

November 10, 2008

President-elect Barack Obama  
Obama Presidential Transition Team  
Washington, D.C. 20270

**RE: SECULAR COALITION URGES CHANGES TO RELIGIOUS ACCOMMODATION PRACTICES IN THE MILITARY**

Dear President-elect Obama:

As you undertake the task of evaluating current military policies and making appointments for your new administration, the Secular Coalition for America and its member organization, the Military Association of Atheists and Freethinkers, ask you to consider the documented problems of religious discrimination in our military that you will inherit from the Bush Administration.

As the director of the Secular Coalition for America, a national organization dedicated to the civil rights of nontheistic Americans, I am particularly concerned with the inadequacy of current guidelines and practices to accommodate nontheistic members of our armed forces. News reports, as well as my own interaction with our constituency across the country, point to an urgent need to update and streamline guidelines in order to prevent a minority of some evangelical Christians from perpetuating employment discrimination based on religion, coercive proselytizing in everyday activity, and an overall culture of religious intolerance against those who do not share the beliefs of this minority.

What follows is a discussion of these problems as well as our detailed recommendations for remedying them. We give special attention to the role properly recruited and trained chaplains can play in protecting the freedoms of our service members: the same freedoms their civilian counterparts enjoy and which they so bravely defend every day.

**Background**

A 2004 report on religious preferences of military personnel conducted by the Population Reference Bureau found that 21% of service members identified as Atheists or as having “no religion.”<sup>1</sup> The report also revealed that 35% identified as Protestants, 22% as Catholic/Orthodox, 11% as “Other Christian” and less than .5% as Jewish, Muslim, Buddhist, and Hindu. Despite data indicating that one-out-of-five U.S. service members identify as “atheist” or as “having no religion,” nontheists serving in the armed services are frequent victims of religious discrimination and coercive proselytizing.

The problem of coercive proselytizing in the military came into public view in 2005 when a report<sup>2</sup> was released showing that officers, faculty and cadets at the Air Force Academy in Colorado Springs

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<sup>1</sup> Segal, David R. and Mady Weschler Segal, “America’s Military Population,” *Population Reference Bureau*, Vol. 59, No. 4., December 2004.

<sup>2</sup> Headquarters, United States Air Force. *The Report of the Headquarters Review Group Concerning the Religious Climate at the U.S. Air Force Academy*. 22 June 2005.

promoted evangelical Christian beliefs and displayed insensitivity towards and harassed cadets who practiced a different religion or who chose to practice no religion at all.<sup>3</sup>

In the last five years, major news outlets have reported at least twenty separate incidents in which military personnel have been harassed, discriminated against and coercively proselytized; *The New York Times* alone has published seven articles detailing the problem of military proselytizing in various branches of the military, including at military academies. Also widely reported has been the unethical appearance of seven high-ranking, uniformed military officials in a video promoting "The Christian Embassy," a group that evangelizes among military leaders, politicians and diplomats in Washington. Two of the officers (Gen. Robert Caslen and Col. Lucious Morton), although reprimanded by the Department of Defense's Inspector General for their participation with this evangelical project, were later promoted.<sup>4</sup>

The Military Association of Atheists and Freethinkers provides an online forum in which hundreds of enlisted personnel have described instances of harassment, discrimination and proselytizing. In most cases, these service members do not report their concerns up the chain of command. Furthermore, since 2005, the Military Religious Freedom Foundation has received over 9,000 complaints from active and retired military personnel who witnessed and/or experienced harassment, persecution or employment discrimination based on religious beliefs or lack thereof; of these complaints 96% were from Christians.

### **The Rise of Evangelical Associations in the Military**

Organizations like the Officers Christian Fellowship (OCF), The Military Ministry of the Campus Crusade for Christ, the Fellowship of Christian Athletes (FCA), and the Christian Military Fellowship (CMF) encourage soldiers to proselytize as their primary mission in the military. A representative mission statement is at the official OCF website. OCF states, "Our purpose is to glorify God by uniting Christian officers for biblical fellowship and outreach, equipping and encouraging them to minister effectively in the military society."

- They intend to transform the "entire military society" into one that is a "community of believers with a passion for [a Christian] God and compassion for the entire military society."
- They also "call on Christian officers to integrate biblical standards of excellence into their professional responsibilities."
- They think that "local or ship-based chapel activities offer prime venues for Christ-centered outreach and service to a military community. OCF acknowledges the chaplain's responsibility for and authority in local Command Religious Programs. Thus, we support chapel-sponsored and workplace ministry activities through prayer, encouragement, and participation. By cooperating with and assisting chaplains and lay leaders, we seek to exalt the Lord Jesus Christ throughout the entire military society."

The OCF operates in almost all our military bases worldwide and counts 15,000 US military personnel around the world as members.<sup>5</sup> This organization is dedicated to co-opting military resources and personnel to market Christianity, and its president, MG Robert Caslen, was recently

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<sup>3</sup> Headquarters, United States Air Force. *The Report of the Headquarters Review Group Concerning the Religious Climate at the U.S. Air Force Academy*. 22 June 2005.

<sup>4</sup> Appendix A

<sup>5</sup> "US military accused of harboring fundamentalism." 13 Feb 2008. [http://afp.google.com/article/Aleqm5hj\\_WdsuJSD-7xlcenAGMSPeoCsImlQ](http://afp.google.com/article/Aleqm5hj_WdsuJSD-7xlcenAGMSPeoCsImlQ)

reprimanded for inappropriately promoting religion through his participation in the Christian Embassy video.

### **Subordinate/Superior Relationships**

Federal law requires everyone who enlists or re-enlists in the Armed Forces of the United States to take the enlistment oath. In this oath, military personnel pledge “to support and defend the Constitution of the United States.” The Constitution states that religion cannot be used as a qualification for public service and that our government can neither advance nor inhibit religion.

Despite this oath to the Constitution, assignments and promotions based on religious membership rather than merit have occurred,<sup>6</sup> as have endorsements of religion.<sup>7</sup> In addition, there are reports that military leaders have worked in conjunction with the military chaplaincy in coercing soldiers to attend religious services, and encouraging them to abide by religious laws or proselytize to their fellow soldiers.<sup>8</sup>

The military command structure gives officers, including chaplains, wide latitude in defining insubordination, determining punishment and recommending promotions. It is our belief that service members in all branches learn early, from the moment they begin the enlistment process which includes establishing religious affiliation, that open nontheism is discouraged by the military hierarchy. We also know of cases in which attempts to report violations are met with bureaucratic runarounds and top-down pressure to abandon the complaint. Therefore, among our first policy recommendations is the establishment of effective mechanisms for reporting discrimination, harassment and proselytizing.

### **The Role of Chaplains**

Men and women serving in the military have the right to worship or not worship as their conscience demands, and the chaplaincy guarantees the free exercise of that right. The role of the chaplain is both to ensure that service members are able to practice their religion, and to improve the morale of soldiers.<sup>9</sup> More than 3,800 military chaplains serve in the US armed forces. The largest of the services, the Army, recognizes 120 endorsing bodies—religious organizations that sponsor chaplains.

Military chaplains are appointed as commissioned officers with rank and uniform but without command. On bases and ships, during deployment and at all times, chaplains are attached to commanders, working as close advisors in terms of morale and the religious climate, which gives them a special status within the chain of command.

According to the only federal court decision directly dealing with the military chaplaincy's constitutionality, *Katcoff v Marsh*, "the primary function of the military chaplain is to engage in activities designed to meet the religious needs of a pluralistic military community." Army chaplains are hired to serve military personnel "who wish to use them," the Court observed; they are not authorized "to proselytize soldiers or their families."

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<sup>6</sup> Hall v. Welborn, No. 08-2098 (D. Kan. Mar. 5, 2008)

<sup>7</sup> Appendix A

<sup>8</sup> Headquarters, United States Air Force. *The Report of the Headquarters Review Group Concerning the Religious Climate at the U.S. Air Force Academy*. 22 June 2005.

<sup>9</sup> *Katcoff v. Marsh* (755 F.2d 223, 2<sup>nd</sup> Cir. 1985)

Given the chaplains' mandate to serve a religiously pluralistic population, it is unacceptable for them to advance any one religion or religious philosophy over any other, including monotheism over other types of theism or nontheism. They are also forbidden to compel a member of the United States Armed Forces to conform to a particular religion or religious philosophy or compel anyone to witness or engage in religious exercises.

Chaplains are first and foremost officers in the U.S. military. Too often, however, chaplains fail to intervene in cases of subordinates being ostracized, harassed, denied promotions or threatened with physical violence by others in their unit for religious reasons,<sup>10</sup> or when those who hold no god-belief are coercively proselytized.<sup>11</sup> Chaplains have reportedly tolerated disparaging remarks about belief systems, including the statement "there are no atheists in foxholes,"<sup>12</sup> and allowed commanding officers to deny privileges to nontheists that are routinely available to religious members of the armed forces, such as meeting passes.<sup>13</sup>

### **Chaplains' Knowledge and Resources Problem**

The military has failed to ensure that chaplains are knowledgeable about religions other than their own; for example, there is no education in religious diversity during the twelve week Chaplain Basic Officer Leadership Course and it is rarely taught in the seminaries from which chaplains graduate.<sup>14</sup>

Chaplains without insight into beliefs other than their own are ill equipped to counsel service members with other beliefs or to provide materials or referrals to organizations that speak to their beliefs. This is especially discriminatory in the case of nontheistic personnel: in the absence of training in philosophies such as humanism, atheism and agnosticism (or Buddhism, pantheistic religions or Wiccan, for that matter), chaplains may conclude that references to "God" that do not specify a deity such as Allah or Christ, are adequately inclusive – but that is not the case.

### **Action Plan to Protect Religious Liberty and Freedom of Conscience**

#### *Vetting New Appointments and Promotions*

In the process of interviewing and investigating potential appointees for leadership positions in your new administration, the Secular Coalition for America and Military Association of Atheists and Freethinkers (MAAF) urge your transition team to include in its vetting process a thorough review of the potential appointees' commitment to fostering a secular military that protects the religious liberty and freedom of conscience of our soldiers. For instance, applicants who believe that chaplains and commanding officers have the right to proselytize unwilling or unchurched soldiers must be rejected.

#### *A Directive from your New Secretary of Defense*

To demonstrate your administration's commitment to implement the change we urge your new Secretary of Defense to issue a directive on protecting the free exercise of religion in the military and enhancing the training of military chaplains. This directive would require the various services to

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<sup>10</sup> Hall v. Welborn, No. 08-2098 (D. Kan. Mar. 5, 2008)

<sup>11</sup> Headquarters, United States Air Force. *The Report of the Headquarters Review Group Concerning the Religious Climate at the U.S. Air Force Academy*. 22 June 2005.

<sup>12</sup> Military Association of Atheists and Freethinkers "Report on Chaplains." <http://maaf.info/rptchap.html>

<sup>13</sup> Headquarters, United States Air Force. *The Report of the Headquarters Review Group Concerning the Religious Climate at the U.S. Air Force Academy*. 22 June 2005.

<sup>14</sup> Phone interview. 10 October 2008 with staff at Chief of Chaplain Corps.

update their regulations to conform to these instructions. This directive would include the following edicts:

- Prohibit any official statement or action that endorses any particular faith or even the idea of religion over non-religion.
- Remind commanders and civilian leaders of the plural nature of our society and military, and that bigoted remarks and religious discrimination will not be tolerated.
- Explicitly prohibit all military personnel, including chaplains, from proselytizing.
- Reiterate that chaplains provide ministry to those of their own faith, facilitate ministry to those of other faiths, and provide care for all service members, including those of no religious faith.
- Require an expansion of chaplain school training programs to ensure that new chaplains are prepared to support service members of various religions, including those of no religious faith.
- Require that chaplains have easy access to relevant religious materials that represent the full spectrum of all service members' belief systems under their command.
- Order that public prayers will not be included in mandatory-attendance settings such as staff meetings, office meetings, classes, or officially sanctioned activities.
- Reaffirm that chaplains and the chaplain corps are accountable for the unit command climate with respect to religious liberty and freedom of conscience.

#### *Conduct a Survey of Military Personnel*

In order to determine the pervasiveness of the problems of religious discrimination and proselytizing, the Secular Coalition and MAAF recommend that your administration conduct a survey of military personnel. This survey would examine the type and frequency of religious accommodation problems service members encounter and elicit the effectiveness of current channels to report and resolve violations. We are confident that you will find the scope of this problem to be extensive and the current means to report and resolve these problems to be inadequate.

#### *Establish a Commission for Religious Accommodation*

The Secular Coalition and MAAF urge your administration to create a Commission for Religious Accommodation to protect service members' freedom of conscience. This Commission would be located in the Department of Defense's Inspector General's office and would be charged with the following tasks:

- Creating effective channels for service members to report instances of religious discrimination, proselytizing, or other failures to provide religious accommodation.
- Monitoring and investigating instances of proselytizing, religious discrimination, or other attempts to deny religious accommodation by chaplains and/or commanding officers.
- Ensuring enforcement, corrective action, and/or appropriate punishment of violations of religious accommodation.

- Reporting to Congress annually on the number, types, and outcomes of complaints received.
- Making recommendations for the improvement of regulations and trainings to ensure the protection of religious liberty and freedom of conscience.
- Monitoring diversity within the chaplains' corps, especially at high levels, and working to ensure this diversity represents the composition of the military.

## **Conclusion**

The current military-wide directive on religious accommodation<sup>15</sup> addresses the right to practice religion, but is silent on how to handle nonreligious Americans who constitute one fifth of the armed forces. In large part, this omission creates the environment in which nontheists of all kinds have no recourse when religion is forced upon them in both formal and informal settings affecting their daily work and their careers and, in some cases, their safety. This makes issuing a new directive from the Secretary of Defense, which explicitly acknowledges and accommodates this significant group, a priority which we hope you will attend to soon after taking the oath of office as our new president and Commander in Chief.

Thank you for your consideration. We look forward to working with your administration on this very important matter.

Sincerely,

Lori Lipman Brown  
Director

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<sup>15</sup> DoD Directive 1300.17, "Accommodation of Religious Practices Within the Military Services", February 3, 1988  
<http://www.dtic.mil/whs/directives/corres/pdf/130017p.pdf>

## Appendix A: Civilian and Military Officials Inappropriately Promoting Religion

### Example 1

Air Force Maj. Gen. Jack J. Catton Jr., was under investigation for allegedly using his official e-mail to contact over 200 members of his Air Force Academy class to endorse a friend in a Congressional race, saying, “We are certainly in need of Christian men with integrity and military experience in Congress.” Gen. Catton claims he mistakenly used his official email for the correspondence, as Defense Department rules prohibit its use to endorse candidates. Upon realizing the error, he sent out a recall of that email. The Pentagon had no comment.<sup>16</sup>

### Example 2

The promotion of military personnel who have used their rank as a way of intimidating others to attend services, pray, or be more religious has not been adequately addressed.

On December 11, 2006 the *Washington Post* reported that high-ranking Army and Air Force officers appeared in uniform supporting the organization and describing efforts to spread the faith in a promotional video for Christian Embassy, an evangelical organization that claims to hold weekly prayer breakfasts in the Pentagon. The video bears no disclaimer that it does not reflect the views of the Pentagon, despite having footage from within the Pentagon itself.<sup>17</sup>

Eight months later, the *Washington Post* reported that The Inspector General of the Department of Defense<sup>18</sup> found that four generals and three other officers inappropriately offered support for Christian Embassy, while appearing to operate on behalf of their respective military branches. The inspector determined they violated ethical rules and recommended that the Army and Air Force take “unspecified corrective action” against the participants in the videos.<sup>19</sup>

Two of the seven officers who were charged with violating ethical rules because of their participation in a Christian Embassy video were both recently promoted. Maj. Gen. Robert L. Caslen, Jr., a brigadier general at the time of the Christian Embassy scandal, has now been appointed to the prestigious position of Commanding General of the 25th Infantry Division.<sup>20</sup> Col. Lucious Morton, a lieutenant colonel when he appeared in the Christian Embassy video, was selected to attend the U.S. Army War College, and was promoted to colonel on October 1, 2007, less than three months after the DoD Inspector General's report.<sup>21</sup>

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<sup>16</sup> <http://www.washingtonpost.com/wp-dyn/content/article/2006/05/05/AR2006050501535.html>, “Air Force to Examine Fundraising E-Mail Sent by a General,” May 6, 2006, *Washington Post*

<sup>17</sup> <http://www.washingtonpost.com/wp-dyn/content/article/2006/12/10/AR2006121000883.html>, “Inquiry Sought Over Evangelical Video,” December 11, 2006, *Washington Post*

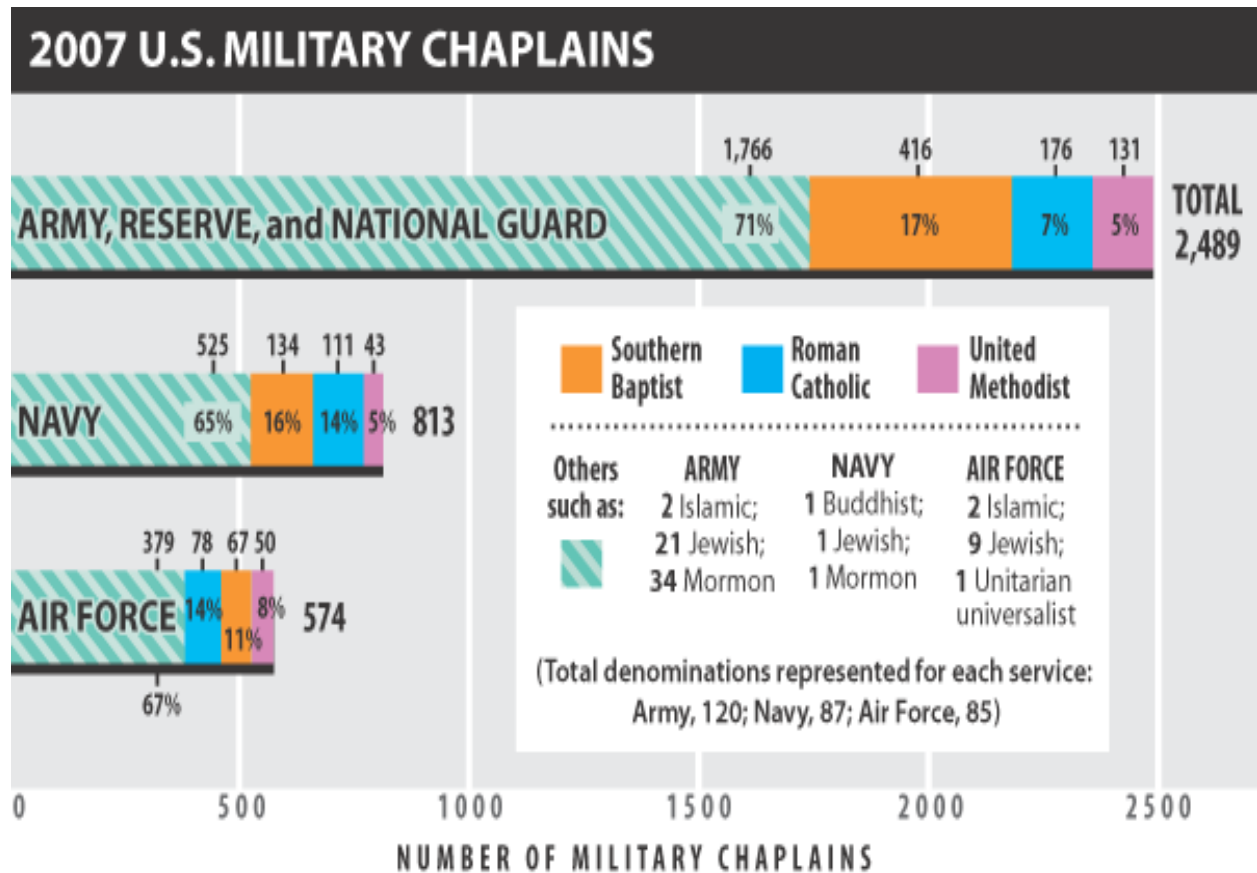
<sup>18</sup> The IG report is available at: [http://www.dodig.mil/fo/Foia/ERR/Xtian\\_Embassy\\_072707.pdf](http://www.dodig.mil/fo/Foia/ERR/Xtian_Embassy_072707.pdf)

<sup>19</sup> <http://www.washingtonpost.com/wpdyn/content/article/2007/08/03/AR2007080301907.html>, “Officers’ Roles in Christian Video Are Called Ethics Breach,” August 4, 2007, *Washington Post*

<sup>20</sup> <http://www.honoluluadvertiser.com/apps/pbcs.dll/article?AID=/20080505/COLUMNISTS32/805050318> “Controversy in Appointment of New Commander” May 5, 2008. *Honolulu Advertiser*.

<sup>21</sup> [http://www.huffingtonpost.com/chris-rodde/who-will-guard-the-guards\\_b\\_114638.html](http://www.huffingtonpost.com/chris-rodde/who-will-guard-the-guards_b_114638.html) “Who Will Guard the Guards?” July 24, 2008. *Huffington Post*.

## Appendix B: Over-representation of Evangelical Christian Chaplains



Sources: US Army, US Navy, US Air Force \*Figures as of Sept. 2007

SCOTT WALLACE – STAFF

- More than 3,800 military chaplains serve in the US armed forces.
- The largest of the services, the Army, recognizes 120 endorsing bodies - faith organizations that sponsor chaplains.
- By far the largest single provider of chaplains to the military is now the Southern Baptist Convention, with 416 chaplains, one for every 40 service members who list their denomination as Southern Baptist.
- 30% of the Army, Reserve and National Guard Chaplain Corps are from the Roman Catholic Church, the Southern Baptist Convention, and the United Methodist
- Within the Army, Reserve and National Guard, 71% of chaplains represent other denominations, the bulk of which are evangelical Christian churches. Jewish, Mormon and Islamic faiths combined count for less than a percent of the 71% of the chaplains in the “other” category.