr.de/nachrichten/rp/2005/04/26/index2.html>

overturned, and they were acquitted, because the text was deemed non-pornographic.²⁷

It has become dangerous to distribute stories involving pedosexuality. With the possible exception of accounts, as is done on *Consentingjuveniles.com* and *Jumima.net*, and in *Positive Memories*.²⁸ However, it may not be that simple. Someone assessed on *Politikforum* in 2008:²⁹

"Der Stefan-Text kann als Billigung der darin beschriebenen Straftaten gesehen werden. Die Frage der Störung des öffentlichen Friedens bleibt fraglich, ist aber mangels entsprechender Urteile nicht mit Sicherheit zu verneinen. Straffrei kann er weiterverbreitet werden, wenn man dabei nicht das Ansinnen zum Ausdruck bringt, die darin beschriebenen Straftaten gutzuheißen. Im Zweifel kann es sinnvoll sein, sich explizit von einer Gutheißung der damaligen Straftaten zu distanzieren, wobei man gleichzeitig sagen darf, dass man einvernehmliche sexuelle Handlungen mit Kindern im Allgemeinen gut findet."

Distributors may still get in trouble for disturbing the public peace. And accompanying such accounts with advocacy for legalization of pedosexuality - dissenting utterances - would certainly open them up to prosecution.

Dissenting Utterances

In 2006, Dieter Giesecking was fined for promoting the German version of nonfiction work *Loving Boys* by Edward Brongersma (ISBN 3-922257-71-2). As of April 1999, Germany's BzKJ (formerly BPjM; before that BPjS) considers the book harmful to minors,³⁰ and therefore disallows promotion of the work.³¹ Giesecking had merely copied the in-book blurb, plus:³²

"Abgabe ab 18 Jahren. Dieses Buch ist zur Zeit ab Verlag nicht mehr erhältlich."

Relevant for what follows is the 2007 treaty *Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*. It says in article 4:

"Each Party shall take the necessary legislative or other measures to prevent all forms of sexual exploitation and sexual abuse of children and to protect children."

And in paragraph 2 of article 8:

"Each Party shall take the necessary legislative or other measures to prevent or prohibit the dissemination of materials advertising the offences established in accordance with this Convention."

27 <https://krumme13.org/text.php?s=read&id=383>

28 https://www.ipce.info/host/rivas/positive_memories.htm

29 <https://www.jungsforum.net/politik/messages/152658.htm>

30 https://www.norbertdejonge.nl/misc/pdf/1999-04-15_Loving_Boys.pdf

31 <https://www.bzkj.de/bzkj/meta/en> "By including them in the List of Media Harmful to Young Persons, data and telemedia are subject to extensive sales and distribution restrictions as well as an advertising ban. However, with a few exceptions, they may still be made available to adults."

32 <https://krumme13.org/text.php?s=list&kid=49>

In 2014, Dutch (pedophile) association Vereniging Martijn was banned by the Supreme Court of the Netherlands.³³ The Dutch House of Representatives recently adopted one law (dossier 35079) and modification of the Dutch Civil Code (dossier 35366), to make it even easier to ban organizations such as Martijn.³⁴ The association was found contrary to public order, and a threat to children's health, rights and freedoms, because it downplayed/trivialized the risks of pedosexuality, despite the prevailing opinion being that such sexual acts constitute serious harm to children's physical and sexual integrity. The Public Prosecution Service laid criminal charges against three people for the association's continuation in March 2021,³⁵ after searches and seizures by the police in January 2020.³⁶ To be exact, for any *causes* that may have similar *effects*, and are therefore considered a continuation of its efficacy.

Even Dutch political party PNVD is at risk of being designated as such,³⁷ particularly by the upcoming Political Parties Act (Wpp).³⁸

Those in power no longer tolerate dissenting utterances on pedosexuality. Their reasoning and methods of censoring such speech are roughly as follows:³⁹

(this are not citations)

- Pedosexuality is horrendous. Only the literature of scientists who agree with this position is credible. Any references to non-authoritative literature is understood as an attempt at creating a pseudoscientific guise. Given that all trustworthy literature proves the anti-pedosexuality position right, science legitimizes far-reaching actions against pedosexuality.
- The more someone is convinced of the horrendousness of pedosexuality, and the more discomfort pedophilic feelings generate, the less likely they are to engage in such sexual acts.
- Its awfulness must remain beyond question and undisputed, because anything that questions its gruesome nature is a threat to minors.
- Any discourse of pedosexuality must thus be accompanied by sufficient rejection, sufficient discussion about harmfulness, sufficient references to authoritative literature, etc.
- All mainstream platforms, including social media, must disallow discourse that questions the horrendousness of pedosexuality, and deplatform those who voice such views. Discourse that is at risk of moving into an undesirable direction requires disapproval and debunking, and must be adjusted through deployment of so-called "fact checkers". Marginal platforms, including personal websites, mailing lists, e-mails, etc., that allow rebellious discourse must be qualified as close-knit networks that are creating their own subversive - and therefore dangerous - subcultures and atmospheres that nourish pedophilic desires.
- The firmer minors react with rejection to sexual advances from adults, the more proof of their

33 <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:HR:2014:948>
<https://www.hogeraad.nl/actueel/nieuwsoverzicht/2014/vereniging-martijn/>

34 https://www.norbertdejonge.nl/pdf/Voor_pro-pedoactivisten_verboten.pdf

35 <https://marthijn.nl/p/218>

36 <https://www.om.nl/actueel/nieuws/2020/01/21/doorzoekingen-en-aanhoudingen-in-onderzoek-naar-pedofielenvereniging>

37 https://www.norbertdejonge.nl/pdf/Voor_pro-pedoactivisten_verboten.pdf Particularly page 3.
https://www.norbertdejonge.nl/pdf/Pro-pedoactivisme_en_de_Wpp.pdf

38 https://www.pnvd.nl/pdf/2020-10-25_Uitingsvrijheid_alstublieft.pdf

39 See *Appendix A*.

bodily integrity and personal autonomy, because their right to self-ownership and self-determination entails molding them until they are strong enough to never say anything other than "no".

- The protection of minors (per our definition) has priority over freedom of expression.
- Occasionally, content that questions the horrendousness of pedosexuality is accompanied by statements that warn or plea the content's recipient to obey applicable laws and not commit any criminal offenses. Such statements have a mere obligatory nature, are insignificant, and therefore hold no value.
- Attempts at whitewashing the effects of pedosexuality, including pursuing its legalization, are attempts at removing barriers to engage in such sexual acts. Such whitewashing normalizes and promotes illegal acts, and underpins the CSA industry.
- Any passages that describe pedosexual acts, regardless the context, may be considered tips and tricks, or guidance, or instructions, for indulging in or acting out pedophile tendencies.
- The prevailing anti-pedosexuality position is a fundamental part of democratic society itself. Therefore an attack on this position is an assault on democracy.
- Content that discusses any kind of positive outcomes or aspects of pedosexuality is unlawful glorification.

It strikes me how casually the West bans legitimate speech. Apparently, it is considered sufficient to state that generally great caution should be exercised when prohibiting fundamental rights, to subsequently allow blatant violation of rights under the guise of protecting children.

Terrorist Content

Among other legislative acts, the EU has regulations and directives.⁴⁰ Both are legally binding; regulations "in its entirety and directly applicable in all Member States", and directives "as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods".⁴¹

An example of a directive is the Data Retention Directive (2006/24/EC), which was passed in March 2006. It forced EU member states to ensure that communications providers would retain data for a period of between six months and two years. At the time, social-liberal pro-EU party D66 publicly patted itself on the back for advocating 'just' six months of retention. During demonstration Volksopstand 2008, three PNVD board members, including myself, protested with a banner against the directive *itself*.⁴² In April 2014, the Court of Justice of the EU declared the directive invalid for violating fundamental rights.

In the context of this document, the relevance of the above example is what it

⁴⁰ <https://europa.eu/european-union/law/legal-acts>

⁴¹ Per article 288 of the TFEU: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT>

⁴² <https://frontpage.fok.nl/nieuws/233958>
https://www.pnvd.nl/png/Volksopstand_2.png

illustrates. Once an EU directive is in place, all that is left for member states is to implement it before a deadline. Member states that hold implementation consultations will ignore reactions to the directives *themselves*:⁴³

"Op de verordening kan niet gereageerd worden, nu deze door de Europese wetgever is vastgesteld."

The European legislator is in charge. It decides what room is left for national political parties, such as the retention between six months and two years.

Article 3 of EU directive 2017/541 (March 2017) defines terrorist offenses, and includes "attacks upon the physical integrity of a person" (1b) where committed with the aim of "seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation" (2c).⁴⁴ Article 2 of EU regulation 2021/784 (April 2021) states "terrorist content" includes material that causes "a danger that one or more such offences may be committed" because it "advocates the commission of terrorist offences" "directly or indirectly, such as by the glorification of terrorist acts" (7a).⁴⁵

Sounds familiar?

Its article 24:

"This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*. It shall apply from 7 June 2022."

43 <https://www.internetconsultatie.nl/terroristischeonlineinhoud>

44 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017L0541>

45 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021R0784>

Appendix A

The following citations are only a selection. To get a more comprehensive picture, read the texts linked in the footnotes, statements by the Dutch Public Prosecution Service about the upcoming criminal trial, and statements by politicians regarding pro-pedophile activism, particularly in dossiers 35079 and 35366, and regarding the upcoming Wpp.

Germany's BzKJ:⁴⁶

"Das Buch "Loving Boys", Autor: Edward Brongersma, wird vom Förster Verlag, Offenbach, herausgegeben. Das - mit Anhang - über 330 Seiten starke Werk befaßt sich mit Tips und Handreichungen für das Ausleben pädophiler Neigungen. [...] Unter pseudo-wissenschaftlichen Deckmantel würden "pädosexuelle" Kontakte gerechtfertigt und für die Leser als normal dargestellt. Bestimmte Lesergruppen würden motiviert, sexuelle Kontakte zu Minderjährigen, in diesem Fall zu Jungen, herzustellen und such gegen Widerstände anzugehen."

Appeals court:⁴⁷

"Het hof deelt de opvatting van het openbaar ministerie dat de bescherming van de seksuele integriteit van kinderen één van de algemeen aanvaarde grondvesten vormt van ons rechtstelsel. [...] Het bestrijkt ook elk georganiseerd verband waarin verlangens onder personen met een pedofiele geaardheid zodanig worden gevoed, en gevoelens van onbehagen van deze personen zodanig worden getemperd, dat een beschermend klimaat ontstaat waarin dergelijke strafbaar gestelde gedragingen als gerechtvaardigd en heilzaam kunnen worden ervaren. Naar het oordeel van het hof is daarvan in dit geval sprake. Het hof heeft kennisgenomen van de volledige inhoud van de site van de vereniging per 18 november 2011 en van diverse door bestuurders van de vereniging publiekelijk gedane uitlatingen. Dit geheel roept een eenduidig en consistent beeld op: het beeld van een hechte groep personen die de overtuiging koestert dat kinderen in beginsel gebaat zijn bij seksuele intimiteit met volwassenen. [...] De site bevat nagenoeg geen materiaal dat dit beeld corrigeert. De waarschuwing op de site dat de leden geen strafbare feiten moeten plegen, is in dit licht obligaats en onbetekenend."

Supreme Court of the Netherlands:⁴⁸

"In de feitelijke instanties van deze zaak is gebleken dat de vereniging de gevaren van seksueel contact met jonge kinderen bagatelliseert en dergelijke contacten verheerlijkt en propageert. Terecht is het hof (evenals de rechtbank) tot het oordeel gekomen dat deze werkzaamheid een daadwerkelijke en ernstige aantasting is van het wezenlijke beginsel dat de lichamelijke en seksuele integriteit van het kind dient te worden beschermd. De Hoge Raad voegt hieraan

46 https://www.norbertdejonge.nl/misc/pdf/1999-04-15_Loving_Boys.pdf

47 <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:GHARL:2013:BZ6041>

48 <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:HR:2014:948>

nog het volgende toe. Seksueel contact van volwassenen met jonge kinderen is naar de in Nederland levende maatschappelijke opvattingen een daadwerkelijke en ernstige aantasting van de lichamelijke en seksuele integriteit van het kind, waardoor het kind grote en blijvende psychische schade kan oplopen. [...] Hoewel in het algemeen grote terughoudendheid moet worden betracht bij het verbieden en ontbinden van een vereniging, dwingen de uitzonderlijk ernstige aard van de onderhavige gedragingen, de aard van de werkzaamheid van de vereniging – die erop is gericht bij haar leden en anderen die haar website bezoeken, eventuele drempels weg te nemen om seksueel contact met kinderen te hebben, en aldus dergelijk contact te bevorderen - en de daarmee strokende kennelijke bedoeling van haar leden, tot het oordeel dat het, bij afweging van alle betrokken rechten en belangen, in een democratische samenleving noodzakelijk is dat de vereniging wordt verboden en ontbonden in het belang van de bescherming van de gezondheid en van de rechten en vrijheden van kinderen."

Concept-indictment Uittenbogaard:⁴⁹

"[...] terwijl op bovengenoemde website(s) en/of mailinglist en/of twitteraccount uitlating(en) werd/werden gedaan, dan wel dat uitlatingen niet werden ontkracht en/of ontkend, welke uitlating(en) zag(en) op;

- a. het ontkennen en/of bagatelliseren van de schadelijkheid van seksueel contact tussen kinderen en volwassenen, en/of
- b. de verheerlijking van seksueel contact tussen kinderen en volwassenen, en/of
- c. het neerzetten van kinderen als lustobject/seksueel wezen, en/of
- d. het wegnemen van drempels en het steunen of voeden van de overtuiging dat seksueel contact tussen kinderen en volwassenen iets goeds is, en/of
- e. het creëren van een subcultuur/gemeenschap waarbinnen seksueel contact tussen kinderen en volwassenen normaal/acceptabel/heilzaam wordt gevonden, en/of
- f. het voor zichzelf en/of voor andere nastreven van het kunnen hebben van seksueel contact met kinderen;"

49 https://marthijn.nl/pdf/Concept_Tenlastelegging_MU.pdf