

## Fear and Loathing in L.A.

*On certain questions, apparently, tolerance is a one-way street.*

by Hadley Arkes

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The scene was a hotel in Los Angeles last month, the occasion a conference on homosexuality and the law sponsored by the Claremont Institute and the National Association for Research and Therapy of homosexuality. The meeting brought together political philosophers interested in making arguments about natural rights and a group of psychiatrists reviewing, in a critical way, the claim that there is a genetic basis for homosexuality. It was not a meeting designed to rouse a mass audience, with epithets and incendiary proclamations. But it set off passions quite out of scale—and it revealed the kinds of assaults that do not seem to count, or register, in the current state of our public life.

The City Council in Los Angeles actually passed a resolution to condemn the meeting. For those who may be visiting from another planet, let me put it another way: The civil authorities in a major city declared it to be an offense to their civil order that a group of Americans would assemble to consider some of the moral and medical arguments that weigh against homosexuality and the politics of gay rights. A moral tradition running back to Athens (yes, Athens) and Jerusalem was now pronounced as nothing less than unspeakable in Los Angeles. Without hearing any of the arguments, the council caricatured the discussions as nothing less than an exercise in “defamation and demonization.”

But the resolution in the council was among the milder incivilities. The hotel received a flow of menacing calls, along with threats of death aimed at the organizers of the conference. The consequence was that the Beverly Hilton Hotel caved in and canceled its contract to hold the meeting. In the end, the institute managed to find a fine alternative setting at the Biltmore Hotel—along with a management that showed exemplary nerve. For the threats mounted, becoming ever more ferocious and audible, in the streets and in the halls, as the opening drew nearer.

### Savage Rhetoric

A crowd with placards began to pound on cars entering the garage and accosting people entering the hotel. In an attempt to disrupt the meeting, three activists stood out-

side the door of the meeting room, screaming charges: The people inside the hall were murderers of gays; or they and their kind were responsible for the murder of Matthew Shepard (the young gay man killed in Wyoming); or they were the moral equivalent of the Ku Klux Klan.

The themes were bizarre but no longer novel; Savage, slanderous rhetoric of this sort had become a staple in the commentary and the demonstrations that molded the story of Matthew Shepard. In that story line, anyone who had expressed reservations about the homosexual life was accused of complicity in murder.

A friend of mine at Princeton, Prof. Robert George, received a letter with a nasty edge from a former student asking why he and his political friends, so critical of homosexuality, would not condemn the killing of Matthew Shepard. Mr. George responds sharply: there had been prominent cases recently of teenagers, in Delaware and New Jersey, giving birth to babies and throwing them in Dumpsters. Yet the proliferers did not demand that Ted Kennedy, Christie Whitman and other defenders of abortion denounce those killings. The proliferers assumed that Mr. Kennedy and the partisans of abortion would never defend the killing of a child at birth. They were willing, that is, to give their opponents the courtesy of a presumption in favor of their decency.

But that is a courtesy that the partisans of gay rights have not shown the slightest inclination to extend to the people on the other side. In recent weeks, Frank Rich and other columnists have spun out columns vibrant with a hatred of the Family Research Council and evangelical Christians, who have run ads on television pointing up gays who have “converted.” But those ads were put forth in a spirit of civil appeal; they cast no reproach, and sought to inspire no contempt. Anyone familiar with these Christian groups knows that they begin with a respect for persons, even persons they think are making grave mistakes. And even if they regard the homosexual life as sinful, they do not think it warrants aggression—much less lethal assaults—on gays and lesbians.

In truth, the campaigns of aggression and calumny are launched persistently from the other side. But when Catholics gather civilly across the street from Terrence McNally’s “Corpus Christi” in New York—when they say the rosary and carry signs protesting against blasphemy—they are labeled as aggressors and tagged for the dark crime of censorship.

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## Bitter Irony

This want of evenhandedness makes little impression on the media, and there is no outrage over the facts revealed again in Los Angeles: that the gay activists are seeking, overtly, to repress their opposition--to silence anyone who would call into question the homosexual life. For what took place in L.A. took place at a similar conference, at Georgetown University, in June of last year--as it will take place in any city with a "gay presence" in politics.

And that lends a bitter irony to all the recent talk about a federal law on "hate crimes." These laws may appear neutral, but they are tilted toward certain favored groups. In the speech codes on the campuses, people can be punished for uttering epithets against gays and lesbians. But there has been no symmetry in protecting the people who are vilified as "homophobes." Why shouldn't a new bill on hate crimes cover the attempts to intimidate, with threats of death, people who are merely trying to exercise their freedom to discuss the rights and wrongs of homosexuality--or anything else?

In fact, why would an application of this kind not be a plausible next step in the movement to extend the laws on

racketeering? Of late, the courts have stretched the Racketeer Influenced and Corrupt Organizations Act to cover the "intimidations" generated by pro-life groups as they stage demonstrations and sound their views. To reach these groups, the courts have detached the notion of "extortion" from the attempt to extract financial benefits.

But how can the RICO laws be turned on people praying and standing outside of abortion clinics and not be applied to gay activists who orchestrate threats of violence and seek to intimidate others in the exercise of one of the most elementary rights: the right to deliberate in public about the substance of the laws.

Of course, we enter onto tricky ground whenever we bring in the restraints of the law to deal with private repressions of speech. And rather than enter on that path, it may be better altogether if the pundits in this cultural debate--so eager to preach tolerance to the benighted--would show a willingness to cast reproaches on the thuggery, on the ugly acts of intimidation, that come from the side they happen to favor.

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