

RELIGIOUS DISCRIMINATION IN NYC SCHOOLS

On October 24 Catholic League president Bill Donohue wrote to New York City Schools Chancellor Joel Klein in regards to the display of crèches in the schools. Donohue wrote, "There is no constitutional prohibition or court ruling that disallows the display of nativity scenes in the New York City public schools."

Donohue received a response from John DeMicoli of the Department of Education (DOE) responding for Klein. Mr. DeMicoli stated that the DOE "permits the display of holiday secular decorations with secular dimension."

Donohue responded on November 21 stating:

"The 2nd Circuit U.S. Court of Appeals ruled in 2006 that the Department's policy of allowing the display of Jewish religious symbols (menorah) and Islamic religious symbols (star and crescent) was constitutional because it did not deny Christians secular symbols (the Christmas tree). However, it stressed that the federal district court erred when it declared the menorah and the star and crescent secular in nature—they are clearly religious (New York City claimed that the Jewish and Islamic symbols were secular). Ergo, the Department of Education is denying Christians parity with Jews and Muslims by not allowing them to display their religious symbols. Moreover, the circuit court explicitly said, 'We do not here decide whether the City could, consistent with the Constitution, include a crèche in its holiday displays.'"

Donohue wrote to the DOE's General Counsel, Michael Best, asking to provide equal treatment for Christian religious symbols in the schools because Jewish and Muslim symbols are represented. Best's reply to Donohue was that the courts have

upheld the DOE's policy and that there is nothing wrong with it.

On December 4 Donohue commented on this issue:

"It is plain that although New York City is not barred by the courts from permitting a crèche alongside the menorah and star and crescent, it has elected to do so. This is not a matter for the courts, but for the legislature." Donohue mentioned the work of City Councilman Tony Avella, introducing a resolution that would grant parity to Christians.

"Everyone knows," Donohue continued, "that Israel would never allow nativity scenes in the schools while banning menorahs, telling Jews to be satisfied with secular symbols. And it is beyond comprehension to think that in the Islamic world, crèches would be permitted but not the star and crescent. So why is it that in a nation where 85 percent of the population is Christian, Catholics and Protestants are told to be satisfied with Christmas trees while Jews and Muslims get to display their religious symbols?"

On December 13 a press conference was called at City Hall to discuss this topic. Donohue and Avella addressed the media at the event, as did Rabbi Yehuda Levin of Jews for Morality and Martin Kelly, National Director of the Ancient Order of the Hibernians. The Catholic League will continue to fight for parity in the schools and it is nice to know that we have such admirable people behind us.