The Right to Privacy and the Right to Disassociate

(A short discussion by "Anonymous", First Released 06.June.2021)

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Challenge Question - - In general, do you still have the right to disassociate from undesirables in your private life? I believe that you do, but if you are a public figure, or if you can be set up and abused by the media, then privacy and freedom of choice have come at a cost.

The very existence of private schools, private clubs, and private communities is all about the desire to disassociate.

The current wave of disgust expressed by many non-blacks against blacks is based on real world experiences, and that's not going to change. When you add in hypocrisy and forced government mandates, it doesn't get any better. The same government, which would prevent a landlord from making the logical choice (e.g., rent to Asians instead of negroes) also allows pro-black and anti-white segregation.

Every major college has a "Black Student Union", but no college is allowed to have a "White Student Union". Congress has the "Black Congressional Caucus", and the media does not expose that as pro-black racism. I will gladly create the Super-PAC that supports the first Asian or Hispanic or White Congressman who invites other non-black congressmen to join his "Non-Black Congressional Caucus".

In years past, pro-white racism made sense, because it simply followed the natural order of things. Pro-black racism is so upside-down, it amounts to cultural suicide, and the pushback from non-blacks is everywhere and growing.

As some of you may recognize from my writing style, I write for a few "racialist" forums. I am amazed at just how much the public trending has changed in the last 50-years. During the Obama presidency, I saw only relatively small increases in membership and activity in the true white power (pro-Arian) websites. The real increase was in website activity and membership for forums which were simply "anti-black".

It astounds me sometimes to read the posts on *niggermania*, *chimpout* and *chimpmania*, and realize that this ain't just blue-eyed Southern boy Gentiles... It's men, women, Caucasians, Hispanics, Jews, and Asians, all coming together to express their distaste for negroes.

The "race problem" will never go away, simply because it's unnatural to force the more developed and better assimilated races to co-exist with negroes, and that's the real truth.

However, if we contrast our God-given rights with our Constitutionally-guaranteed rights, then we must recognize that the phrase "freedom of association" does not appear in the Constitution (although the First Amendment protects the right to peaceably assemble).

Nonetheless, the Court has recognized two separate types of association that are constitutionally protected: (1) intimate association (protected as an aspect of the right of privacy) and (2) expressive association (protected as an aspect of the First Amendment's protection of free speech).

Freedom of association Supreme Court cases are interesting in that they bring into conflict two competing views of the world: Rights-oriented liberalism that holds that a person's identity comes from individual choices (and that government ought to create a framework of laws that remove barriers to choice) and communitarianism, that holds that a person's identity comes from the communities of which an individual is a part (and that communities are an important buffer between the government and the individual).

The landmark case on the "*right of an association to establish and apply its own membership rules*" (and therefore enforce the right to disassociate) is the 1984 case of *Roberts v. United States Jaycees*.

In *Roberts*, the Court recognized that the power to determine its own membership is central to the free speech rights of expressive organizations. (Imagine how the speech of the Jewish Anti-Defamation League might be affected if it could be forced to admit as members anti-Semites.)

Nonetheless, the Court in *Roberts* upheld a Minnesota public accommodations law requiring the Jaycees to admit women as members, in contravention of that organization's rules. Justice Brennan, for the Court, found that Minnesota had a compelling interest in providing the women of Minnesota the economic benefits that came with membership in the Jaycees.

Justice O'Connor, in a concurring opinion, found that the Jaycees were a commercial organization and therefore subject to state regulation of its

membership. On the other hand, according to O'Connor, a predominately expressive association has an absolute right to determine its own membership.

In subsequent cases in 1987 (*Rotary International v Rotary Club of Duarte, 481 US 537*) and 1988 (*N. Y. State Club Ass'n v New York, 487 US 1*), the Court concluded that state laws prohibiting sex discrimination could be applied to each of those private associations.

In January 2000, the Supreme Court decided a closely-watched case involving New Jersey's decision that the Boy Scouts of America are a public accommodation that can be compelled to admit homosexuals.

A 5-4 majority of the Court found unconstitutional New Jersey's decision prohibiting the Boy Scouts from terminating the membership of a gay scoutmaster. The Court held that the First Amendment protected the Boy Scouts, as an expressive organization promoting the view that homosexuality is an unacceptable lifestyle, and therefore they may exclude scouting leaders on that basis. The four dissenters questioned whether views with respect to homosexuality were at all central to the Scouts' expressive purposes.

So, SCOTUS is sometimes on our side, and sometimes not, but regardless, I believe that we have the God-given right to disassociate from undesirables in our private lives.