

## CHAPTER THIRTEEN

# The Gospel of Hate

*'Hate crimes' laws are a key part of a long-term strategy by homosexual activists to use 'sexual orientation'-based policies and laws to suppress dissent, radically redefine marriage, and, ultimately, to criminalize biblical morality.*

—ROBERT H. KNIGHT, DIRECTOR OF  
THE CULTURE AND FAMILY INSTITUTE

*If hate crimes laws are passed, we're going to see the wholesale erosion of our freedoms as has never been seen in the history of this nation.*

—JANET PARSHALL, FROM THE TV SERIES *SPEECHLESS*

**W**hen two employees of the city of Oakland, California, posted a flyer asking if any of their colleagues were interested in joining an informal group centered around the natural family, marriage, and family values, they never expected to be accused of hate speech.

Here is the text of the flyer in its entirety:

### *Preserve Our Workplace With Integrity*

Good News Employee Association is a forum for people of faith to express their views on the contemporary issues of the day. With respect for the natural family, marriage, and family values.

If you would like to be a part of preserving integrity in the workplace, call Regina Rederford or Robin Christy.

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Rederford and Christy are both Christians. They created the Good News Employee Association “in response to Bible bashing by ranking city officials and to the free rein given to radical left-wing groups over the city’s e-mail and bulletin board systems.” They were sick of the manner in which their office’s Gay-Straight Employee Alliance was allowed to attack the Bible through widespread e-mails on the city’s system. The alliance often derided Christian values as “antiquated” and referred to Christians as “hateful.”

The day the Good News Employee Association flyer was posted, Joyce Hicks, the city’s deputy director of the Community and Economic Development Agency, had it taken down. Shortly after, Hicks wrote a memo announcing a new antidiscrimination policy. In that memo, Hicks noted that some employees had been guilty of “inappropriately posting materials.”

“Specifically,” she wrote, “flyers were placed in public view that contained statements of a homophobic nature and were determined to promote sexual orientation-based harassment.” Hicks warned that employees who posted such material could be fired.

Rederford and Christy sued Hicks and Oakland city manager Robert C. Bobb. The lawsuit argued that the policy of antidiscrimination as practiced was unconstitutional. As Scott Lively, Esq., of the Pro-Family Law Center argues, the announcement that Rederford and Christy had posted was “a completely affirmative and positive statement about a Christian value system centered on the natural family. For the city of Oakland to have interpreted that to mean an attack on homosexuality was really taking liberties.”

U.S. District Court Judge Vaughn R. Walker ruled that Oakland had a right to prevent the Good News Employee Association from posting the flyer. The judge found that the city of Oakland’s “legitimate administrative interests” outweighed the

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plaintiffs' rights to free speech. How can the terms "natural family," "marriage," and "family values" be considered disruptive to the efficient operation of the workplace? Because one lesbian employee objected to those words and labeled them "hate speech."

In his appeal on behalf of Rederford and Christy, Richard D. Ackerman of the Pro-Family Law Center argued that if Judge Walker's ruling were taken to its logical extreme, employees could be prohibited from announcing the birth of a child, or even from mentioning the fact that they were married, for fear of offending a co-worker. This argument is not far-fetched. As we have seen before, diversity counselors are already telling corporate America to avoid using words like "husband" and "wife." And some employees have been told that they can't have family photos in their workspaces for fear of offending their homosexual colleagues.

As bad as that sounds, however, there is something even more insidious in this case. Note that Deputy Director Hicks, the city of Oakland official who ordered the Good News announcement to be taken down, asserted that the poster had been "determined to promote sexual orientation-based harassment." Sexual harassment is against the law. It is usually dealt with as a civil matter, but it can also rise to the level of a crime. In effect, the new policy asserted that the group's announcement was promoting an illegal activity, possibly of a criminal nature.

This is a very serious matter. Laws equating the expression of Christian principles with promoting an illegal act put a terrible weapon in the hands of secularists who want to silence Christians. That's why we at the AFA have been working very hard to fight so-called "hate crimes" legislation. Hate crimes legislation can be made to sound like a good idea. But just as with antidiscrimination laws, hate crimes laws that include sexual orientation

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or gender identity will give liberal activists, judges, and prosecutors another tool to drive us from the public square.

Hate crimes laws increase penalties to include a criminal sentence when the defendant is convicted of having a “hateful intent” toward the victim based on the victim’s membership in a protected group. First passed to protect African Americans and other minorities against racial violence, these laws are now being expanded to include sexual orientation as an identifying characteristic. That means adopting into law the principle that crimes committed against homosexuals should be punished more severely than crimes committed against other people, say, heterosexual Christians.

*The Rhetoric of Motive*

The usual argument for these laws is that they are necessary to stop gay bashing, a supposed epidemic of violence against homosexuals. If it were true that there was an epidemic of such violence, and if it were true that hate crimes laws would reduce such attacks, and if that were the primary effect and goal of hate crimes laws, then such laws might be justified. (Even then, if harsher punishments deter violent crimes, then why shouldn’t we have harsher punishments for all assaults, regardless of the victim’s sexual orientation?)

The problem is that there is little or no evidence for any of these assertions, especially the last one. Let me explain. In chapter seven (“The New Persecutors”) we told the story of the “Philadelphia 11,” the Christians who were arrested and jailed overnight for singing and preaching in a Philadelphia public park at a homosexual street festival. Five of them, including a seventeen-year-old girl, were bound over and charged with five felonies and three misdemeanors, meaning the defendants faced possible forty-seven-year prison sentences.

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I think anyone would agree that felony charges, and a possible punishment of forty-seven years in prison is rather extreme, even if the Philadelphia 11 were guilty of *something*. I was not there, but suppose they were guilty of, oh, trespassing, or disturbing the peace. There is a long tradition of protest and civil disobedience in this country. It is not uncommon for protestors to violate the law in minor ways and to be appropriately punished if they do. But no one was hurt, no damage to property occurred, and when the police told the Philadelphia 11 to leave the event and head over to the place where they were to be arrested, they did so. And why the extraordinary aggression on the part of prosecutors?

Simple. Pennsylvania at the time had a hate crimes law on the books. (It has since been rescinded.) That law made a crime more serious if the motive was hostility toward people because of their sexual orientation. Both the letter and the spirit of the law made the Philadelphia 11 “more guilty” because they were Christians protesting against sodomy. Meanwhile, as we pointed out, homosexual protestors behaving in truly vile and even sacrilegious ways, not outside on public property but inside churches and private meeting places, are often not punished at all.

See what I mean about these laws being a new tool for the homosecularists? With hate crimes laws in their toolbox, their campaign to make Christian speech illegal becomes much easier. Of course, the secular liberals claim that they do not mean to do any such thing since hate crimes laws, in their view, aren’t directed against speech. (In a way that’s true, they’re directed against thought!) But that’s what homosecularists always claim—before they obtain whatever new power they want to use against us.

The most dangerous threat to Christians is a federal hate crimes law. There have been several attempts to get hate crimes laws passed through Congress. And though the wording differs, most such proposals would give the federal government the

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power to intervene in almost any criminal case normally prosecuted by a state if the U.S. Justice Department decided that the outcome (guilty or innocent) or the sentence was not sufficient to discourage crimes of bias or of bigotry. Normally, the federal government does not get involved in local crimes, like mugging or burglary or car theft or trespassing. The federal criminal code is almost all about white-collar crime, with some exceptions like kidnapping or certain bank robberies. But under a federal hate crimes law, the U.S. attorney general could decide to prosecute any such crimes if he decided that the defendants were motivated by either bias or bigotry.

The state's charges against the Philadelphia 11 were dropped after several months. Under a federal hate crimes statute, the federal government could have stepped in and charged them again. All the resources of the FBI and the U.S. Justice Department could have been brought to bear against those eleven Christians, including one seventeen-year-old girl.

OK, let's say that happens. The full investigative powers of the federal government have been unleashed. What will they look for? What will count as evidence?

Remember, under hate crimes laws it is not the crime, but the motive that matters. Now you might think, well, the police often look for motive. That's true in the sense that motive can help establish that someone suspected of a crime had a reason to commit it, giving the jury better reason to believe that the suspect is guilty. But that's not how motive is meant here. In the case of hate crimes law, the motive *is* the crime.

Let's say there is a special law against "greed crimes" that punishes criminals especially harshly for crimes motivated by greed. And let's say the police catch a bank robber red-handed, so there won't be any need to look for a motive as evidence in the usual sense. Under a greed-crime law, even though the police already

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know that the bank robber is guilty of bank robbery, they will begin looking for evidence that the suspect robbed the bank because he is greedy. They will proceed to interview people who know the robber, read his personal papers and diary, even look at the types of books and magazines he reads. If they find evidence proving that the robber is indeed a greedy person, he will then be guilty of a “greed crime” and will therefore be more harshly punished. The motive *is* the crime.

So to repeat, what would the FBI look for if it were to investigate the Philadelphia 11 under hate crimes laws? Simple. The agency would look at what the defendants read, whom they listen to or associate with—as in where they attend church—and what they talk about with their friends and neighbors. In other words, the FBI would look for evidence of how the defendants think. And mark my words, evidence that the Philadelphia 11 had the same beliefs that Christians who read the Bible and who support traditional Christian teachings about sex and marriage would surely be used as evidence that the “11” were also full of hatred for homosexuals.

After all, isn’t that what the city of Oakland ruled when it forbade the Good News Employee Association from posting a flyer that never mentioned homosexuals but simply affirmed traditional family values? According to the city, that simple flyer was “determined to promote sexual orientation-based harassment.” If affirming Christian values is harassment or hate speech, any evidence that someone holds such values can be used to prove someone guilty of a hate crime.

In 2005, a hate crimes bill passed the U.S. House of Representatives but failed in the Senate. That bill would have authorized federal intervention into any alleged crime under two conditions. The first condition was that the crime would have to be one that “interferes with commercial or other economic activity in

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which the victim is engaged at the time of the conduct” or “otherwise affects interstate or foreign commerce.”

Translation: just about any crime at all would meet the first condition.

The second condition was “[t]he verdict or sentence obtained pursuant to state charges left demonstratively un-vindicated the federal interest in eradicating bias-motivated violence.”

In other words, whenever a local jury or judge didn’t hand out a conviction or a sentence that U.S. prosecutors thought would help discourage violence against a protected group, they could bring federal charges. That’s just an invitation for homosexual advocates to pressure the federal government to help suppress their enemies. As Jan LaRue, chief counsel for Concerned Women for America commented at the time, “One can hardly imagine a more vague or broad invitation for federal prosecutors than ‘un-vindicated’ and ‘federal interest.’” The law would give “the U.S. attorney general the discretion to enter any case he or she wants and will politicize criminal prosecution. Special interests will lobby to have their cases treated more seriously than other crime victims’ and local authorities will be hapless to object.”

In 2007, liberals in Congress tried, again unsuccessfully, to push through a hate crimes law. The bill was sponsored by Sen. Edward M. Kennedy who has called discrimination against homosexuality “an insidious aspect of American life.” And he wants to make it into a crime.

For a long time, the ACLU opposed hate crimes legislation on the grounds that it would punish a belief, not an act. In 2007, the ACLU finally surrendered and endorsed Kennedy’s bill, claiming that it would punish the act of discrimination, not the thought that motivated it. The only way to prove discrimination, however, would be to establish motive by examining expression or association.

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The law in general and criminal law in particular is properly concerned with actions. When the law attempts to first identify and then punish certain thoughts, feelings, and beliefs, the law becomes a force for tyranny.

Under hate crimes laws, our personal expressions, the books we read, and the friends we have would all become potential evidence against us. The search for such evidence would allow law enforcement to investigate and to interpret forms of expression and association that had previously enjoyed protection under the First Amendment. Even if there is no prosecution, such investigations can have a “chilling effect” on free speech. The government does not have to jail or fine citizens to intimidate them from speaking their minds. Under state hate crimes laws and “human rights commissions,” it’s already happening.

Traverse City, Michigan, placed pro-homosexual rainbow stickers with the slogan “We are Traverse City” on all municipal vehicles. While the campaign was meant to counteract hate crimes, it only exacerbated tensions between traditional-minded citizens and the homosexual community. When David Leach, a thirty-year veteran of the Traverse City Police Department, organized local opposition to the stickers and made public comments against them, the city’s human rights commission launched an investigation against him.

After the tragic murder of a young homosexual man, Matthew Shepard, homosexual activists publicly blamed Christian leaders like Dr. James Dobson for his death. This blurring of causality is the result of a moral confusion. First, the distinction between criticism and incitement to hatred is erased. Then, actual physical harm is inferred. As a result, any criticism is taken as a threat, and each threat is seen as violent.

In order to silence criticism of their own behavior, homosexual activists seek to make criticism against them a crime. Sometimes

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their rhetoric is more hateful than that which they seek to suppress. But Christians are supposed to be accepting because homosexuals' legal and social statuses as victims justify their hatred.

The leaders of America's anti-gay industry are directly responsible for the continuing surge in hate violence against lesbian, gay, bisexual, and transgender people. . . . [C]hurch pews have been awash in ugly, anti-gay rhetoric, and fear-mongering.

Matt Foreman, executive director,  
National Gay and Lesbian Task Force

Federal hate crimes proposals typically include monetary bonuses to local and state governments for prosecuting such crimes. Paying police departments and prosecutors to focus on certain crimes over others has huge potential for abuse. There is no persuasive evidence that crimes against homosexuals do not receive the same amount of attention and resources as other crimes. Any honest look at crime statistics would find that assaults by young African Americans against other young African Americans have the lowest clearance and conviction rates. If any group of crime victims has a claim to not receiving enough attention from the criminal justice officials, it is young African American men. Homosexuals take advantage of their elite status and support in the media to divert resources from America's real crime problem.

Federal hate crimes legislation would make homosexual activists' claims of an epidemic of gay bashing into a self-fulfilling prophecy. Whenever the federal government pays state and local governments to focus on a particular problem, that problem suddenly seems to become more prevalent. Statistics "follow the money." When the federal government began paying school

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systems huge bonuses for educating students with learning disabilities, schools began labeling kids “learning disabled” by the boatful. The same thing would happen with hate crimes.

One federal bill in consideration would establish federal grants of up to \$100,000 for state and local officials both to investigate and prosecute hate crimes. This would create a powerful incentive for local law enforcement to find hate crimes, to categorize ordinary crimes as hate crimes, and to focus on these types of infractions rather than on others. When California enacted a similar law, hate crimes went up from a total of 75 to 2,052 in just four years.

Did Californians become that much more violent against homosexuals in such a short time? Of course not. The “surge” in hate crimes claimed by homosexual activists is clearly driven by programs that pay, or pressure, local governments to declare ordinary crimes hate crimes.

But what about all those high profile, headline-making incidents of gay bashing that we hear about? Well, they do happen. But, and I hesitate to say this because I don’t want to give anyone an excuse to downplay real crimes against homosexuals or anyone else, it turns out that a shocking number of these headline cases are actually frauds. Concerned Women for America has compiled a partial list:

- At the University of Georgia, a homosexual resident-assistant reported that he had been victimized in nine hate crimes, including three supposed incidents of arson. When police questioned him, he admitted to committing the acts himself.
- A homosexual student at the College of New Jersey allegedly received death threats as did the homosexual student group in which he had served as treasurer. A large student rally was held, complete with faculty support, pro-gay T-shirts, and

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buttons. Pink arm badges were handed out in “solidarity.” Later the student admitted to police that he had sent the threats himself.

- A lesbian student at St. Cloud State University in Minnesota slashed her own face and falsely claimed that two men shouted anti-gay remarks at her and assaulted her. Students raised almost \$12,000 as a reward for any information about her attackers.
- At Eastern New Mexico University, a lesbian student claimed that she had been attacked after her name was posted on an anti-gay “hit list” at a local laundromat. Police arrested her after a surveillance camera showed her posting the list.
- A lesbian in South Carolina was charged with giving false information to a police officer claiming that she had been beaten. Police said that she had hired a man to beat her so that she could report it as a hate crime.
- In Manchester, England, a homosexual minister faked a story about being raped. The staged attack prompted an intensive police investigation.
- In Mill Valley, California, a seventeen-year-old female wrestler at a local high school claimed that anti-gay epithets had been written on her car and on her school locker, and she had been pelted with eggs. The teenager, who was the leader of her school’s gay-straight alliance, later admitted to authorities that she had perpetrated all of the incidents.

Advocates of hate crimes legislation like to focus on dramatic cases of violent crime. That’s not surprising. As I say, if the point of hate crimes legislation really were to prevent murder and serious assault, I might be tempted to jump on the bandwagon.

What the hate crimes advocates don’t tell you is that even under current law, many, perhaps even most, hate crimes don’t

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involve violence. They involve speech. As Robert H. Knight, director of the Culture and Family Institute, pointed out during the 2005 debate on same-sex marriage held at Kent State University between himself and Elizabeth Birch, former executive director of the Human Rights Campaign, “More than half of the so-called ‘hate crimes’ in the last U.S. Justice Department report were categorized as ‘intimidation’ or ‘simple assault,’ which do not necessarily involve anything more than words. In terms of the proposed national hate crimes bill, this makes name-calling literally a federal case.”

If groups like the ACLU would simply let the gears of justice turn without their political sabotage, then our society would have less crime, and people would feel more confident about the system.

Instead, we’re heading down a road where our thoughts, motivations, and deeply held convictions may be turned against us. Under hate crimes statutes, Bibles, scriptural quotations, even book covers, and T-shirts that express religious beliefs have been labeled “hate speech.” This means that an inspirational poster you have in your workspace or even a bumper sticker on your car can become a crime. Not only carrying a Bible into a public place but also printing and selling Bibles can be regarded as hate crimes.

### *The Web of Hate*

The real threat of hate crimes laws can be understood only as part of an overall strategy, a “toolbox” as I call it, to silence Christians. A good carpenter or plumber does not carry just one tool; he has an entire toolbox. Some tools work in some situations and not in others. Some work together. Antidiscrimination laws create a legal and social environment conducive to the passage of hate crimes legislation because antidiscrimination laws

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effectively make criticism of the homosexual lifestyle an act of bigotry and thus illegal. Antibullying, diversity, and sex-education curricula prepare future generations to accept homosexuality as normal and to question their parents' moral authority. The Fairness Doctrine, or similar controls over broadcasting content, would restrict the debate over these important issues. And the threat to the tax-exempt status of religious organizations silences potential opponents.

Hate crimes legislation is another tool for homosecularists to use where others have failed. Rev. Rob Schenck, a pro-life minister, was sitting in the courtroom during the U.S. Supreme Court arguments in the *Dale v. Boy Scouts of America* case. Seated next to Schenck was the Clinton White House liaison for gay and lesbian issues. The official must have thought that Schenck was a fellow liberal because she whispered to him, "We're not going to win this case, but that's OK. Once we get 'hate crimes' laws on the books, we're going to go after the Scouts and all the other bigots."

As Christians, we understand that the First Amendment protects speech that we find offensive and even blasphemous. We accept that. After all, it was because Christians, and Christian pastors especially, demanded constitutional protection for freedom of religion that we have a First Amendment in the first place. But having insisted on inserting the First Amendment in the Constitution to protect all Americans, we certainly insist on its protections for ourselves. The government does not have the right to bind our consciences or prohibit us from expressing our beliefs. The government has no right to decide nor even influence the doctrine of any church or of any citizen.

Christians do not seek official victim status. Acts of persecution against Christians can be remedied under existing laws. There are already laws against vandalism, assault, and harassment.

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At the same time, we must be realistic about the threat we face. Hate crimes laws have very little to do with hate or with crime. The primary goal of these laws is to silence Christians who object morally to sodomy and who object politically to the attempt of the secularist elite to dominate our culture and to subject our children to their own beliefs and to their own desires. We have no intention to be silenced.