

CRÈCHES ADORN PUBLIC SQUARE; POST OFFICE BALKS

A front page story in *USA TODAY* got it right when it exclaimed, "From Lawrenceville, Ga., to New York City's Central Park, religious displays are going up on public property as never before." The reference to Central Park was the Catholic League's nativity scene, placed in full public view across the street from the Plaza Hotel. The newspaper article cited the work of the Catholic League as contributing to the increased display of creches on public property during the 1995 Christmas season.

Progress was made in placing nativity scenes in public schools, libraries and parks, though not without a struggle in many instances. The Catholic League, for example, had to threaten a lawsuit against some school districts before creches were given equal treatment to menorahs. Working cooperatively with the Knights of Columbus, the Catholic League was able to monitor the display of creches on public property and respond whenever necessary. Given the success that Long Island Catholic League president Chuck Mansfield had in working with Don Neidhardt of the Knights of Columbus in 1995, the league plans to expand its work with the Knights in 1996 wherever Catholic League chapters exist.

What enabled the Catholic League to score so many victories was the 1995 Supreme Court decision in *Capital Square Review v. Pinette*. That ruling allowed for the Ku Klux Klan to display a cross on the grounds of the Ohio state capitol. As long as religious symbols were privately sponsored, the high court ruled, there was nothing the authorities could do to stop their display. Yet even the decision in *Pinette* was still resisted by many public officials and activist lawyers.

When word got out that the Catholic League had obtained

permission from the New York City Department of Parks and Recreation to display a creche in Central Park, the New York Civil Liberties Union immediately stated that it would not challenge the league in light of Pinette. But across the Hudson River in New Jersey, the state affiliate of the ACLU threatened to sue Jersey City for displaying a creche. Adding to the controversy was the perennial problem of confusing religious symbols with secular symbols. And no organization was more to blame in this regard than the U.S. Postal Service.

In 1994, the Catholic League protested the U.S. Postal Service regulation that allows for the display of menorahs, but creches, in post offices. The Post Office, the league contended, was in violation of a 1989 ruling, *Allegheny County v. ACLU, Greater Pittsburgh*. In that decision, it was ruled that a menorah was a religious symbol and that a Christmas tree was a secular symbol. In 1995, the league supported a complaint brought by a postal service employee, George Cornwall, against the U.S. Postal Service, but lost when it was ruled that Cornwall had no standing in the case. So this year the league tried a new tactic.

In December, the Catholic League wrote a letter to every Congressman who has anything to do with postal affairs. In the House, the league sent letters to every member of the Subcommittee on Postal Service of the Government Reform and Oversight Committee. In the Senate, the league wrote to every member of the subcommittee on Post Office and Civil Service of the Government Affairs committee. The league is asking for assistance in this matter in getting the U.S. Postal Service to align its policies in accordance with ruling in *Allegheny County*. It has threatened to sue the Post Office if the legislative process does not yield a satisfactory result.

The *New York Times* did not make it any easier for school officials and civic leaders to understand the meaning of the law when it erroneously reported that the menorah is a secular symbol; it compounded matters when it quoted a rabbi who

mistakenly labeled Santa Claus a religious symbol. Whether through ignorance or malice, the same problem appeared in many parts of the country, making it all the more difficult to secure full compliance with the law. But compared to previous Christmas seasons, it was clear that more creches were displayed on public property in 1995 than has been true for many years.