

Tennessee Schools Fight for Right to Celebrate Christmas

The American Civil Liberties Union, or ACLU, is threatening Tennessee school districts with legal action if students and teachers recognize Christmas. The Alliance Defense Fund (ADF) is stepping in to offer free legal assistance to protect the constitutional rights of the schools.

The drama started when the ACLU sent letters to public school superintendents in Tennessee warning them that the schools will violate the Constitution if they recognize Christmas without recognizing every other winter holiday.

“It’s ridiculous that people have to think twice about whether it’s OK to publicly celebrate Christmas. An overwhelming majority of Americans celebrate Christmas and are opposed to any kind of censorship of it,” says ADF Senior Counsel David Cortman. “Urban legends about the offensiveness of Christmas are clearly out of sync with the American people, common sense and the Constitution. The ACLU’s conclusions are without merit and are part of a tired, worn-out, and disproven campaign of fear, intimidation and disinformation.”

The ACLU's

letter states that school districts risk violating the U.S. Constitution if

they "focus primarily on one religious holiday" without teaching about a

variety of other winter holidays as well, including Hanukkah, Bodhi Day, Kwanza, Eid al Adha, Winter Solstice and New Year's Day. The

letter, which goes on to recommend using only secular holiday symbols, errantly

argues that the celebration of Christmas within the public schools produces

"divisive conflicts" and constitutes "indoctrination,"

"coercion" and

"censorship."

"In recent

years, certain groups, such as the ACLU, have spread misconceptions about the

legalities of celebrating Christmas in public school," the ADF letter states in

response. "As a result, many school officials have removed nearly all

religious references to Christmas and replaced them with secular

symbols. While many do so unknowingly, school officials have begun a new

'tradition' of violating the constitutional rights of students and teachers to

seasonal religious expression in our public school system."

"And our

Constitution acknowledges that people of faith have a right to openly express

their beliefs in the public square," the letter continues. "But many

school officials attempt to prohibit students and teachers

from expressing any religious aspect of Christmas. ... No court has ever ruled that the Constitution demands school officials to censor Christmas carols, eliminate all references to Christmas, or silence those who celebrate Christmas."

Tennessee attorney Zale Dowlen, one of nearly 1,900 attorneys in the ADF alliance, signed the letter together with Cortman and ADF Senior Counsel Nate Kellum, based in Memphis.

A 2008 Gallup poll found that 93 percent of Americans celebrate Christmas. A 2009 Rasmussen poll found that 83 percent of American adults believe public schools should celebrate religious holidays.