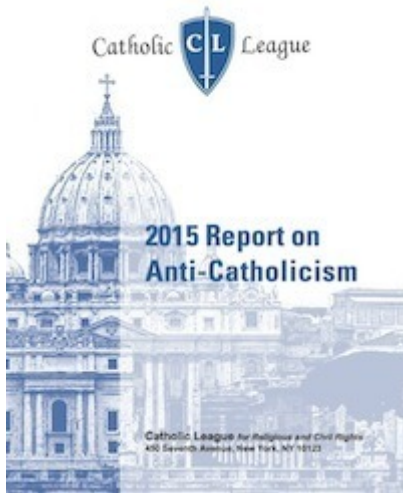


The War on Christmas



The animus against Christmas manifests itself in a myriad of ways, and 2015 was no exception.

The anti-Christmas bigots from the Freedom From Religion Foundation threatened a lawsuit against a small Minnesota town because it displayed a nativity scene in a public park. For 23 years, no one in Wadena complained about the crèche in Burlington Northern Park, but after the atheist group made public its threat, along came one resident to complain. The town's lawyer agreed that the display was illegal, and the city council obliged by authorizing its removal.

Bill Donohue wrote an open letter to the city council asking them to reconsider their decision. "There is nothing unconstitutional about putting a nativity scene on public property as long as it is considered a public forum," he said. He further observed that this park was a public forum because it hosts all kinds of community activities. He offered by way of example the Catholic League's nativity scene in Central Park: it has never been challenged, and that's because the park is a public forum. While high court rulings on city-owned crèches are more complicated, they can still pass constitutional muster.

We are pleased to say that a local resident picked up on this idea and successfully erected a crèche in a park. It was also great to learn that residents of Wadena responded by

displaying a record number of manger scenes on private property.

We played a role in beating back the Christmas foes in several instances, but none was more satisfying than our input in the University of Tennessee (UT) case.

The Office of Diversity and Inclusion at UT issued guidelines indicating which kinds of "holiday" celebrations would be tolerated, and which would not be. All parties, the multicultural gurus said, should be absent any "emphasis on religion or culture." They did not say how it was possible to celebrate a holiday without also celebrating that part of the culture from which it springs.

Best of all was their admonition not to hold "a Christmas party in disguise." They can hold gay pride celebrations all year long, but they cannot tolerate Christmas parties, even if held in a speak-easy.

Bill Donohue pulled the Catholic League staff to work overtime on this issue. We contacted every Tennessee lawmaker who has anything to do with education, as well as other public officials, calling for an investigation into the workings of the Office of Diversity and Inclusion. We also notified all the other legislators—those who do not deal with education. We blanketed the Tennessee media.

We were pleased to hear of the support we received from some of the lawmakers. We also were happy that the Tennessee media picked up on our work, including newspapers on the UT campus. Most of all we were delighted that our protest led to the guidelines being withdrawn; we were gratified that the person most to blame for this decision was removed from making such rulings again.

UNIV. OF TENNESSEE ABRIDGES CHRISTIAN RIGHTS

Bill Donohue wrote the following letter on December 4 to all

members of the Tennessee Legislature whose responsibility it is to monitor education.

Hon. Dolores Gresham
Chair, State Senate Standing Committee on Education
301 6th Avenue North
Suite 308 War Memorial Bldg.
Nashville, TN 37243

Dear Senator Gresham:

As president of the nation's largest Catholic civil rights organization, it is my responsibility to monitor, and respond to, instances of defamation and discrimination against Catholics. We work closely with many evangelical organizations, as well, so our reach extends to all Christians.

My reason for writing concerns the University of Tennessee's Office of Diversity and Inclusion's statement on Christmas celebrations. To say it is obnoxious is an understatement: it expresses an animus to Christianity, and therefore to Christians, that is palpable.

My doctorate is in sociology, and I spent two decades on the board of directors of the National Association of Scholars. So my concerns transcend the interests of religion. I approach this issue as both a civil rights leader and as an educator.

After receiving criticism from public officials for the statement, "Best Practices for Inclusive Holiday Celebrations in the Workplace," the University is now saying that this is not a policy: it is just a list of suggestions. It does not matter. What matters is that it (a) creates a "chilling effect" on free speech, (b) engages in viewpoint discrimination, and (c) creates a hostile environment for Christians. These conditions are not only offensive, they have grave constitutional implications.

Among the most egregious “suggestions” is the first one: “Holiday parties and celebrations should celebrate and build upon workplace relationships and team morale *with no emphasis on religion or culture. Ensure your holiday party is not a Christmas party in disguise.*” (My italics.)

Do the people who wrote and approved this statement realize what they are saying? It is positively impossible to celebrate a holiday without also celebrating culture, and in many instances, religion. To wit: All holidays are ineluctably grounded in culture. Moreover, the heart of any culture is religion. Indeed, the word holiday means “holy day.” This is not an issue of constitutional law—it is a matter of competence. Why are taxpayers funding the salaries of employees who are sociologically illiterate, especially given the fact that their charge is to administer cultural events?

Other “suggestions” are equally astonishing. “Holiday parties and celebrations should not play games with religious and cultural themes—for example, ‘Dreidel’ or ‘Secret Santa.’” Since when has it been the business of any university office, especially on a state campus, to discourage students from playing innocent religious and cultural games?

It hardly exaggerates to say that such “suggestions” have a “chilling effect” on the free speech rights of Christians. Unlike other segments of the student population, they cannot be assured that the manner in which they choose to express themselves, especially at Christmastime, will be looked upon with approval by school administrators. The implication is, of course, that the best way to avoid trouble is to muzzle any expression that might be seen as untoward by campus officials.

The holiday “suggestions” are also constitutionally suspect because they do not apply equally to all students. For example, last February, during Black History Month, the University sponsored an event titled, “Black History Month Program: A Century of Black Life, History, and Culture.” From

my perspective, such an event should be welcomed. But this raises a serious issue: Why is it acceptable for black students to celebrate their culture, but not Christians? After all, Christians are being told not to have events that emphasize “religion or *culture*.” (my italics.)

The Office of Diversity and Inclusion has a “Cultural and Religious Holidays Calendar” that lists many religious events, covering many religions, throughout the academic year. Yet when it comes to the application of the draconian holiday “suggestions,” they are not inclusive: they are targeted almost exclusively at Christians (there is a stricture warning Jews not to play “Dreidel” games—it does not say who might be offended, other than the authors of this dictum).

These are examples of viewpoint discrimination, a condition that violates the First Amendment. Quite frankly, it is not legal for a state entity to single out one religion for special consideration, especially when the directive seeks to limit constitutionally protected speech.

In 1984, in the U.S. Supreme Court decision in *Lynch v. Donnelly*, it was held that the Constitution “affirmatively mandates accommodation, not merely tolerance of all religions, and forbids hostility toward any.” It can be reasonably maintained that the effect, if not the intent, of these “suggestions” is to create a hostile environment for Christians.

I am calling upon all members of the Tennessee legislature that have committee assignments dealing with education to empanel a body that would critically assess the policies of the University of Tennessee’s Office of Diversity and Inclusion that touch on religion and free speech issues. There is obviously something seriously wrong. For a state institution to promote policies that are inimical to Christianity—or any religion—is unacceptable. That these policies are driven by an alleged concern for tolerance makes

the need for such an investigation all the more compelling.

Thank you for your consideration.

CONCESSIONS GRANTED

The edict issued by the University of Tennessee's Office of Diversity and Inclusion effectively banning Christmas celebrations on the campus drew the ire of local and federal public officials, students, faculty, and alumni. From Bill Donohue's perspective, it was not only offensive to Christians, it was constitutionally suspect.

Following Donohue's issuance of the above letter, requesting of all members of the Tennessee state legislature who are responsible for education issues that they establish a panel to "critically assess the policies of the Office of Diversity and Inclusion at the University of Tennessee," Chancellor Jimmy G. Cheek announced that the offensive "suggestions" had been taken down; they no longer appear online. In addition, the person who wrote them, Vice Chancellor for Diversity and Inclusion Rickey Hall, has been "counseled" by his superiors. Furthermore, he will no longer be permitted to write any guidelines for this office.

This announcement makes sense, but it is disingenuous of Chancellor Cheek to maintain that the problem was purely a matter of "poorly worded communications." It was not. The problem is deeper—it stems from a mentality that is common to all university offices that are charged with advancing diversity and inclusion. To be specific, there is a built-in intolerance for Christianity, in particular, and for Western Civilization, in general.

The steps taken by the University of Tennessee are reassuring, but more needs to be done. Donohue has stood by his call for a probe of the Office of Diversity and Inclusion.

November 19

Washington, DC – The midseason finale of the Shonda Rhimes show, “Scandal,” featured Olivia Pope, played by Kerry Washington, having an abortion. While her child was being aborted, “Silent Night” played in the background; the show ended with a self-satisfied Pope listening to “Ave Maria.”

November 26

Detroit, MI – On Thanksgiving Day, Jex Black-more, the national spokesman for The Satanic Temple, poisoned her child, in utero, and then posted a blog bragging about her abortion. This is the face of Satanism that the media refuses to profile.

December

Tallahassee, FL– This Christmas season, we witnessed a surge in Satanic attacks. Until two years ago, Satanists were never bothered by the presence of a menorah on public property in Tallahassee. But when Christians decided to erect a nativity scene at the Florida state Capitol, they went wild: they succeeded in getting a Satanic display on state grounds. Though neither Christians nor Satanists displayed their symbols in the Capitol rotunda, Satanists warned Christians that if you dared to erect a crèche, they will counter.

Las Vegas, NV – Catholic churches in Las Vegas were stormed by an organized band of crazed evangelicals known as Koosha Las Vegas. They invade churches during Mass, shouting at parishioners to repent. “Pope is Satan!” “Mary is a Satan!” “Stop worshipping the idols!” “Idols are not going to save you!” “You need Jesus Christ!” Police confirmed at least three incidents.

Catholic school students were also being harassed. “If you look at the Catechism of the Catholic Church and you look at the Scriptures,” the bigots screamed, “you know why God hates this religious system.”

The Catholic League asked the Office of The Sheriff at the Las

Vegas Metropolitan Police Department to arrest any person who storms a Catholic church, or any house of worship. They need to be prosecuted with the full force of the law. Swift action followed our intervention. As the Las Vegas Review-Journal reported, a police press conference on the matter “came a day after the New York-based Catholic League for Religious and Civil Rights called on supporters to demand increased protection from Clark County Sheriff Joe Lombardo.” The Las Vegas Metropolitan Police Department assured the public, in writing, that it was “investigating these incidents” and “taking this matter seriously.”

December 2

Marlborough, NH – The school superintendent in Marlborough, New Hampshire, Robert Malay, banned use of the word “Christmas” from all Christmas events, including celebrations at the local American Legion post. He said he was constitutionally obligated to censor Christmas. This, of course, is a lie.

Instead of pleading with Malay to reconsider his decision, Bill Donohue contacted him and asked him to follow through on his convictions. Donohue suggested that he contact the United States Congress and demand that it rescind Christmas as a national holiday. Not unexpectedly, he did not get back to Donohue.

Following the Catholic League’s intervention, however, Malay apologized to American Legion Post Commander John Fletcher, both privately and on a local radio show. He said he planned to review the policy.

December 11

Harrisonburg, VA – “Mary Did You Know” is a song that could not be tolerated at James Madison University. Lyrics include, “Mary, did you know that your baby boy would save our sons and daughters?” It also contains lyrics which note that when Mary kisses her baby, she has “kissed the face of God.”

This song was to be sung at the annual "Unity Tree" [read: Christmas tree] lighting ceremony. But after the song was banned, the students who were to sing it refused to sing any songs at this event.

Bill Wyatt, associate director of communications at the school, explained the decision to muzzle the free speech of these students. "JMU is a public university, so because it was a school-sponsored event, the song choice needed to be secular." He is wrong. There is no law banning religious songs from being sung at public schools.

December 13

Detroit, MI – CNN aired a very sympathetic show on Satanism. It even allowed an un-named mother—she is a Satanist—to blame Christianity for her gay son's suicide, providing no evidence whatsoever. Worse, she was enticed by reporter Lisa Ling to do so. "Do you blame the church?" "Oh, yes, absolutely," the Satanist said.

December 15

Johnson County, KY – The superintendent in charge of schools in Johnson County, Kentucky censored all references to religion in this year's Christmas celebrations. Specifically, he banned a presentation of "A Charlie Brown Christmas" at one school, and ordered another not to allow "Silent Night" to be performed. He said he was following the advice of school district attorneys.

In Bill Donohue's letter to Superintendent Thomas Salyer, he pointed out that the U.S. Supreme Court let stand a 1980 ruling by the U.S. Court of Appeals for the Eighth Circuit, *Florey v. Sioux Falls*, that conditionally permitted religious themes at Christmas assemblies. Pursuant to this ruling, the Sioux Falls School District allowed Christmas presentations of a religious nature to be performed as long as they were presented "in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the

particular holiday." This is a reasonable, and not very high, bar to clear.

Who's to blame for this yearly debacle? There is much blame to go around. For example, the U.S. Supreme Court has not definitively ruled on this issue, allowing for some degree of uncertainty. To be sure, school officials such as Superintendent Salyer are neither required nor forbidden from allowing assemblies of a religious nature. But if anything, the ruling in *Florey v. Sioux Falls* empowers them to permit these annual events.

It's time school attorneys got up to speed on this issue. There is no legal reason to ban bona fide Christmas performances in the schools.

December 24

Oklahoma City, OK – On Christmas Eve, a Satanist and registered sex offender, Adam Daniels, pledged to pour blood over a Virgin Mary statue in front of a Catholic church in Oklahoma City. He admitted that his display, "Virgin Birth is a Lie," was aimed at the Catholic Church.