

NATIVITY SCENE ERECTED IN CENTRAL PARK

From December 16 to January 3, we erected a life-size nativity scene in Central Park, on the corner of 59th and 5th. Moreover, we did not surround it with secular symbols.

Every year we get a permit from the New York City Parks Department to display our nativity scene. We choose Central Park because it is a public forum, a place where concerts, marathons and all sorts of festivities take place. We do not seek to display our crèche on public property adjacent to City Hall, because that is the seat of government.

This needs to be said because there is considerable ignorance about this issue. For example, the New Jersey State League of Municipalities recently released a statement offering guidance to local officials planning holiday displays: “A purely religious display, especially one related to a single religion, is almost certainly unconstitutional.”

There is nothing “almost certain” about our response—they don’t know what they are talking about. If they were right, then we wouldn’t have been able to put up our crèche. There is a difference between a public forum and a state capitol building, etc.

Supreme Court Justice Clarence Thomas got it right when he lashed out at his colleagues for not accepting cases that might clarify this issue. On October 31, he said “we have learned that a crèche displayed on government property violates the Establishment Clause, except when it doesn’t. Likewise, a menorah displayed on government property violates the Establishment Clause, except when it doesn’t.” That is why he called for “a clear, workable standard.”

We hope New Yorkers and tourists alike had a chance to see our

crèche. Our detractors should have seen it as well—it may have proved to be a real epiphany.