

last week was beaten senseless and left for dead, tied up like a scarecrow along a fence on a little-traveled country road. Miraculously, he was found by passers-by many hours after the attack, still struggling for life when he was rushed to a hospital in Fort Collins, CO, where he died Monday while on life support.

Local law enforcement officials in Laramie, WY, where the crime took place, quickly arrested the alleged perpetrators—two men who performed the assault and two women who helped them hide their deed—and it looks like they will be punished to the full extent the law allows if they are convicted. With Shepard's death, they face a possible death sentence.

Laramie, a university community of 27,000 people, is feeling both shame and outrage, a sentiment shared by all right-minded people throughout the country, indeed around the world. News of this brutal assault has appeared everywhere in print and broadcast media.

The crime against Shepard has renewed calls for passing hate-crime legislation, both in Wyoming and nationwide. Wyoming Gov. Jim Geringer and President Bill Clinton have said that this attack shows the need for such laws.

This would be a mistake. It would be a mistake because hate-crime laws, however well intentioned, are feel-good laws whose primary result is thought control, violating our constitutional guarantees of freedom of speech and of conscience. It would be a mistake because it suggests that crimes against some people are worse than crimes against others. And it would be a mistake because it uses a personal tragedy, deeply felt by Shepard's family and friends, to advance a political agenda.

Hunter College Professor Wayne Dynes, editor of the Encyclopedia of Homosexuality, notes that hate-crime laws, if they are to be applied in a constitutional manner, must be content-neutral. He notes this example: "Countless numbers of people, aware of the unspeakable atrocities under his leadership, hated Pol Pot. This hate was surely well warranted. If one of the Pol Pot haters had killed him, would this be a hate crime? Why not?"

Dynes adds: "In seeking to exculpate the killer, we would get into the question of whether some hate is 'justified' and some is not." He concludes that hate-crime prosecutions "will be used to sanction certain belief systems—systems which the enforcer would like, in some Orwellian fashion, to make unthinkable. This is not a proper use of law."

Under our system of justice, everyone is equal before the law. Those accused of crimes are entitled to certain constitutional protection, which we must cherish, and the victims of a crime—whether a Bill Gates or the poorest street-sweeper in a slum—are entitled to the same respect. (In the Middle Ages, the law required a greater punishment for killing a rich man or noble than it did for killing a peasant or a laborer. Our law recognizes no such distinctions.)

So, too, with class- or group-based distinctions. Is it worse to kill a man because he is foreign-born than it is to kill him to steal his car? Is it worse to kill a woman because she is black than because she cut you off in traffic? Is it worse to beat up a fat sissy boy if the bullies think their victim is gay, or if they dislike him because he is fat? Crime is crime; assault is assault. All deserve punishment.

Hateful thoughts may be disagreeable, but they are not crimes in themselves. The crimes that result from hateful thoughts—whether vandalism, assault or murder—are already punishable by existing statutes.

In a speech at the University of Texas last year, libertarian activist Gene Cisewski said:

"We should be anti-violence, period. Any act of violence has to be punished swiftly and severely and it shouldn't matter who the victim is. The initiation of force is wrong and it doesn't matter why—the mere fact you had a motive is enough."

Cisewski acknowledged the good intentions of those who propose hate-crime laws. He noted that "the reason for the call for (such laws) comes from bad enforcement of the laws." Police and prosecutors have been willing to look the other way when victims came from disfavored groups. Luckily, in the Shepard case, the authorities seem unwavering in their prosecution. This is, unfortunately, not always the case.

The answer, Cisewski suggested, and I agree, is that "we hold every law enforcement official and every court official who administers justice to the standard that every American is guaranteed equal protection under the law."

Hate-crime laws set up certain privileged categories of people, defined by the groups to which they belong, and offers them unequal protection under the law. This is wrong. It is sad to see a young man's personal misfortune used by various special-interest groups to advance such an agenda.

We are all shocked and dismayed by the assault on Shepard. Such brutality cannot, should not be countenanced. Let us not multiply the crimes of his attackers by writing bad law in response.

RECOGNIZING CONTRIBUTORS TO THE PASSAGE OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 16, 1998

Mr. WOLF. Mr. Speaker, on Saturday, October 10, the House of Representatives cleared for the President's signature the International Religious Freedom Act, H.R. 2431. The Senate had approved the measure by a unanimous vote of 98–0 on Friday, October 9.

During floor debate on the measure, I thanked a number of people who helped bring this legislation to fruition. I today want to pay tribute to the work of Michael Horowitz, senior fellow at the Hudson Institute; A.M. Rosenthal of the New York Times; and Anne Huiskes, senior legislative assistant on my staff.

First, I want to commend the work of Michael Horowitz. The movement against Christian persecution which has sprouted in the American Christian community in recent years can be credited, in part, to the leadership, vision and voice of Michael Horowitz.

When he first learned about the injustice taking place against Christians around the world he set about trying to foster change. His experience as a Washington insider, a former Reagan Administration official, and a veteran of the fight against anti-Semitism in the Soviet Union provided a unique insight.

In a 1995 op-ed in the Wall Street Journal titled "Between Crescent and Cross," Horowitz asked how America, and the American government, could remain silent when "the evidence of growing and large-scale persecution of evangelicals and Christian converts is overwhelming."

From there, he helped launch a crusade to raise awareness about anti-Christian persecution abroad using the campaign against Soviet

anti-Semitism as the model. He joined with many others who were calling for change, and what developed was a movement spawning greater awareness about persecution against people of all faiths. He has helped turn this issue into one of the most under-reported and obscure issues in Washington, to one of the most compelling human rights issues of the day.

Because of the work of Michael Horowitz and many others, the United States government, for the first time in history, has a comprehensive policy to deal with the issue of religious persecution overseas. His voice and vision have helped millions of Christians, Muslims, Bahai's, Tibetan Buddhists, Jews, Hindus and other people of faith seeking to live and worship in peace.

I also want to applaud the work of A.M. Rosenthal, former editor-in-chief of the New York Times and one of the most prominent figures in 20th century American journalism. I have been told that since 1994, Rosenthal has dedicated 31 of his weekly columns in the New York Times to the issue of religious persecution—asking why more is not being done, prodding policymakers to stand up for the persecuted and pricking the conscience of all those who read his eloquent words. He talked tough and spoke the truth. He did so courageously, and with authority. He has truly been the voice for the voiceless around the world.

Finally, I pay tribute to Anne Huiskes of my staff, who deserves so much credit for helping to move this measure forward. Our colleagues know that any measure of success we as Members achieve must be shared with the staff who support us and our constituents in our work in Congress. Anne's work on my staff has focused in the area of human rights, and she has poured her heart and soul into this legislation, as well as so many other human rights issues, over the years.

She has pleaded the case for persecuted religious believers around the world, bringing people and groups together toward the common goal of speaking out for those who have been silenced because of their faith. When it seemed the darkest, when it seemed there was only a flicker of hope that this legislation would survive, Anne was always there—pushing and pulling, cajoling and inspiring, never giving up. She truly believed that passage of this legislation would help save lives.

As I said in my statement on October 10, so many people are responsible for the passage of this legislation. I thank them all for their efforts. They have made a difference for people of faith around the world.

DANTE B. FASCELL NORTH-SOUTH CENTER ACT OF 1991

SPEECH OF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 12, 1998

Mr. HOYER. Mr. Speaker, I enthusiastically rise to join my colleagues in praising the passage of legislation renaming the North/South Center at the University of Miami for my friend and our former colleague and Chairman of the House Foreign Affairs Committee, Dante B. Fascell. This legislation is well deserved. The North/South Center should bear his name, for he was its creator.