

Conservatives nervous as hate crimes bill advances

April 30, 2009

by Adelle M. Banks
Religion News Service

WASHINGTON -- As the House took up a hate crimes bill that would add sexual orientation to a list of federally protected classes, Andrea Lafferty of the Traditional Values Coalition stood outside the Capitol and warned of dire consequences for clergy.

"They know the purpose of this bill is to silence pastors, to silence youth pastors, to silence people of faith," said Lafferty, joining her conservative Christian leaders and Republican lawmakers to oppose the bill.

But would it? The bill's supporters say it wouldn't, and accuse critics of spreading "absurd lies."

Despite growing conservative outcry, the House passed the legislation along party lines by a vote of 249-175 on Wednesday (April 29). On Tuesday, the Senate introduced companion legislation.

The hate crimes bill, which would include physical attacks motivated by "sexual orientation" and "gender identity" among the crimes subject to special federal prosecution, has long been a top priority of gay rights groups. But some conservative Christian groups say it will reduce their ability to preach that homosexual behavior is sinful.

And with a Democrat in the White House who has stated his support for the legislation, they're more concerned than ever that the legislation could become law.

Groups ranging from Lafferty's coalition to the Ethics and Religious Liberty Commission of the Southern Baptist Convention have mounted a last-ditch campaign to try to kill the bill as it heads to the Senate.

Barrett Duke, vice president for public policy at the Southern Baptist commission, said he is concerned that the legislation could lead to prosecution of clergy whose words against homosexuality get tied to a crime committed by someone who listened to them.

"This bill puts Christians and many other religious groups in the government's cross hairs," he said at a news conference spearheaded by Rep. Louie Gohmert, R-Texas. "Those who teach that homosexuality is contrary to God's design may find that they as well are targeted by this law."

Rep. Steve Cohen, D-Tenn., criticized those who said the legislation could stifle preaching against homosexuality.

"People who submit that preachers could be arrested for preaching against homosexuality, which they do today, that they could be arrested, there is a commandment about that," said Cohen, speaking on the floor of the House on Wednesday. "Don't bear false witness."

In a daily memo circulated on Capitol Hill, House Majority Whip James E. Clyburn stressed that the bill is aimed at criminal behavior, not religious speech.

"The bill will NOT limit religious expression," he wrote. "Some churches have stated that with passage of this bill, ministers may be arrested for speech and words said in the pulpits. This is false. This bill is about violent crime. It is not about and does not prohibit thought, speech or expression protected by the First Amendment."

More liberal religious groups, including the United Methodist Board of Church and Society, the Religious Action Center of Reform Judaism, the Jewish Council for Public Affairs, and the Transgender Religious Leaders Network, support the bill, while other religious leaders have blasted critics for saying pulpit free speech rights are at risk.

"As the bill heads for the Senate, its opponents are spreading absurd lies, claiming it would send pastors to jail for giving anti-gay sermons," said the Rev. Susan Russell, president of Integrity USA, an Episcopal gay rights group.

David Gushee, a Christian ethicist at Mercer University, said he examined the bill and had no concerns.

"I am persuaded that the bill poses no threat whatsoever to any free speech right for religious communities or their leaders," Gushee said. "Its

passage will make for a safer and more secure environment in which we and all of our fellow Americans can live our lives."

President Obama has signaled his support for the legislation. In a statement released Tuesday, he urged quick action on "this important civil rights issue by passing this legislation to protect all of our citizens from violent acts of intolerance."

It's language like that from Obama that causes the Rev. Louis Sheldon, chairman of the Traditional Values Coalition and Lafferty's father, to start planning for a law that seems all but inevitable.

"Only a miracle in the Senate will defeat it," Sheldon said. "We are preparing pastors. There needs to be, I think real quickly, a court challenge immediately that this is unconstitutional."

<http://pewforum.org/news/display.php?NewsID=18007>