

Are Christian Beliefs About Homosexuality "Hate Crimes"? by Kristin Johnson

This May, I was invited by Exodus International to go to Washington D.C. and lobby Congress and Senate against impending Hate Crimes Legislation. You may be asking, "What is Hate Crimes Legislation?"

Called the Local Law Enforcement Hate Crimes Prevention Act of 2007 (HR 1592), this Federal bill would prosecute "crimes of violence...motivated by prejudice based on the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of the victim..." (HR 1592 Section 4 [C]) On first glance, this seems totally acceptable. Who would not agree that everyone, including homosexuality-identified people, should be protected from violence?

In addition, the bill claims to prosecute crimes of violence motivated by prejudice based on the "religion" of the victim. Therefore, religious people will be protected against violence perpetrated against them due to prejudice. But will this law protect religious people who do not advocate homosexuality based on religious conviction? Is a Christian who says that homosexuality is a sin committing a hate crime? Consider the following international and national cases:

In British Columbia, a Catholic city counselor has been ordered to pay a homosexual couple \$1,000 for publicly saying that their lifestyle is "not normal and not natural." The state interpreted his religious beliefs as "hate speech" under Canada's hate crimes law.¹ In Sweden, Pastor Ake Greens read from the Bible at Borgholm, Sweden church, and gave the Bible's view on homosexual practices. He was charged with violating Sweden's strict laws against hate speech, specifically a crime of "expressing contempt... on account of... ones sexual orientation." He was indicted, convicted, and sentenced to 30 days in jail.²

In Philadelphia, eleven Christians peacefully carried signs and sang hymns at "Outfest", a homosexual street fair sponsored by the city. The group was confronted by the "Pink Angels" who blocked the eleven by interlocking arms, shouting obscenities and shoving large Styrofoam angels at them. When police arrived, they arrested the eleven Christians. The group spent 21 hours in jail, and the prosecutor, Charles Erlich, called the defendants message "hateful" and defined their witnessing as "fighting words." Eventually, the charges against them were dismissed, but had they been convicted, they would have faced up to 47 years in prison and \$90,000 in fines each.³

In Chicago, a devout Catholic named Mary Stachowicz was murdered by Nicholas Gutierrez, 19, who punched, kicked, stabbed and strangled the 51-year-old wife and mother of four. Gutierrez then stuffed her body into a crawl space under the floor of his apartment, where it remained for two days until he confessed to police. According to Chicago police, Gutierrez told police that he had issues with his mother and that the way Stachowicz was talking to him gave him flashbacks of his mother that angered him." According to Gutierrez, he killed Stachowicz because she had "lectured" him "about his [homosexual] lifestyle and his lack of direction in life."⁴

Gutierrez' action was not considered a hate crime, and Stachowicz was perceived by some to have committed the hate crime. Gay blogger, James Wagner, said of Stachowicz's strangling:

The woman who did such great evil is dead, but unfortunately the evil and the church and the society which creates it is not, and it will continue to destroy Nicholas Gutierrez and many others.⁵

Another blogger wrote:

Quite frankly, if anyone in this case was being ‘persecuted’ it was Mr. Gutierrez. Unfortunately for the victim this was a lesson that she learned too hard and too late. Maybe this will give pause to other people who similarly try to ‘help’ homosexuals." — "Silence Dogood," on ACLU Online Forum.⁶

The category “hate crime” is subjective at best. According to journalist, Rod Dreher, “The American media made Matthew Shepard an overnight cause célèbre, and have so far said very little about Mary Stachowicz — just as the media said very little about Jesse Dirkhising, the 13-year-old Arkansas boy raped, tortured, and strangled by homosexuals in 1999.”⁷

The question that needs to be asked is “Do we really need a federal hate crimes law? According to Peter Spriggs, Vice President for Policy at the Family Research Council “there is no evidence that local authorities are failing to investigate, prosecute, and punish, as they should, violent crimes against homosexuals. Special Thought Crime laws therefore serve no practical purpose, other than advancing a political agenda for the official government acceptance of homosexual behavior.”⁸

As the executive director for OneByOne, I am concerned that a federal hate crimes law would inhibit the Church’s ability to minister to those with unwanted same-sex attraction. This should be a concern for all churches who take a stand against advocacy of homosexuality and who stand for the gospel message of grace and transformation.

Already, I am witnessing fear in conservative PCUSA churches (those who even support OneByOne) to engage in local ministry. It is one thing to vocally praise the ministry of OneByOne; it is quite another to make the very unfashionable decision to engage in ministry in one’s own church. I have heard from more than a few conservative churches that “our congregation is just not ready.” My response to pastors and elders and counselors and Stephen Ministers is this: “Well, then get them ready.”

The conservative churches in the PCUSA need to make themselves ready for what will be a future onslaught of religious freedom in our country, provoked by the issue of homosexual rights. If I were not the director of OBO, I would think my statement might be over the top, but my position has afforded me a direct view into our disturbing future.

Two years ago, in Boston, I was attending the Love Won Out Conference hosted by Focus on the Family at Tremont Temple Baptist Church. Over a thousand protesters made up of pro-gay activists and pro-gay and anti-war activists gathered around the church and shouted: “This hatred thing is getting old. This hatred thing has gotta go!” and “Shut it Down!” The angry protesters were not asked to disperse; instead the police barricaded the doors to the church, and we as participants were not allowed to leave

until the protesters chose to leave. No secular media outlet accurately reported what happened on that day.

If you have ever attended a Love Won Out Conference, you would know that there is no hatred preached at these conferences toward the homosexual community. As the executive director of OBO, I frequently attend and speak at these conferences. In fact, the main speakers are men and women who have struggled with homosexuality in the past and who used to be gay activists themselves. These speakers at the Love Won Out Conferences strongly admonish conservative churches to be more loving and caring toward the gay community.

In addition, some say that this federal hate crimes bill is only limited to acts of violence and would not infringe on our freedom of speech. Recently, Jack Haberer wrote in the *Presbyterian Outlook*: “The bill deals only with violent crimes. It explicitly contains a provision that says nothing in the bill should ‘be construed to prohibit any expressive conduct protected from legal prohibition by, or any activities protected by the free-speech or free-exercise clauses of, the First Amendment to the Constitution.’”⁹

Though Haberer is accurate in his statement, Robert Gagnon explains that “free speech rights even in this country do not extend to ‘intimidation’; that is, to words or conduct that the alleged victim perceives as threatening. It is through such a loophole that hate crime legislation can be used to override free-speech protections.” Gagnon accurately states: “Haberer seems unaware of the extent to which religious rhetoric against homosexual practice has been tied to acts of violence, real and imagined, against homosexual persons.”¹⁰ The incidences described in this article attest to this reality.

May the Church open her eyes to what is happening around her and within her. May she refuse to believe that it is hateful to lovingly stand against the advocacy of homosexuality and to reach out with God’s grace and truth to those who struggle with same-sex attraction. May churches not be afraid to reach out to those in their congregations (and staff) who struggle with same-sex attraction for fear that they may be sued or that they may look like hard-line fundamentalists. May pastors be courageous enough to take on “ex-gay” ministry in their own congregations at the cost of losing offended parishioners and at the cost of jeopardizing their budgets.

Jesus said, “Anyone who does not take up his cross and follow me is not worthy of me. Whoever finds his life will lose it, and whoever loses his life for my sake will find it.” It is only the churches who take these words of Jesus seriously that will be standing in the end. By God’s grace, may we be standing with those who stand with Him.

Footnotes:

¹ “Canadian City Counselor Fined \$1000 for Saying Homosexuality ‘Not Normal or Natural’
January 19, 2007, LifeSite News.

² “Swede’s Sermon on Gays: Bigotry or Free Speech?” The Washington Post, January 29, 2005.

³ Worldnet Daily, October 15, 2004.

⁴ Allyson Smith, “‘Gay’ Reaction to Mrs. Stachowicz’s Murder: Silence to Applause” Culture and Family Issues, Concerned Women For America, December 4, 2002, <http://www.cultureandfamily.org>.

⁵ Rod Dreher, “These Victims are People, Too” National Review Online, Nov. 26, 2002
<http://www.nationalreview.com>.

⁶ Smith, <http://www.cultureandfamily.org>

⁷ Dreher. <http://www.nationalreview.com>.

⁸ Peter Sprigg, In Focus: “Questions and Answers: What’s Wrong with Thought Crime (“Hate Crime” Laws?” Family Research Council Publication.

⁹ Jack Haberer, “Hate Crimes” The Presbyterian Outlook, May 28, 2007.

¹⁰ Robert Gagnon, “Putting One's Money Where One's Mouth Is? Jack Haberer's editorial supporting ‘Sexual Orientation Hate’ crime legislation” May 30, 2007, <http://www.robagnon.net>.