



Written by [Selwyn Duke](#) on April 14, 2026

## SCOTUS' Chiles Decision Strikes a Blow Against Homo/"Trans" Lobby — and for Freedom

The Supreme Court just struck a blow against a very perverse double standard, one common in many states. That standard is this:

You can prescribe puberty blockers and cross-sex hormones for a child and scar him for life. This is in service to the delusion that the youth is stuck in the "wrong" sex's body.

But if that very same kid approaches a therapist hoping the professional can talk with him and find the roots of that delusion and eliminate it, the therapist can be punished for complying. (Note: Also forbidden is talk therapy geared toward eliminating feelings of same-sex attraction; i.e., homosexuality.) This all may change, however, with the recent *Chiles v. Salazar* Supreme Court ruling.



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CBS News reported on the story, [writing](#) that on March 31 the Court

ruled in favor of a Colorado counselor who challenged a state law that bans "conversion therapy" for minors, ruling that lower courts failed to apply "sufficiently rigorous First Amendment scrutiny" in the case.

The high court ruled 8-1 that Colorado's law, when applied to talk therapy provided by counselor Kaley Chiles, regulates speech based on viewpoint. Justice Ketanji Brown Jackson was the lone dissenter.

...The ruling reverses a decision from the U.S. Court of Appeals for the 10th Circuit that found the law did not violate Chiles' free-speech rights.

...The decision from the high court is a narrow one and does not overturn Colorado's law outright. It requires the lower courts to apply the most stringent level of scrutiny when evaluating its constitutionality, one that sets a high bar for the state to meet.

In other words, Colorado will find it difficult to ban mere "talk therapy."

### Far-reaching Implications?

But *Chiles v. Salazar* may do more than that, asserts Arthur Schaper, a representative of pro-family organization Mass Resistance. In fact, he claims it lays the groundwork for the reversal of *Obergefell v. Hodges* (2015). This was the SCOTUS opinion stating that same-sex "marriages" must be recognized by all 50 states.



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As Schaper [explains](#), his organization

has long declared that the LGBT revolution rests on the lies that homosexuality is immutable like race, healthy like traditional marriage, and deserving of promotion in schools and society.

And that false argument was the cornerstone of the United States Supreme Court's disastrous same-sex "marriage" decision. Thus, Justice [Anthony] Kennedy wrote in *Obergefell*:

Far from seeking to devalue marriage, the petitioners seek it for themselves because of their respect and need for its privileges and responsibilities. And their immutable nature dictates that same-sex marriage is their only real path to this profound commitment.

And then

Only in more recent years have psychiatrists and others recognized that sexual orientation is both a normal expression of human sexuality and immutable....

In reality, there was much wrong with Kennedy's opinion. It was emotion-based and amounted to good-idea-ism. This is the notion that because something is allegedly beneficial for society, the courts should enable it. But this is the job of an activist or legislator (acting within constitutional bounds), not a judge.

As [I've often pointed out](#), too, the same-sex "marriage" issue is not a matter of rights, but of *definitions*. Short version:

How can you decide if there's a right to a thing [before determining what that thing is](#)?

What is marriage if not the union between a man and woman?

This said, both Schaper (apparently) and the sexual devolutionaries opposing him make the same fatal mistake.

## What's "Natural" Can Kill You

Now, Schaper explains why he believes *Chiles* can facilitate *Obergefell's* demise. He writes that it's because

therapists can now fight the lie that people are "born that way," which was one of the fundamental tenets in Justice Kennedy's majority opinion in *Obergefell*.

Yes, it was fundamental to the opinion — and it's fundamentally wrong.

The science on this is indeterminate. Most human behaviors are a function of both nature and nurture, genes and environment. The scientific "consensus" appears to be, too, that homosexuality is no exception. But here's the point:

*It doesn't matter at all* — it's irrelevant to the question of morality.

To introduce this, consider the 1956 film *The Bad Seed*. It portrays eight-year-old Rhoda, a girl who



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unflinchingly commits wicked acts, including murder. Rhoda is not abused, she hasn't been traumatized by environmental factors, she doesn't have a psychological "condition." Rather, the message is clear:

Rhoda was born pure evil.

Now, back when people still believed bad seeds existed, they didn't fall victim to the aforementioned fatal mistake: the "naturalistic fallacy." This is the idea that if a feeling results from inborn factors, the behavior correlating with it is morally licit. *Ergo*, if homosexual feelings are inborn, homosexual behavior is okay.

By this logic, it would be fine for a real-life Rhoda to kill. That's how she was made, after all. There could *possibly* be, too, a real-life Rhoda. For scientists do believe there are genetic factors in psychopathy.

Whether the phenomenon is confined to fiction or not, however, the lesson is the same: Genetics doesn't determine morality. (And, in fact, the naturalistic fallacy supplants morality. You don't need to ponder right and wrong, only what's learned or innate. And if the latter, "*Voila!*" — the behavior passes "moral" muster.)

### **That Way Lies Madness**

Of course, I don't want to sell Schaper short. He may understand the naturalistic fallacy, but also realize that the "inborn" argument's rhetorical effectiveness means it sways many people and must be addressed. Yet it's always dangerous hanging your hat on flawed arguments.

What if, for argument's sake, we learned that homosexuality sometimes *was* inborn? Moreover, what about other sinful/negative behaviors that might one day be found to be genetically determined? (Note that there supposedly are genetic factors in alcoholism.) We will be hamstrung by a flawed naturalistic-fallacy argument that *we ourselves helped perpetuate and mainstream*.

Schaper mentions "biblical truth." But as late evangelist Pat Robertson put it, "The Bible is not a science textbook." It is, however, closer to a morality textbook. It *may* not reveal what behavior is inborn; it does reveal what behavior is iniquitous. That is the very purpose of morality: To inform on what actions are good or evil — whether the inclination toward them is learned or innate.

As congenital heart defects and other naturally occurring conditions evidence, it's not just that what's objectively bad can be inborn. It can also *kill* you. Thus do we correct innate flaws when possible.

The moral: Our defects aren't limited to what's inborn or learned — and neither can our moral prohibitions or remedial prescriptions be.



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