



# CATHOLIC LEAGUE

*For Religious  
and  
Civil Rights*

November 4, 2014

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Commander Col. Craig Baker  
180th Fighter Wing  
2660 South Eber Rd.  
Swanton, OH 43558

Dear Commander Baker:

I am writing to you in my capacity as president and CEO of the nation's largest Catholic civil rights organization, and as a veteran of the U.S. Air Force. My reason for writing is the reaction to an essay written by Col. Florencio Marquez in the September edition of the *Stinger*. The article has been removed from this Air National Guard newsletter because it violated military policy; alleged "sensitivities" were cited as triggering the decision.

After a careful reading of Col. Marquez's essay, and the operative Air Force policy, it is clear that military policy has been violated. But it is not Marquez who is the guilty party; rather, it is those who made the ruling against him. The plain language of Air Force Instruction 1-1 leaves little doubt about whose rights were violated.

To be specific, nothing in Col. Marquez's article comes even remotely close to violating AFI 1-1, Sections 2.11 and 2.12. Ironically, the latter Section not only protects his religious rights, it is the basis of my position: Section 2.12 was violated when his essay was withdrawn. Let me begin by addressing Section 2.11.

Section 2.11 draws a reasonable balance between the free exercise of religion and prohibitions against the establishment of religion by the government. This is consistent with the First Amendment, though I hasten to add that the Framers sought to protect individuals from the reach of government; they did not seek to protect the government from religious expression. This Section also says that those who exercise

religious expression must not "degrade morale, good order, and discipline in the Air Force or degrade the trust and confidence that the public has in the United States Air Force."

It is simply incomprehensible to maintain that a tribute to one's mother could in any way destroy the morale, order and discipline of the U.S. Air Force, or somehow manage to enervate the public's trust and confidence in it. Col. Marquinez was not using this forum to proselytize or to demean non-believers: he was simply explaining how his mother's trust in Jesus acted as a positive resource for him growing up in troubled times.

Surely the morale, order and discipline of the U.S. Air Force is not endangered by making such an innocuous statement. Nor can it be persuasively said that if the public read this sensitively crafted essay that it would erode their trust and confidence in the Air Force. But it could be reasonably argued that the trust and confidence of the American people would take a hit if they learned whose "sensitivities" were being honored, and whose were being disrespected.

Section 2.12.1 says that "All Airmen are able to choose to practice their particular religion, or subscribe to no religious belief at all." Surely one conventional way that the faithful choose to practice their religion is to talk about it, or to write about it. If the forum were a classroom, and Airmen were being required to adopt the religious tenets of their instructor, that would be objectionable. But to scrub the *Stinger* clean of a man's tribute to his mother, citing religious reasons for doing so, is hardly analogous. No one's rights are being violated if someone invokes the name of God as part of his sincerely held convictions.

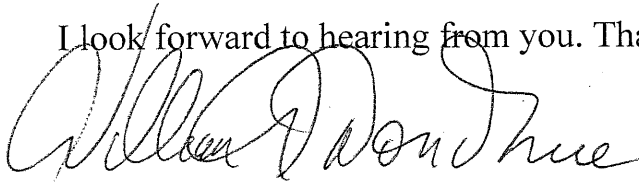
The removal of Col. Marquinez's article is a flagrant violation of his right to practice his religion. It also sets a very dangerous precedent: What else will be subjected to censorial edits? Will the mere mention of God be cause for punitive action?

I am not raising this issue to be facetious. The Declaration of Independence expressly promotes a particular theology. In fact, it has four specific references to God. God is the author of the "laws of nature and nature's God"; He is the "Creator" who "endowed" us with inalienable rights; He is "the Supreme Judge of the world"; and He provides "the protection of Divine Providence."

Given the sanctioning of Col. Marquinez for expressing his mother's reliance on God, and how it affected his life, it makes me wonder: Would it be permissible to reprint the Declaration in the *Stinger*?

The U.S. Constitution protects the rights of the minority from the tyranny of the majority. But it also protects the majority from the tyranny of the minority. It is the latter issue that is in play in this case, not the former.

I look forward to hearing from you. Thank you for your consideration.

A handwritten signature in cursive script, appearing to read "William A. Donohue".

William A. Donohue, Ph.D.  
President

cc: Major General Howard Stendahl, Air Force Chief of Chaplains