

The Impact of Kinseyan Sex Science on Law and Public Policy

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by
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My message to you today has never been heard before: America's current laws on marriage, family and sex crimes were radically liberalized, changed, reshaped, based on the fraudulent research of a clinically defined sexual deviate, Dr. Alfred Kinsey. The sordid truth is beginning to emerge from within the Kinsey Institute. James H. Jones, an advisor to the scientific board of the Institute, with access to their archives, has written a book about Kinsey the man. Jones, in an article in the September 1, 1997 the *New Yorker* magazine, Jones says that Kinsey was, and I quote:

. . . beset by secrets: he was both a homosexual and from childhood on, a masochist who, as he grew older, pursued an interest in extreme sexuality with increasing compulsiveness. His secret life was shared with a small circle of friends, his activities almost certainly did affect the objectivity and detachment of his work as a scientist; his celebrated findings, [Jones] now believes, may well have been skewed. . . From the very beginnings of his research into sexual behavior, the Americans who most persistently engaged Kinsey's attention were people who were either on the margins or beyond the pale: homosexuals, sadomasochists, voyeurs, exhibitionists, pedophiles, transsexuals, transvestites, fetishists.

My friends, since 1981 The Kinsey Institute has waged a savage war against me for saying what Jones is now freely admitting. My guess is they are telling some truth now because they believe they have won the battle for America's children. Jones' article is a vindication of my work all these years, and I am thankful to God. In The first Kinsey Report, as Jones admits Kinsey bullied the critics by shouting "Science" through 800 pages of technical jargon and cooked statistics, in an effort to hide the fact that his data were built on fraud and barbarous sex crimes.

Despite all these damaging revelations of fraud and deceit, Jones goes on to confirm what never ceases to amaze me, that is, that Kinsey remains an eminent figure in the sexology field. Kinsey's Reports provide the benchmark against which subsequent studies have been measured. They spawned the Sexual Revolution of the 60s, let loose today's flood of pornography, inspired sex ed programs and several generations of experts who have persuaded America that there are no consequences, so "if it feels good do it." Kinsey, according to Jones was a self-created visionary with a burning belief in his mission to change the world--to normalize homosexual sodomy in every heterosexual marriage bed. Today I will address how Kinsey's mission changed our country's laws and public policies and how that has changed your world and affected your family.

What Jones does not reveal to the liberal, free-thinking *New Yorker* readership - the truth still too hot to handle for even the most cultivated cosmopolitan--is that Kinsey himself was involved in collecting child abuse data--including "early-adolescent" sperm. But, how and why would the famous Professor have taken part in crimes against children? What was the purpose? Just this: To destroy our stable SOCIAL CONDITIONING and America's SOCIAL FABRIC. Kinsey provided the wrecking ball to deconstruct the American way of life, liberty and property.

I will show you today how Kinsey and his disciples have played a decisive role, since 1948, in changing public attitudes, laws and public policies, our American way of life. In politically correct terms, more like a social prophet, Kinsey's biographer, says "TOLERANCE" was the underlying message of the Reports. Kinsey bombarded America "with the theme of 'SEXUAL DIVERSITY.'" At the grass roots level, these are the simplest terms for what Kinsey did, but the story begins at the upper levels of society.

Here is the concept. The legal theory for the sexual revolution was introduced in the 1930s by French Judge, Rene Guyon. Guyon's judicial arguments were joined with Kinsey's so-called scientific data which were then put into the operative hands of legal radicals such as attorney Morris Ernst, who constructed the ground-breaking cases that supported the changes in American law. Then, the first Nationalized Penal Code was developed by men like attorney Morris Plascowe. As you listen, please be aware that the primary target for these men were the social planners, America's professional class--the doctors, lawyers, soldiers, ministers and educators who populate and lead America's institutions. Any plan to Restore Social Virtue and Purity must necessarily include them.

Now Let's Talk About The Legal Theory: Kinsey looked to Europe for guidance for himself and his colleagues from the French pedophile Judge, Rene Guyon. You may recognize Judge Guyon better in the Rene Guyon Society's slogan, "Sex by age eight or its too late." Today, the Rene Guyon Society claims "3000 correspondents in 45 states" and advocates contraceptive child-adult and child-child sex. The organization is based in California and a specific goal has been to eliminate laws that are supposedly repressive of child sexuality.

From the very limited amount of publicly revealed correspondence between Guyon and Kinsey it is clear that while Guyon's role was to craft the legal narrative for Kinsey's Reports, Kinsey's role was to craft scientific legitimacy for Guyon's judicial call for recreational sex. We know Kinsey sent early manuscripts of his book, *Sexual Behavior in the Human Male*, for use in Guyon's book *Ethics of Sexual Acts*, published in tandem in English a few months after the release of Kinsey's 1948 Male volume. Guyon's book was first published in 1934, in French, and without the benefit of Kinsey's "figures and charts."

Guyon provided the legal construct, which did not exist in American law at that time, for closing the gap between the laws and people's supposed behavior. Kinsey lied when he said his data proved 85% of average American males could be convicted as sex offenders and when he said that a chasm existed between "prescribed and actual behavior." Before Kinsey, Guyon had no way to justify putting perversion into law and public policy. A view of life and sexuality considered infantile, narcissistic, barren and death-oriented had no chance of acceptance in the Western world. Kinsey was critical to the mix.

Next, Dr. Harry Benjamin, physician, endocrinologist, international sexologist and close friend and mentor of both Kinsey and Guyon. In his Introduction to Guyon's book, Benjamin writes the following;

Many . . . sex activities, illegal and immoral, but widely practiced, are recorded by both investigators . . . Guyon, speaking as a philosopher, and Kinsey, judging merely by empirical data. . . [upset] our most cherished conventions. Unless we want to close our eyes to the truth or imprison 95% of our male population, we must completely revise our legal and moral codes. . . It probably comes as a jolt to many, even open-minded people, when they realize that chastity cannot be a virtue because it is not a natural state.

Benjamin goes on with the legal construct advocated by Guyon, saying;

Many doctors may be shocked when Guyon accuses them of "malpractice" if they recommend sexual continence for a healthy man. We do not make a virtue of starving ourselves from time to time. . . why, then, make a virtue of the curtailment of sex functions, provided that they do not interfere with the rights of others?

The relationship between Kinsey and Guyon was, biologically speaking, symbiotic. Guyon is on record as calling women "parasites" quote/unquote and together, these two constructed a legal theory regarding marriage and family laws that advocate sexual rights and freedom and sympathy for sexual predators, such as rapists and pedophiles. Their laws, like the laws of all the "anything goes" sadists before them, are a man-centered law, and the protections for women in the law are to be ignored or eliminated.

Next, lets look at the legal radicals who built the cases: Morris Ernst was an American Bar Association attorney. He was the lawyer for Dr. Kinsey, the Kinsey Institute and its progeny, SIECUS, Planned Parenthood, and its founder, Margaret Sanger. As a founder of the ACLU – you know, the Anti-Child Lawyers Union--Ernst was a very influential attorney, a legal radical, who had very close ties to Justices Jerome Frank, Louis Brandeis, William Brennan, Felix Frankfurter, and Learned Hand--all influential in eliminating those laws that protected the sanctify of life, marriage and ultimately women and children. Ernst argued and won Roth v. Goldman [172 F.2d 1788 (2d. Cir., 1949)], where the court ruled on sending obscenity through the mails, Judge Frank said:

Convincing proof of the harmful effect of obscene materials has never been assembled. It may be exceedingly difficult to obtain. Perhaps in order to be trustworthy, such proof ought to be at least as extensive and intensive as is the Kinsey Report.

Ernst's book reported that "an era of hush-and-pretend in the life of our nation may end through the Kinsey Reports . . ." In 1948, he wrote:

Virtually every page of the Kinsey Report touches on some section of the legal code....a reminder that the law, like....our social pattern, falls lamentably short of being based on a knowledge of facts.¹²

In *Scientific Monthly*, Ernst explained why the Kinsey Reports were making major inroads in changing American law. Quote,

[R]ecently law has reached for scientific tools to aid in its search for truth. . . . I now say that the Kinsey Report is the single greatest contribution of science to the rule-making part of the law in my lifetime. . . . The Kinsey report broke through a mass of taboo.

Many people in the field of law and justice are unaware that biblical law served as the prototype for American "Common Law." Ernst was at war with American law and Kinsey's crusading, Rockefeller-funded, fraudulent, data provided the foundation and the legal experts that would change our system of law. They would dismantle the protections previously afforded to women. Ernst said, quote,

These are the facts....The whole of our laws and customs in sexual matters is based on the avowed desire to protect the family, and at the base of the family is the father. His behavior is revealed by the Kinsey Report to be quite different from anything the general public had supposed possible or reasonable....

It has been rather complacently assumed by a great many Americans that sexual activity for men outside the marriage bond is as rare as it is offensive to the publicly proclaimed standards of the people strengthened by the bulk of popular literature and entertainment....and the almost savage penalties which many state laws attach to such activities [as adultery].³

Every bar association in the country should establish a Committee on the Laws of Sexual Behavior and consider its own State's legal system in this field....it would serve a good purpose to formalize the procedure.⁴

And so, they did. Kinsey's funder, the Rockefeller Foundation, took Kinsey's fraudulent data and funded the establishment of committees on sex--the creation of the American Law Institute's Model Penal Code. (By the way, Justice Ginsberg is a Board member of the ALI.) Morris Plascowe, a highly respected Magistrate, saw the power of Kinsey's sex data. As a lead author of the Model Penal Code he said of Kinsey's findings:

These pre-marital, extra-marital, homosexual and animal contacts, we are told, are eventually indulged in by 95 per cent of the population in violation of statutory prohibitions. If these conclusions are correct, then it is obvious that our sex crime legislation is *completely out of touch with the realities of individual living*. . . . the law attempts to forbid an activity which responds to a wide human need.⁵

In 1955 Plascowe criticized a growing public demand, spanning more than a decade, for tighter "sexual psychopath" laws that law-makers were adopting nationwide to stem the escalating rates of rape, child sexual abuse, public sexual exhibition and the like. Plascowe, relying on Kinsey, spoke against the trend to toughen the sex crime laws, and I quote:

When a total clean-up of sex offenders is demanded, it is, in effect, a proposal to put 95 percent of the male population in jail Of the total male population, 85 per cent has had pre-marital intercourse.

Plascowe continued with a most frightening concept that was pure Kinsey and Guyon:

One of the conclusions of the Kinsey report [he said, quote,] is that the sex offender is not a monster... but an individual who is not very different from others in his social group, and that his behavior is similar to theirs. The only difference is that others in the offender's social group have not been apprehended. This recognition that there is nothing very shocking or abnormal in the sex offender's behavior should lead to other changes in sex legislation.... PENALTIES SHOULD BE LIGHTENED. In the first place, it should lead to a downward revision of the penalties presently imposed on sex offenders.

Never, until now, has there been a careful analysis of the groups of men Kinsey claimed were in his male sample. Allan Wallis, former President of the American Statistical Association, reviewed my reanalysis of the male sample for my forthcoming book, *Kinsey: Crime and Consequence*. Wallis stated I was "in the right

¹ Deutsch, Ibid: 132

² Ernst: 125.

³ Morris Ernst and David Loth, *American Sexual Behavior and The Kinsey Report*, New York: Greystone Press, 1948 (:83, 81).

⁴ Ernst, Ibid: 138-9.

⁵ Morris Plascowe, "Sexual Patterns and the Law," in *Sex Habits of American Men* (Albert Deutsch, editor) 1948.

ballpark" when I concluded that about 86% of Kinsey males were pre-selected sex deviants and/or predators; prisoners, pedophiles, pimps, rapists, exhibitionists and the like. So, Kinsey's claim that 85%-95% of his male sample were sex offenders may indeed have been true. Plascowe, like Ernst, completely embodied the Kinseyan view of sexuality. During the 40s and 50s, they moved in concert with other like-minded jurists--financed by Rockefeller--to develop the new penal code for America.⁶⁷

The Model Penal Code was disseminated to state legislatures across the country, and many states adopted it, fully or in part. It has led to massive penology change by citing the sex science authority of Dr. Alfred C. Kinsey, the most often-cited sexologist in American law from the 1940s to today. The Code has helped eliminate and/or trivialize prior sex offenses, eventually aiding the reduction of original penalties for: murder, rape, statutory rape, wife and child battery, desertion, seduction, adultery, prostitution, contributing to the delinquency of a minor, soliciting for masturbation, sodomy, public sexual exhibition, "unfit" parentage, alienation of affection, obscenity, as well as infanticide, abortion, premeditated transmission of AIDS and VD, et cetera.

As the penal code was changed, new, lighter sentencing guidelines had to be developed. For example, prior to Kinsey, rape was a capital offense. Death was mandatory in three states and 18 states provided for life in prison. But with Kinsey's data, the "evidence" showed that more than 50% of women had pre-marital sex, rape was no longer an unthinkable crime against women. However, Kinsey did not report that he had redefined "married" women to be anyone who lived over a year with a man, which would include large numbers of prostitutes and other troubled women.

At the University of Pennsylvania, Wolfgang and Figlio developed the Department of Justice's National Survey of Crime Severity sentencing guide in 1977, revised in 1985. It was distributed to the nation's judges, prosecuting attorneys and criminologists to guide them on the new lighter sentences for sex crimes. Today both government and private studies confirm the accusations of feminists and others against the justice system. These studies show that sex crimes are significantly underprosecuted and, if prosecuted, lightly penalized. Kinsey's biographer concludes his article in *The New Yorker*, by saying that Kinsey died believing that his crusade to promote more enlightened sexual attitudes had not succeeded. Yet in 1957, a year after his death, the Supreme Court's Roth decision, a case handled by Ernst, narrowed the legal definition of obscenity. In 1961, Illinois became the first state to repeal its sodomy statute. In 1973, the American Psychiatric Association removed homosexuality from its list of psychopathologies. In 1995, the American Psychiatric Association removed pedophilia from its list of disorders.

Kinsey had prevailed. If judges what to understand the loss of public confidence in the judicial process, they should look at Kinsey's data and its impact on law and public policy. With massive increases in divorce, wife battery, sexual harassment on the job, with a 1,800% increase in unwed mothers from 1960 to 1987⁸, and with rape escalating in brutality and frequency among younger and younger boys and among all men, including our educated, male elite.⁹ Indeed, some say that judicial disregard for the current madness has necessitated the action you I are taking today to protect our nation's women and children.

Rape crisis centers print out that the sentencing data available from the Department of Justice reveal that only a small percentage of American criminals is actually caught and brought to trial -- with only half of the convicted criminals receiving prison sentences. Those that do receive "time," serve only about half of their sentence before the system paroles them. Roughly half of these parolees are caught committing new crimes while freed. Authorities who send sadistic rapists and murderers back among us to rape, brutalize, molest and murder more victims, represent a system adrift in a moral abyss, bent on self and national destruction.

⁶ This is *ALI-ABA*, October 18, 1995 Brochure, p. 1.

⁷ This is *the American Law Institute*, Rev. July 1995., p. 1

⁸ *Psychiatric, Mental Health News Update*. Vol. 10, No. 4, July-August, 1989, p. 4.

⁹ See the National Center for the Presentation and Control of Rape, survey of more than 7,000 students at 35 schools. Among the most alarming results of this study: 52% of all women surveyed experienced some form of sexual victimization; 1 in 8 women were victims of rape, according to legal definition; more than 1/3 of the women did not discuss the experience with anyone; more than 90% did not tell the police; 47% of the rapes were by first or casual dates or romantic acquaintances; one in every 12 men admitted to having fulfilled the prevailing definition of rape or attempted rape, yet virtually none of those men identified themselves as rapists. (p.13) This material is taken from a booklet given to every freshman girl entering Maryland's Goucher College along with information on vulnerable areas" to strike for in the event of rape, preventative measures, what to do following, and the like.

So what is the answer? Restoration, Marketers, like Eunice Ray, have known for a long time that a mere *two and a half percent* of the “movers and shakers” in a society can alter or control “We the people,” and thus an entire nation. These leaders or “change agents” first adopt a new value or idea. Then they influence another thirteen to seventeen percent of the population. These people, in turn, sway the *rest* of the population, whom social scientists call the “adapters.” Yes, it took just two and a half percent to overturn our laws and attitudes-- to take our country from chastity to condoms in 50 years. And they’ve done their work well.

And it will take just two and a half percent to get the cold, dead hands of Dr. Kinsey off our country’s laws and to Restore Social Virtue and Purity to America. I am proud to work along side you, Concerned Women For America. Thank you for listening. God love you!