



Written by [Bob Adelman](#) on May 28, 2015

Former Marine Appealing Her Court-martial for Posting Scriptures in Her Cubicle

In May 2013, Lance Corporal Monifa Sterling posted a modified iteration of Isaiah 54:17 on her computer monitor and elsewhere on the walls of her cubicle in Camp Lejeune in Jacksonville, North Carolina, as inspiration and an expression of her faith. Isaiah 54:17 says: “No weapon forged against you will prevail, and you will refute every tongue that accuses you. This is the heritage of the servants of the LORD, and this is their vindication from me,” declares the Lord.”



Sterling shortened it to read: “No weapon forged against me shall prosper.” When her staff sergeant ordered her to remove it, Sterling refused. The next day Sterling found that the verses had been removed and put into her trash basket. She put them back, and [that’s when her troubles began](#).

She began to be written up for various minor offenses, including not wearing her uniform following some back troubles that were so severe that her doctor suggested wearing civilian clothes instead. A couple of months later her boss instituted a court-martial.

At her trial Sterling was confident enough not only in her faith but in her understanding not only of her rights guaranteed by the First Amendment but also by the 1993 Religious Freedom Restoration Act (RFRA) that she acted as her own attorney. The prosecution picked her apart and ruled in favor of court-martial.

Sterling appealed, with the same result. Government attorneys persuaded the judge that the RFRA statement that the government “shall not substantially burden a person’s exercise of religion” overruled the First Amendment and that Sterling wasn’t really exercising her religion, just expressing it. She was demoted to private and was dishonorably discharged from the service without benefits, with a serious blemish on her record.

Enter Liberty Institute, a religious freedom advocacy pro-bono law firm and its lead volunteer, one Paul D. Clement. Clement is a former solicitor general of the United States, a law professor at Georgetown University, and the lawyer primarily responsible for the recent Supreme Court’s favorable ruling on behalf of Hobby Lobby against ObamaCare. Said Clement:

If the government can order a Marine not to display a Bible verse, they could try and order her not to get a religious tattoo, or go to church on Sunday.

Restricting a Marine’s free exercise of religion is blatantly unconstitutional.

His plan of attack is to challenge the “exercise of religion” noted in the RFRA, if his appeal to the Court of Appeals for the Armed Forces is accepted. According to the decision in Sterling’s appeal, the court was not persuaded “that displaying a religious text at a shared government workstation would be protected even in a civilian federal workplace.”



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The only problem with that is 1) that this was the conflict the RFRA was supposed to resolve, and 2) she had her own computer at the time. She was “sharing” it with no one. The court was undeterred:

The implication is clear — the junior Marine [Sterling] sharing the desk and the other Marines coming to [her] desk for assistance would be exposed to Biblical quotations in the military workplace.

It is not hard to imagine the divisive impact to good order and discipline that may result when a service member is compelled to work at a government desk festooned with religious quotations.

The court added:

Maintaining discipline and morale in the military work center could very well require that the work center remain relatively free of divisive or contentious issues such as personal beliefs, religion, politics, etc....

Military orders are presumed to be lawful and are disobeyed at the subordinate’s peril.

Berry noted that other Marines had “festooned” their cubicles with their favorite expressions of personal beliefs and political views, but evidence of that fact was not allowed to be presented at Sterling’s appeal. The prosecution was unable to unearth a single Marine in Sterling’s work area that took offense, but that didn’t matter either. Guilty as charged.

The appeals court’s decision was just fine with Michael Weinstein, the founder of the allegedly pro-freedom of religion group, his Military Religious Freedom Foundation, which advocates keeping such religious expressions as Sterling’s out of the military altogether. After all, said Weinstein, “We are a secular nation, and particularly so in the U.S. military.” In other words, the Marines are right, Sterling is wrong, get used to it.

In a case that the mainstream media has all but ignored, the implications are huge. Liberty’s Strategic Director of Litigation Hiram Sasser explained why:

Ms. Sterling posted the Bible verse as an expression of her faith — an expression which should have been protected by RFRA. By failing to protect Ms. Sterling’s religious freedom, an injustice has been done.

We hope the Court of Appeals of the Armed Forces will take this opportunity to right this wrong ... and set a clear precedent that our service members have a right to religious freedom.

Those service members have always had that right. Often, however, it takes courageous people of faith such as Monifa Sterling to take a stand against the establishment, even at the cost of her job and her reputation, to protect that right.

A graduate of an Ivy League school and a former investment advisor, Bob is a regular contributor to The New American magazine and blogs frequently at www.LightFromTheRight.com, primarily on economics and politics.



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