

Discrimination Against

THE FACTS

Atheists

Margaret Downey

Civil Rights *n pl*: the nonpolitical rights of a citizen; *esp*: the rights of personal liberty guaranteed to U. S. citizens by the 13th and 14th amendments to the Constitution and by acts of Congress.¹

In “Atheism Is Not a Civil Rights Issue” (FREE INQUIRY, February/March 2004), DJ Grothe and Austin Dacey wrote:

To our knowledge, there is no such thing as “atheist bashing.” If there were cases of such harm, one would expect to hear about them in the media and the courts, or at least in the common knowledge of unbelievers. So, where are the cases? On many occasions we have put this question to leaders in the nonreligious community and have never been presented with a single compelling example.

I greatly respect Grothe and Dacey, but in light of my own research I believe that they provided a misleading perception of the nonreligious community and its predicament. For almost a decade, I have been documenting acts of discrimination against the nonreligious through the Anti-Discrimination Support Network (ADSN), a committee of the Freethought Society of Greater Philadelphia.

In 1995, the United Nations Non-Governmental Organization Committee on Freedom of Religion or Belief invited me to submit information on discrimination against atheists by the Boy Scouts of America (BSA). The committee’s mission was to record and monitor incidents of intolerance around the world. I was told that my findings would be published in the committee’s final report only if the cases I documented were grievous by its standards. The committee quickly recognized that Scouting’s discrimination against atheists was no less severe than its far more widely reported discrimination against gays. A synopsis of my findings was included in the committee’s published report.²

Shortly afterward, the same UN committee asked me to assess other incidents of discrimination—in particular, what forms of discrimination were of greatest concern within the U.S. atheist community. During the following year, I conducted numerous interviews and discovered multiple instances of discrimination. In 1998, I delivered a personal report to the committee, noting that bigotry against atheists was relatively common, much of it based in popular misunderstandings of the U.S. Constitution’s secular character and its intent to

protect minorities against majority rule. I reported that, with respect to the atheist community, the United States was not in compliance with the 1981 United Nations “Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.”³

During 1998, Dr. Abdelfattah Amor, Special Rapporteur on Religious Intolerance to the Office of the United Nations High Commissioner for Human Rights, toured the United States and visited some of the families mentioned in my report. In his

Gray, Tennessee: Carletta Sims joined a financial firm in June 2001. Shortly afterward, two Baptist coworkers took offense upon learning that Sims was an atheist. Management granted the coworkers’ request to be assigned workspaces further from Sims. When Sims complained about a picture of Jesus left on her computer, management discharged her. Sims filed suit, seeking \$250,000; U.S. District Judge Thomas Hull ruled that “religious discrimination (or preferential treatment of Christians) can be inferred.” In January 2004, the major bank that had since acquired the firm settled with Sims for an undisclosed amount.

Ada, Oklahoma: A Baptist student told a local newspaper she wouldn’t take professor William Zellner’s classes because he was an atheist, triggering a flurry of abuse. Zellner received harassing notes and telephone calls, some threatening. His car was vandalized, for a time on a daily basis. A local church sold “I am praying for Dr. Zellner” buttons. His children experienced shunning and beatings from religious children.

Minneapolis, Minnesota: First-grader Michael Bristol, an atheist, was denied an honor roll certificate when he refused to participate in an unconstitutional “prayer time” at a public school. For three years, administrators ignored the family’s complaints until a lawsuit was filed.

findings he noted atheism’s “non-acceptance by the society in which religion remains a very strong point of reference in social, cultural and identity terms.” Nonetheless, he suggested that the situation faced by atheists in American society was

“satisfactory.”⁴ Compared to the deadly violence that threatens some oppressed minorities in other countries, this may be true; still, discrimination against unbelievers falls far short of the American ideal. I resolved to strengthen my efforts to document discrimination against atheists, which had never before been attempted in a formal manner.

“Before atheists, humanists, and freethinkers can prove discrimination to the satisfaction of society in general, we must first prove it to ourselves.”

In 1999, I developed the Discrimination Narrative Collection Form (DNCF), an easy-to-complete incident description form which I released to every national humanist, freethought, and atheist organization. The Council for Secular Humanism was first to publish the DNCF, in its newsletter *Secular Humanist Bulletin*.⁵ In 2000, I mass-mailed the form to atheist, humanist, and freethought groups nationwide. In addition, I circulated it at every movement conference I have attended since 2000. At those events, I heard many personal accounts of discrimination. But persuading victims to put their experience on paper was sometimes difficult.

One would think that any atheist who had experienced discrimination would be eager to submit an affidavit. Instead, the fear of suffering further discrimination as a “whistleblower” was widespread. Some victims told me that they did not want to go public lest still more hatred come their way. This is the trauma of discrimination, just the sort of intimidation that discourages discrimination reports and makes it difficult to find plaintiffs for needed litigation.

These obstacles notwithstanding, I eventually compiled hundreds of incident reports (selected reports are summarized in the sidebars to this article). The actual case reports reside in an ADSN master file that is not available to the general public. A narrative collection is available as a hardcopy that interested parties may purchase from ADSN. This is the only way to obtain this data, which has never been available online.⁶ Therefore, the payment record makes it possible to track who has the narrative collection and how it is used. Dacey and Grothe do not appear in my records as recipients of the narrative collection.

Still, even without access to the material in my files, discrimination against atheists is easily documented. National atheist and freethought publications frequently report on atheists losing their jobs, facing abusive family situations, being subjected to organized shunning campaigns in their communities, receiving death threats, and the like. That Grothe and Dacey overlooked—or elected to dismiss—these accounts concerns me, especially because they claim to have researched cases of discrimination prior to coming to their conclusions.

On the other hand, it is no surprise that Grothe and Dacey do not find mainstream media coverage that substantiates discrimination against the atheist community. (I am constantly amazed how seldom the two little words *and atheists* see print when journalists cover BSA discrimination against gays.)⁷

Had Grothe and Dacey contacted me before writing their article, I could have opened my files and shared accounts of

physical and mental abuse, job loss, cruel media stereotyping, and other instances of discrimination. I believe they would have been satisfied that “atheist bashing” really exists and is

Caro, Michigan: In December 2001, Anonka—an open atheist who maintains a museum of Christian religious atrocities—appeared before the Tuscola County Board of Commissioners to challenge a nativity scene placed on public land. Commissioners responded angrily, saying she had no right to be present and proceeding to ridicule her. Anonka and her family suffered repeated harassment including annoyance calls, threatening calls and letters, and vandalism. In February 2004, the county settled in U.S. District Court, agreeing to pay an undisclosed sum and to issue a “public expression of regret.”

Pocopson, Pennsylvania: My own atheism came to prominence when I became involved in a legal challenge to a Ten Commandments plaque on the wall of the Chester County, Pennsylvania, courthouse. Neighbors organized a shunning campaign, some area merchants refused to do business with me, and I received hundreds of threatening letters and phone calls. (The depth of public animus against me became a subject of local news and magazine coverage.) I was forced to close my interior decorating business because of death threats that compelled me to stop visiting the homes of persons unknown to me.

Calgary, Alberta: An eleven-year-old boy (name withheld) experienced daily physical attacks and threats against his life by schoolmates—notably the sons of three local pastors—after protesting intercom readings of the Lord’s Prayer in a public school. He was repeatedly body-checked into hallway walls and attacked in the rest rooms. One pastor’s son stalked him with a butcher knife in an empty portable classroom. Despite the seriousness of this incident, no action was taken. The boy’s parents transferred him to another school for his own safety.

getting worse.

Nevertheless, I feel that Grothe and Dacey have done our movement a service by demonstrating the need for unbelievers to come forward and document their experiences of unfair treatment. Before atheists, humanists, and freethinkers can prove discrimination to the satisfaction of society in general, we must first prove it to ourselves. Otherwise we court the risk that activists who decry discrimination will be dismissed as “whiners,” even within our own ranks. I only hope that Grothe and Dacey’s claim that known cases of discrimination are insufficiently compelling will not lead **ff** aggrieved atheists to resign themselves to genuine abuse.

Margaret Downey founded the Anti-Discrimination Support Network in 1993. She attributes her activism to growing up in a multicultural family in highly prejudiced southern society in the 1950s. Ms. Downey is also the

Notes

1. *Merriam Webster's Collegiate Dictionary*, Tenth Edition, 1993, p. 210.

2. Kevin Boyle and Juliet Sheen, eds., *Freedom of Religion or Belief: A World Report* (New York and London: Routledge, 1997), p. 162. In my findings I warned that if the BSA's religious bigotry was not stopped, prejudice against nontheists would intensify. Seven years later, that prediction has been realized. BSA recently determined that because Unitarian Universalists (U-U's) publicly disclaim prejudice against atheists or gays, U-U's will no longer be recognized by BSA's religious council and will be ineligible for a religious merit badge. I can't help wondering if the Buddhist community will be the next target.

Grothe and Dacey question whether the BSA represents a genuine example of discrimination against the nonreligious. They are correct to note that "... most experts agree that Scouting is not a 'public accommodation' in which everyone has a right to be included." But Scouting's claim to be a private organization is at odds with the many ways in which it functions as a public organization. BSA continues to receive benefits that should only be afforded to truly public organizations. It holds a rare congressional charter which describes it as an educational (not religious) organization. Private religious organizations should not be permitted to

recruit in public schools, enjoy public financial support, or receive free use of public lands. BSA enjoys all of these on a regular basis, plus thousands of hours of donated labor by teachers, administrators, and parent groups. On the other hand, if Scouting truly *is* "private" as defenders suggest, then the large amount of United Way unallocated funds Scouting receives is questionable. Ordinarily such funds are channeled to organizations that serve the entire community without prejudice.

3. http://www.unhchr.ch/html/menu3/b/d_intole.htm.

4. Abdelfattah Amor, *Civil and Political Rights, Including: Freedom of Expression, Addendum, Visit to the United States of America*, United Nations document E/CN.4/1999/58/Add.1, 1998-DEC-9.

5. *Secular Humanist Bulletin*, Fall 2000, p. 21.

6. The ADSN narrative collection is divided into the following categories of discrimination reports: students and teachers; work; oaths, ceremonial deism; media; family and community; politics and government.

7. When the Anti-Discrimination Support Network co-sponsored a 2003 press conference and two-day protest with Scouting For All, not one newspaper mentioned BSA's anti-atheist membership policy. Though Scouting displays the same discrimination toward gays and atheists, the vast majority of press accounts mention only BSA's antigay stance.

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