

What Happened to the Promise of "Never Again?"

by Phyllis Raybin Emert

After the horrors of the Holocaust, leaders around the world vowed "never again." Despite this pledge, numerous incidents of genocide have taken place around the world since the end of World War II. In fact, in 2002, Newsweek reported that the twentieth century was the "most genocidal period in history."

The mass slaughter of a people, race or culture for

political, economic or religious reasons has taken place with regularity throughout history, however, the word to describe such brutality—genocide—didn't exist until the 1940s. Raphael Lemkin, a lawyer and refugee from Nazi-occupied Poland who lost 49 members of his family in the Holocaust, created the word by combining *genos*, the Greek word for race or tribe, with the Latin *cide*, which means killing.

It's happening again

Today, mass murders are occurring in the Darfur region of western Sudan. The violence in Darfur, which began in July 2003, is based on ethnic differences. Government-sponsored Arab militias (called Janjaweed) have mostly targeted the Fur, Zaghawa and Massaleit tribes for killing.

According to an article in *The New* Republic, the Janjaweed leader, Musa

Hilal, issued an order to one of his commanders in 2004, stating, "Change the demography of Darfur and empty it of African tribes."

Former Secretary of State Colin Powell testified before the U.S. Senate Foreign Relations Committee in September 2004 that "genocide has been committed in Darfur, and the government of Sudan and the Janjaweed bear responsibility." >continued on page 7

Does 21st Century America Need a Voting Rights Act?

by Dale Frost Stillman

When the 15th Amendment to the U.S. Constitution was ratified in 1870, it guaranteed Americans the right to vote without regard to race, color or "previous condition of servitude." Why then, was the passage of the Voting Rights Act of 1965 necessary? And, why after more than 40 years, does the Act need to be renewed?

U.S. voting history

The U.S. Constitution did not provide specific protections for voting before the Civil War. According to the Civil Rights Division of the U.S. Department of Justice, the Military Reconstruction Act of 1867 permitted the former Confederate states "to be readmitted to the Union if they adopted new state constitutions that permitted universal male suffrage." In 1868, the 14th Amendment to the U.S. Constitution, which held that persons born or naturalized in the United States were considered citizens, was ratified.

Despite the Constitution's 14th and 15th Amendments, Congress still found it necessary to pass two additional Acts, the Enforcement Act of 1870, which instituted criminal penalties for >continued on page 7

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What Happened to the Promise of "Never Again?" continued from page 1<

Despite Powell's declaration, the U.S. has done little to alleviate the killing, offering humanitarian aid only to refugees.

In October 2006, *The Washington Post* reported that the militias have killed more than 200,000 people, destroyed villages, and forced nearly 2.5 million people from their homes.

Despite a negotiated peace settlement in May 2006 and the presence of more than 7,000 African Union forces (AU) in Darfur, the violence against civilians has continued. Part of the reason for this is that many rebel groups refused to sign the peace agreement and others are not honoring it.

On January 29, 2007, the Aegis Trust, a United Kingdom-based anti-genocide campaign, issued a press release that ran in the *Sudan Tribune*, pleading with governments worldwide

to step in and take the necessary steps to bring security to Darfur. Dr. James Smith, chief executive of the Aegis Trust, stated in the release that "time is running out for the people of Darfur."

The Aegis Trust claims in the release that what is needed to bring security to the region of Darfur is, among other things, a no fly zone over Darfur and the deployment of UN forces to Chad and the Central African Republic to prevent further large scale civilian loss and further destabilization of the wider region.

Dr. Smith contended, "Failure to take action makes a mockery of all the strong words and policies about protecting people from mass atrocities that world leaders signed up to in 2005."

Genocide After the Holocaust and "Never Again"

In 2005, on the anniversary of the liberation of the Auschwitz concentration camp, then

UN Secretary General Kofi Annan addressed the United Nations saying, "On occasions such as this, rhetoric comes easily. We rightly say 'never again.'" But action is much harder. Since the Holocaust, the world has, to its shame, failed more than once to prevent or halt genocide."

Ben Kiernan, director of the Genocide Studies Program at Yale University, would agree and told Der Server.

Ben Kiernan, director of the Genocide Studies Program at Yale University, would agree and told *Der Spiegel*, a German news magazine, "The second half of the 20th century didn't include cases of such large scale as the Holocaust, but there were more incidents."

While some experts say there have been as many as 37 incidents around the world that could be classified as genocide since 1945, below are descriptions of only a few.

Cambodia (1975)

In 1975, after a five-year civil war, the radical communist party Khmer Rouge defeated the American-supported Lol Nol government in Cambodia in Southeast Asia and began a genocide that killed almost one quarter of the country's population. Led by a man named Pol Pot, they evacuated all the cities, including the capital of Phnom Penh. Those who

to communes in the
country were forced
to work the fields. All
those associated with
the former
government were
murdered outright. The
corpses were buried in mass
shallow graves now referred to

as "the killing fields," where human bones poked up through the dirt.

The United States government began to condemn the Khmer Rouge government in 1978 and a number of American leaders started

Why genocide?

In the PBS documentary, *Auschwitz: Inside the Nazi State*, Professor Claudia Koonz of Duke University, and Professor Edward Kissi of the University of Florida, both of whom have written on the subject of genocide, discuss why it occurs. Professor Kissi, who has been a fellow at the Genocide Studies Program at Yale University and the Center for Holocaust Studies at Clark University, says in the film that genocide can occur through a combination of six factors: "1. ethnic prejudice, racism and other forms of hatred; 2. fear of the other; 3. extreme forms of nationalism; 4. radical and absurd ideas of social change; 5. myth-making—creating lies about a group of people that paints them as evil; and 6. the desire on the part of the state to engage in extreme propaganda against the group that motivates large numbers of people to go out and destroy that particular group."

Professor Koonz points out that during wartime, leaders that are intent on committing genocide "know they can get away with it" and bystander nations, those nations that don't want to get

involved in the conflict for whatever reason, also contribute to the genocide. She also said that one way to prevent genocide is the "early, swift, decisive intervention from the international community."

In her book, A Problem from Hell—America and the Age of Genocide, Samantha Power, a noted historian and director of the Human Rights Initiative at the Kennedy School of Government at Harvard University, discusses nations that do nothing in the face of genocide, in particular the United States. Power claims there are two reasons the United States should stop genocide. The first reason is because it is the moral and right thing to do. "When innocent life is being taken on such a scale and the United States has the power to stop the killing at reasonable risk, it has a duty to act," she wrote.

The second reason is self-interest. Genocide undermines stability, creates refugees and tells people that murder is allowed, she contends. According to Power's book, "security for Americans at home and abroad is contingent on >continued on page 4

speaking out against the genocide.

However, it wasn't until the Vietnamese invaded Cambodia in January 1979 and defeated the Khmer Rouge that the killing ended. While Pol Pot fled to Thailand, the Vietnamese collected evidence that in three and a half years, nearly two million people out of a population of over seven million had been murdered or starved to death.

Iraq (1987)

In May 1987, Iraqi President Saddam
Hussein ordered chemical attacks on a
segment of his own people, the Kurds.
Others, who had helped the Iranians during
the Iran-Iraq War, were murdered in mass
executions. When Hussein continued
chemical attacks against the Kurds after the
war with Iran had ended, the U.S. Senate
on September 9, 1988 passed sanctions
against Iraq. However, by October 1989, the
new American president, George Herbert
Walker Bush signed a directive normalizing
relations between the U.S. and Iraq. The
partnership didn't last long. Iraq invaded

Kuwait and the U.S. came to the aid of Kuwait in the Gulf War of 1991.

The Human Rights Watch organization, after an 18-month investigation, found that up to 100,000 Kurds (many of whom were women and children) were executed or disappeared, and hundreds of thousands were forced from their property. The Kurds claim the number is closer to 200,000 deaths. In 2006, nearly twenty years later, former president Saddam Hussein was finally tried in Iraq for his crimes and found guilty. He was executed on December 30, 2006 for crimes against humanity.

Bosnia (1992)

The breakup of Yugoslavia resulted in several smaller countries declaring their independence in 1991 and 1992. These countries included Serbia, Montenegro,

Bosnia-Herzegovina and Croatia. In 1991, Serb forces attacked Croatia to supposedly protect the Serbian minority there. The superior Serbian military force executed hundreds of Croatian men. A U.S.sponsored cease fire through the United Nations went into effect in late 1991, and the fighting in Croatia stopped. The Serbians then attacked Bosnia where Serbs comprised about 32 percent of the population. The Muslim majority in Bosnia had little chance against the Serbian military, which wanted to create a homogenous country of Serbs in Bosnia. Soon, the Serbians began a policy of mass shootings, deportations of entire towns and created

In August 1995, the U.S. led a NATO bombing campaign against the Serbians that eventually resulted in a peace accord that divided the

>continued on page 4

concentration camps for the Muslim men

and boys. These actions were referred to

as ethnic cleansing.

What Happened to the Promise of "Never Again?" continued from page 3<

international stability, and there is perhaps no greater source of havoc than a group of well-armed extremists bent on wiping out a people on ethnic, national or religious grounds."

A 2006 editorial in The New Republic pointed to the indifference of the international community to genocide. "If you are not willing to use force against genocide immediately, then you do not understand what genocide is," the editorial stated. "Genocide is not a crisis that escalates into evil. It is evil from its inception. It begins with the worst. It makes no sense, therefore, to speak of ending genocide later. If you end it later, you will not have ended it."

Passing a resolution

In 1946, the General Assembly of the new United Nations in New York passed resolution 96, which stated, "genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world..."

The 1948 Convention on the Prevention and Punishment of the Crime of Genocide defined genocide as an "act committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: a) killing members of the group; b) causing serious bodily or mental harm to members of the group, c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, d) imposing

measures intended to prevent births within the group, or e) forcibly transferring children of the group to another group."

For Raphael Lemkin, the passage of the resolution meant that his family and millions of others had not died in vain. Yet, "nearly four decades would pass before the United States would ratify the treaty," Power points out in A Problem from Hell, "and fifty years would elapse before the international community would convict anyone for genocide."

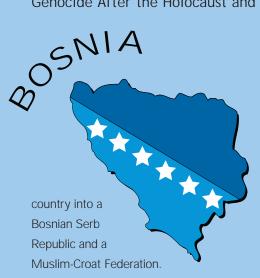
American opposition to ratification

Power writes in her book that U.S. legislators were not anxious to ratify the genocide convention because they were concerned about the infringement of American sovereignty, and were fearful that the U.N. would use the resolution as a pretext to investigate the "internal affairs of the United States."

Year after year, until his death in 1959, Lemkin lectured and lobbied to get the resolution ratified by the U.S. Senate, to no avail. In 1967, Senator William Proxmire of Wisconsin took up the cause to ban genocide.

Proximire declared at the time, "The Senate's failure to act has become a national shame...I serve notice today that from now on I intend to speak day after day in this body to remind the Senate of our failure to act and of the necessity for prompt action."

Genocide After the Holocaust and "Never Again" continued from page 3<



The final death toll was about 200,000 murdered Muslims and thousands more missing, plus two million refugees.

In 1999, Serbian violence erupted again, against the Albanians. The Serb leader Slobodan Milosevic refused to negotiate a

peaceful compromise. Hoping to stop another genocide, NATO jets, under the command of U.S. General Wesley Clark, bombed Serbian positions for 78 straight days until Milosevic surrendered. Samantha Power wrote in her book, A Problem from Hell, "It was the first time in history that the U.S. or its European allies had intervened to head off a potential genocide."

Rwanda (1994)

While the Serbs were engaged in ethnic cleansing in Bosnia, the Hutu government of Rwanda in Africa began massacring the country's Tutsi minority. According to The New York Times, "In 100 days in 1994... seven out of 10 of Rwanda's Tutsis were wiped out with a

brutal efficiency." All of the 800,000 Tutsi victims were unarmed civilians. Neither the

WAN U.S. nor the United Nations intervened to stop the slaughter until it was over. Rwanda's two ethnic groups (the Hutu and the Tutsis) have a violent history dating back to the 1950s. On April 6, 1994,

the official plane of Hutu President

Juvenal Habyarimana was shot down and all on board were killed. This event was used by the Hutu as a pretext for launching genocide against the Tutsis even though it was not certain who fired the rocket that brought down the plane.

Little did Proxmire know that the ratification would take 19 years and more than 3,000 speeches on the Senate floor. Finally in 1986, after 97 other countries had already ratified the genocide convention, the U.S. Senate adopted the resolution. Full ratification, however, required a federal law making genocide a crime in America. It took two more years to pass legislation making genocide punishable by life imprisonment and fines up to \$1 million.

President Ronald Reagan finally signed the bill into law in 1988.

Stopping genocide

In his article *Eight Stages of Genocide*, Dr. Gregory H. Stanton, identified the stages of genocide as classification, symbolization, dehumanization, organization, polarization, preparation, extermination and denial. Dr. Stanton is the founder of Genocide Watch, a website with the mission to predict, prevent, stop and punish genocide.

According to Dr. Stanton, who served with the U.S. State Department from 1992-1998, drafting many important resolutions,

The international community was reluctant to use the word genocide, until the facts of the situation could be determined. Unfortunately, once that determination was made, nearly a million Tutsis were already dead. President Bill Clinton visited Rwanda in the summer of 1994 and apologized, "We in the United States and the world community did not do as much as we could have and should have done to try to limit what occurred..."

More than 700,000 people have been identified as participants in the 1994 genocide in Rwanda and will eventually stand trial. In December 2003, a UN international court convicted three Rwandans of genocide because they "poisoned the minds" of newspaper readers and radio listeners to exterminate the Tutsi minority. The newspaper and radio openly called for Tutsi murders and named specific people to be targeted. The summary decision of the judges declared, "Those who control the media are accountable for its consequences," and noted there is a "legal boundary between free speech and criminal incitement to mass murder."

—Phyllis Rabin Emert

all societies are divided into various groups, based on ethnicity, race, religion or national origin. To maintain peace, he says, a national identity should be promoted that transcends these differences and encourages tolerance and understanding. This is the

He contends that once the first two stages (classification and symbolization) have been realized, genocide is not always the result unless the next stage, dehumanization is also reached.

Symbols of hatred, such as swastikas, applied to the various groups in society can be legally outlawed, Dr. Stanton noted. He also claims that "denial of symbolization," or depriving a symbol of its significance, can be a

powerful tool to combat genocide. For example, when Jews were ordered to wear yellow stars in Nazi Germany, they became **stigmatized** and alienated from everyone. But in Denmark, all citizens, including the King, wore the yellow star, so that no one person was distinguished from the other.

Dehumanization occurs when the ruling group, according to Dr. Stanton, "denies the humanity of the other group," comparing them with animals, rats or insects. When TV, radio, newspapers and posters tell people that a particular group is a bunch of cockroaches and should be exterminated, Dr. Stanton observed, it's a lot easier to murder them, even children, because they've lost their status as human beings.

Dr. Stanton notes that genocide is always organized by the state with the use of trained and armed militias. These militias, he believes, should be outlawed, and their leaders deported and punished. Polarization occurs in a society when different groups have been driven apart and stigmatized. At this stage of genocide, laws may have already been passed prohibiting intermarriage, and other legal restrictions on the targeted group.

Victims are next forced out of their homes and segregated from the rest of society in ghettos and camps, deprived of food and medicine. When the stage of extermination begins, Dr. Stanton wrote, "the mass killing legally is called genocide... At this stage, only rapid and overwhelming armed intervention can stop genocide...If the UN will not intervene directly, militarily powerful nations should provide the airlift, equipment and financial means necessary...It is time to recognize that the law of humanitarian intervention transcends the interests of nation-states,"

Dr. Stanton maintains.

Single-Sex Classrooms — Educational Opportunity or Segregation?

by Cheryl Baisden

According to the federal government, the boy or girl sitting next to you in class could be keeping you from getting better grades. That's right, the U.S. Department of Education believes that in some cases teaching boys and girls in the same classroom can make learning more difficult. With this in mind, the department approved a new rule in October 2006 that makes it easier for school districts to create single-sex classrooms, and even single-sex schools.

Federal lawmakers say the new policy will make it easier for school districts to meet the requirements of the 2001 No Child Left Behind Act, which is aimed at improving learning by giving parents more educational options.

Under the policy change, school districts can offer students single-sex classes and schools as long as enrolling in them is voluntary and they also provide a "substantially equal" class or school for the other sex.

Separate but equal?

Supporters of the change
say boys and girls learn differently, and that
the policy will help both sexes get a better
education. Opponents believe it will promote stereotypes,
segregation and discrimination, because it does not clearly
define what "substantially equal" means.

"It really is a serious green light from the Department of Education to re-institute official discrimination in schools around the country," Marcia Greenberger, co-president of the National Women's Law Center told *The New York Times* when the rule was announced in October.

"I find it very troubling," National Organization for Women President Kim Gandy told *People* magazine. "We know that the all-boy math class will quickly become the real math class. It's not a healthy dynamic."

Jill Rojas, principal of a middle school in Long Beach, CA. that was the country's first to offer single-sex classes in the late 1990s, sees single-sex classes in a different light.

"We have seen many students start to focus heavily on academics," she told *Education Week* magazine in 2000. "They no longer clown or try to impress the opposite sex. Girls are more apt to answer questions aloud in class as well as ask them. Girls are learning to be more academically competitive and boys are learning to collaborate," she said.

Middle school is an appropriate time to begin separate education, according to Mary Ace, a clinical social worker, who has worked in the New Jersey education system for 20 years. "Separating students beginning just before puberty can help when it comes to concentration," Ace said. "Single-sex classes often can prevent these students from being distracted by the other sex and worrying about how the boys or girls perceive them."

Both sides base at least some of their arguments on studies conducted in the 1990s by the American Association of University Women (AAUW). The first series of studies, reported in 1995, found that girls were often getting shortchanged in class, being called on less often and being given less attention and support than boys. Also, girls tended to have more trouble in math and science classes, while boys often had difficulty in reading and writing. By providing single-sex education in these areas, the study concluded, the needs of both genders

dy concluded, the needs of both genders would be better met.

Just three years later,
however, after some schools
around the country began
operating single-sex classes, the
AAUW released a study that
reported that single-sex classes
were not the answer. Instead,
the study focused on smaller
class sizes as a way to meet
students' individual needs.

What about New Jersey?

"Before this federal action was adopted, single-sex classes were not permitted in New Jersey,"

explained Richard Vespucci, a public information officer with the New Jersey Department of Education. "In our eyes it would have been considered a violation of Title IX, and so it would have been unconstitutional."

>continued on page 8

VOTING BOOTH

interfering with the right to vote, and the Force Act of 1871, which provided for the oversight of elections by the federal government.

The passage of these two Acts might have been necessary due

to hate groups, such as the Ku Klux Klan and the Knights of the White Camellia. According to the Justice Department, these groups tried to prevent the enforcement of the 15th Amendment, which would supersede any state law that prohibited black voting. African American voters had been elected to office at this time, however, once they were subjected to violence at the polls, many decided not to vote, and the number of African American-elected officials dropped dramatically, according to the U.S. Department of Justice and led to such disenfranchising laws as poll taxes, literacy tests, and vouchers of "good character" in order to vote.

Fighting disenfranchisement

Disenfranchisement is the act of depriving someone of his or her right of citizenship,

especially the right to vote. Several U.S. Supreme Court cases attacked the disenfranchisement of black voters. However, states supporting the disenfranchisement continued their efforts with lawsuits and discriminatory tactics. In 1965, the murders of three voting-rights activists in Philadelphia, Mississippi and an attack by state troopers on marchers in Selma, Alabama who were peacefully attempting to regain their voting rights on what is now called "Bloody Sunday," convinced President Lyndon Johnson that the United States needed a strong voting rights law. The President signed the Voting Rights Act of 1965 into law on August 6, 1965.

What the Act said

Essentially the Voting Rights Act of 1965, like the 15th Amendment, prohibited voting discrimination for any reason, including literacy tests. One section of the Act dealt specifically with areas of the country where Congress felt the greatest potential for discrimination might occur. According to the Act, these jurisdictions are not allowed to put into effect any change in voting procedures unless the Attorney General determines such a change would not have a discriminatory effect. If the Attorney General so directs, a federal examiner can be appointed to review the qualifications of people registering to vote, according to the Justice Department. This so-called "preclearance" section of the Voting Rights Act applies, in whole or in part, to 16 states (Alabama, Alaska, Arizona,

California, Florida, Georgia, Louisiana, Michigan, Mississippi, New Hampshire, New York, North Carolina, South Carolina, South Dakota, Texas and Virginia).

The Voting Rights Act of 1965 was challenged in the courts, leading the U.S. Supreme Court to issue an opinion in 1966 that upheld the constitutionality of the Act. According to the decision, "Congress had found that case-bycase litigation was inadequate to combat widespread and persistent discrimination in voting, because of the inordinate amount of time and energy required to overcome the obstructionist tactics invariably encountered in these lawsuits. After enduring nearly a century of systematic resistance to the 15th Amendment, Congress might well decide to shift the advantage of time and inertia from the perpetrators of the evil to its victims."

Is the Act still needed?

According to the American Civil Liberties Union, many discriminatory laws and practices

with respect to voting still exist and the organization urged

Congress to renew the Voting Rights Act. An editorial in *The New York Times*, for example, contended that Missouri's ID law "intended to deter voting by blacks, poor people and other groups less likely to have driver's licenses." The law requires voters to bring a governmental photo ID to the polls, which some 200,000 Missourians do not have. Indiana and Georgia have similar laws, the editorial claimed.

Diversity Inc. Magazine reported that the 2000 and 2004 elections had problems such as long lines, lists of ineligible voters, faulty ballots and voting machines, most often in predominantly black precincts. The Wall Street Journal reported that thousands of voters in Florida were disenfranchised when a private company confused registered voters with a list of convicted felons who had the same names. As a result, civil rights groups including the NAACP won a federal discrimination lawsuit against the election departments in Miami-Dade, Broward and five other counties in Florida according to a report on voting rights by University of Miami law professor JoNel Newman.

25 more years

The foregoing special provisions of the Voting Rights Act were renewed by Congress but not without opposition from several Southern lawmakers. >continued on page 8

suffrage — the right or privilege of voting

Does 21st Century America Need a Voting Rights Act? continued from page 7<

Representative Lynn Westmoreland, of Georgia, told ABC News, "The House is voting to keep my state in the penalty box for 25 more years."

Westmoreland was opposed to the Act's extra monitoring of certain jurisdictions with a history of discrimination. The preclearance portion of the Act "should apply to all states or no states," Westmoreland said. "Singling out certain states for special scrutiny

> no longer makes sense." He proposed that "the formula for deciding which states are subject to preclearance should be updated every

> > four years and be based on voter turnout in the most recent three elections," Diversity Inc. reported.

Democratic Representative John Lewis, also of Georgia, who was beaten by state troopers in the 1965 Selma march for voting rights, told MSNBC, "The sad truth is, discrimination still exists. That's why we still need the Voting Rights Act and we must not go back to the dark past."

The House was forced to postpone the vote as a result of the debate over proposed amendments, but eventually approved an extension of the major provisions of the Voting Rights Act in July 2006. The Senate passed The Fannie Lou Hamer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006 several days later. President George Bush signed the Act into law on July 27, 2006.

Single-Sex Classrooms — Educational Opportunity or Segregation? continued from page 6<

Title IX, a 1972 amendment to the Civil Rights Act of 1964, requires that all students receive equal educational opportunities. Under Title IX, a student could not be excluded from an educational program supported by taxes based on their gender.

Over the years, a handful of school districts in New Jersey considered, and in some cases even started, single-sex classes, but in each case the state Department of Education notified them that single-sex programs violated the state's interpretation of Title IX. Moorestown, for example, developed a girls' math program in the 1990s, which was discontinued when constitutional concerns were raised by the state. Similarly, Secaucus Middle School offered a girls' math class and a boys' social studies class in the 1990s as well, until the state learned of the programs.

"What it came down to was that when the issue would surface, and the state would hear about it, we would explain the constitutional violation and the district would cancel the program or drop the idea," Vespucci said.

With the new federal rule, New Jersey school districts are in a better position to introduce same-sex classrooms or programs in its schools.

Interpreting Title IX

Apparently not every state held the same interpretation of Title IX and single-sex classes as New Jersey. According to the National Association for Single Sex Public Education (NASSPE), approximately 223 public schools across the country offered single-sex classrooms before the federal policy was approved. According to NASSPE Director Leonard Sax, the number has risen steadily since 1998, when only four

> of these classes were in place. A total of 24 single-sex schools are operating nationally.

"All along, it really was a matter of individual interpretation," explained Brian Cige, a constitutional lawyer. "Title IX required that all students receive equal educational opportunities. It didn't specifically say single-sex classes were prohibited. Some school districts took more of a risk than others in interpreting the law," he said.

in New Jersey will be difficult, admitted Cige. If a New Jersey school district decided to create a same-sex class, a complaint would need to be filed by a parent who feels his or her child is not getting an equal education. That complaint would then be investigated

Monitoring the success or failure of these programs by the New Jersey Department of Education.