

Hate Crimes Laws: Do They Criminalize Some Views of Right and Wrong?

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Napoleon, the dictator pig in Orwell's "Animal Farm" would surely squeal with approval of Ted Kennedy's hate crime bill (S. 625), which passed out of the Senate Judiciary Committee by a 12-7 vote.

Napoleon would be pleased with Kennedy's bill because it will centralize more police power in the federal government and fulfill every dictator's dream of punishing his enemies and rewarding those loyal to him.

In "Animal Farm," Napoleon posted "The Seven Commandments" of "Animalism" on the side of a big barn. One of those commandments stated that "All Animals Are Equal." Later in the story, however, six of the commandments were painted over as Napoleon consolidated his dictatorial powers.

Finally, only one commandment remained, but it had been rewritten. It now stated that "*All Animals Are Equal, But Some Animals Are More Equal Than Others.*"

This is the essence of all hate crime laws. These laws create a two-tiered system of justice where some "victims" are more equal than others under the law. If a group of individuals—like homosexuals—can obtain victim status under hate crime laws, they become a protected class that receives greater protections than the rest of us. This is unjust. As "National Journal" editor Michael Kelly observed several years ago, "Hate crime laws require the

state to treat one physical assault differently from the way it would treat another—solely because the state has decided that one motivation for assaulting a person is more heinous than another."

Hate crime laws are being promoted by politically-motivated special interest groups that have a vested interest in punishing their opponents for their actions, speech, and thoughts. Along with hate-crime laws, come laws against so-called "hate speech." In California, teachers are urged to monitor "hate motivated incidents." The ultimate goal of those who pass hate crime laws is to silence all opposition to their political agendas.

Scholars James B. Jacobs and Kimberly Potter clearly see the dangers of hate crime laws as a threat to freedom of thought and speech. Writing in "Hate Crimes: Criminal Law & Identity Politics," the authors observe that hate crime laws are really not about hate at all, but about criminalizing a person's beliefs about right and wrong.

Educator Jonathan Kozol notes that hate crime laws are futile in the long run. We cannot rebuild society by legislative penalties for insensitive acts and utterances."

U.S. News & World Report columnist John Leo agrees. He writes: "Equal protection should mean one law for all, pursued evenhandedly regardless of our differences, not separate laws invented because of them."

TVC is urging the defeat of unjust hate-crimes legislation. We must not allow our justice system to be subverted by special interest groups intent on punishing their political opponents by using hate crime laws as weapons of suppression.

While such laws may please authoritarians like Napoleon, they should be feared by those who love freedom of speech and conscience.

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