

AROUND THE WORLD

## The Criminalization of Christianity

By Wendy Griffith  
For CWNews

[CWNews.org](http://CWNews.org) – It is a story that has the Christian community on the edge of its seat. In Philadelphia, 11 Christians were arrested and charged under Pennsylvania's hate crimes law (the Ethnic Intimidation Act), for preaching the Gospel. The arrests took place at a homosexual event last October, and five of the 11 still face serious criminal charges.

Twenty-five-year-old Michael Marcavage is at the center of a case that could determine whether preaching the Gospel is a hate crime; specifically, whether preaching against homosexuality is a hate crime.

Marcavage, who has a ministry called Repent America, and 10 other Christians, took their message "Homosexuality is sin, Christ can set you free" to Outfest, Philadelphia's annual gay "coming out" celebration, last October.

The video of the event shows the Christians being surrounded by an aggressive homosexual security force that was holding giant pink styrofoam angels and blowing loud whistles.

Marcavage's lawyer, Scott Shields, says the video is key to their defense.

Shields said, "Because a picture tells a thousand words, it shows exactly what happened and when the Christians appeared at this event. Michael Marcavage and the other defendants were met by this hostile, lawless mob -- and they really were. They had these gigantic, pink styrofoam boards to block their written messages, and they were blowing these obnoxious whistles, and when you see the whole video, you can tell that the police are just getting very tired of hearing all of this noise. And the only way to stop that wasn't to tell them to stop and put down their pink boards and put their whistles away. They arrested our clients."

Marcavage is seen on the video questioning police about his First Amendment rights. Later, he and the others are led away from the crowd, handcuffed, and put into a paddy wagon and taken to jail. Once behind bars, Marcavage discovered just how serious the charges were: three felonies and five misdemeanors. The felonies include: ethnic intimidation and inciting a riot found under Pennsylvania's hate crimes law. The charges could mean 47 years in prison, if convicted.

Marcavage said, "Well, it was absolutely astonishing. I had no idea that I would be one of the first victims in our nation to be charged under hate crimes legislation, which I see as the criminalization of Christianity. When you look at the target audience of these hate laws, it is the Christians -- they want to silence our message."



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Among those jailed were 68-year-old Linda Beckman and 73-year-old Arlene Elshinnawy.

Beckman remarked, "When my eyes saw the charges against us, really and truly, my eyeballs about popped out of my head. I couldn't believe it!"

Elshinnawy says, "And they said, you have a choice - you can either leave or get arrested. And I said, Well, yeah, I'm with them because we hadn't done anything wrong. So I got handcuffed too, and let me tell you something - handcuffs hurt."

All charges were dropped against Beckman and Elshinnawy, but five of the 11 still face charges. And Marcavage and a 17-year-old girl still face felony charges.

The case is unprecedented, because, according to Shields, "It's the first time in America that preaching the Bible has become the evidentiary basis for a hate crime."

Shields remarked, "In my estimation, this is sort of the 'last gasp' of this whole movement. They want to go into the public square, they want to have their open celebrations of sin, as Mr. Marcavage states; yet when the Christians come with a message that's completely antithetical to what their message is, they act like a lawless mob and they put the Christians down."

Shields said that the case is a clear violation of his clients rights to free speech, provided not only under the First Amendment of the U.S. Constitution, but even more strongly under Pennsylvania's free speech laws.

And Shields added, "I think it's disturbing, because it's a complete and absolute abuse of power. Our government officials are going to do everything they can to protect any special interest group out there, and I think that these prosecutions are all about getting the Christians to just go back into the closet."

But Outfest organizers paint a much different story. They say that the Repent America protesters were trying to disrupt their event, were name-calling, and were trying to cause a riot.

CBN News asked Chuck Volz, the senior advisor to Philly Pride, "But how you can say that, when as soon as they arrived, the pink angels were there surrounding them?"

Volz responded, "Well, obviously this year we did. We did have our own signage and we had our whistles to sort of drown out -- so it was First Amendment vs. First Amendment, I suppose. But it still, never the less gets heated, and even though our group tried to keep things calm."

CBN News further asked Volz, "If it's First Amendment vs. First Amendment, why do the Christians go to jail and your group is allowed to do its thing?"

Volz replied, "Because we were given a direct order by the Philly Police Dept. to break our human chain. We obeyed. When they were given a direct order by the Police Dept. to move north on 13th Street, they decided not to."

A video given to CBN News by Philly Pride shows an argument between one of the Christians and a gay man dressed as a woman, in which there was name-calling on both sides. Marcavage said, despite that one incident, their motive was not hate, but love.

Marcavage said, "The reality is that we went there to proclaim, 'homosexuality is sin, Christ can set you

free.' And that was the message the whole time. However, we were only there for moments, because the police arrested us and charged us later under hate crimes legislation."

Volz said, "If anything, these people turn off the gay community to Christianity, which is counter-intuitive to what they're supposed to be doing. They're supposed to be welcoming people into the Christian community. People get turned off to this kind of -- ya know, I don't want to call it hate speech, but its aggressive rhetoric."

Philadelphia is a city rich in history. The signing of the Declaration of Independence happened here, the Liberty Bell is here, this is the birthplace of American freedom, including religious freedom, but it may also go down in history as the city that jailed 11 Christians, and charged them with a hate crime for preaching the Gospel.

It is a charge that the founder of Pennsylvania himself was familiar with. William Penn, who now looks down from his perch atop city hall, was once arrested for preaching the Gospel in public. But that happened in England. He came to America to escape religious persecution.

Marcavage fears Christianity itself is now on trial. He said, "What does this mean for the pastor in the pulpit, or the Christian sharing his faith in the workplace? We're going to find more and more Christians who are going to be targeted under these types of laws in the future, and our hope is that Christians would awaken to the fact that if we don't say something now, we'll end up saying something behind bars."

Philadelphia's District Attorney Lynn Abraham, who is one of the architects of Pennsylvania's Hate Crimes Law, is aggressively pursuing the criminal charges against the Christians. She is up for re-election, and some charge, trying to cater to the homosexuals.

Shields commented, "We have a D.A. who has thrown the law out the window, has thrown the federal Constitution and our state constitution out the window. To charge these individuals with a hate crime under the Ethnic Intimidation Statute sets a very dangerous precedent, because if it's successful here, it's going to start becoming prevalent in other jurisdictions."

When telephoned, the D.A's office would not comment on the case. The Christians head back to court on February 17th. That is when Shields will try to get the case dismissed. If it is not dismissed, he says it will go to a jury trial.

Although there is a possibility that the case could be thrown out later this month, many say the fact that it ever made it this far should send chills to every Christian in America.

The Department of Justice is looking into the legal charges surrounding the action, and apparently the judge is not too impressed with the Commonwealth's case. She remarked, "If they don't want to hear messages they don't like, there are plenty of other countries they can move to."

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