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Why Does the U.S. Military Have Chaplains?

By HANZ ZEIGER

No office in America is so delicately balanced between church and state as that of the military chaplain. On one hand, the chaplain wears the uniform of his service. He is answerable to his commander in war and peace. As a defender of the U.S. Constitution, he is a partisan for a particular City of Man. On the other hand, he is the designated spokesman for the City of God in the nation's Armed Forces. He is the ordained representative of a religious tradition, accountable above all to the Almighty. How could such a phenomenon have gotten past the Founding Fathers, and more recently, the American Civil Liberties Union? This essay provides four reasons that it is not only possible, but necessary, for the United States to employ military chaplains.

First, there is a constitutional reason for the chaplaincy. In 1985, the Second Circuit Court of Appeals heard the case of two Harvard Law School students who alleged that the Army chaplaincy was unconstitutional under the Establishment Clause of the First Amendment. The Second Circuit ruled that the Free Exercise Clause “obligates Congress, upon creating an Army, to make religion available to soldiers who have been moved to areas of the world where religion of their own denominations is not available to them.”¹ Twenty-two years earlier, Justice Potter Stewart wrote *in dicta* in his dissent for *Abington School District v. Schempp*, “Spending federal funds to employ chaplains for the armed forces might be said to violate the Establishment Clause. Yet a lonely soldier stationed at some faraway outpost could surely complain that a government which did not provide him the opportunity for pastoral guidance was affirmatively prohibiting the free exercise of his religion.”²

Since the chaplain ministers to men and women whose work takes them far from home, and since he serves personnel of other faiths, the post is not a religious establishment; it is an affirmation of the basic right of human beings to worship as they choose. U.S. Army Regulation 165-1 set forth this constitutional principle plainly: “In striking a balance between the ‘establishment’ and ‘free exercise’ clauses, the Army chaplaincy, in providing religious services and ministries to the command, is an instrument of the U.S. government to ensure that soldiers’ ‘free exercise’ rights are protected. At the same time, chaplains are trained to avoid even the appearance of any establishment of religion.”³ The regulation justifies chaplains’ role in ceremonies outside the chapel since “Such occasions are not considered to be religious services.”⁴

The free exercise basis of the chaplaincy—in concept and in wording—predates the Constitution. In September 1775, George Washington wrote to Benedict Arnold, instructing him to ensure religious freedom within the ranks. “[A]s far as lays in your power, you are to protect and support the free exercise of the Religion of the Country and the undis-

turbed Enjoyment of the rights of Conscience in religious Matters, with your utmost Influence and Authority.”⁵ Washington’s General Orders of Saturday, May 16, 1776 called for a day of rest and chapel attendance with “their respective chaplains” the following day.⁶ The idea of a pluralistic chaplaincy was essential from the beginning of the American cause.

The Continental Congress instituted the Navy Chaplaincy in November, 1775, directing the military commanders “to take care that divine services be performed twice a day on board, and a sermon preached on Sunday, unless bad weather or other extraordinary events occur.”⁷ In accordance with another act of the Continental Congress on May 27, 1777, a chaplain was assigned to each Army brigade with colonel’s pay.⁸

The military chaplaincy was an accepted institution under the new Constitution, alongside civilian chaplains who served in the House and Senate beginning with the first Congress in 1789.⁹ Israel Drazin and Cecil B. Currey note that James Madison, the Father of the Constitution, voted to authorize the chaplaincy in 1791, 1794, and 1797 when he was a member of Congress, and signed such an authorization in 1814 when he was president. Following the War of 1812, Congress employed only one Army chaplain - at West Point.¹⁰ By 1838, Congress made provision for thirty Army chaplains, twenty-four Navy chaplains, two in Congress, and others at military schools and frontier forts.¹¹

One of the first protests against the chaplaincy came from the Kehukee Primitive Baptist Association on December 11, 1818. The Baptists petitioned Congress for the “repeal of all laws authorizing the appointment of Chaplains to Congress, the army, navy, and other public stations.”¹² Congress did nothing. When similar petitions arrived on Capitol Hill in 1850, the House Judiciary Committee issued a report explaining the constitutional basis for chaplains. Article I, Section 8 authorized Congress to raise an Army and Navy, but it made “no enumeration of officers or of their functions.” It was within Congress’ discretion to employ military chaplains. “Having thus existed prior to the adoption of the constitution, can it be doubted that ... it was fully within the power of Congress to provide for the appointment of chaplains as that of surgeons?”¹³ Two more reports of the House Judiciary Committee followed in 1853 and 1854 in response to similar petitions.¹⁴

The constitutional history of the chaplaincy is consistently affirmative. Early challenges were rejected by Congress. Far from an establishment of religion, the chaplaincy is an essential bulwark of religious liberty. According to Maj. Michael Benjamin, chief of the Criminal Law Division in the Army’s Third Infantry Division, “The best defense of the chaplaincy, and of any religious program in the military, is that it preserves a soldier’s right to freely exercise his religion. In the absence of government funded chaplains, soldiers would be stymied from practicing religion in situations made necessary by military service.”¹⁵

Beyond the constitutional argument, proponents of the chaplaincy have always pointed to a second justification: its moral effects. George Washington wrote to Col. George Taylor that chaplains should be men of “character and good conversation ... who will influence the manner of the corps both by precept and influence.”¹⁶ General Pershing wrote of chaplains during World War I, “Their usefulness in the maintenance of morale, through religious counsel and example, has now become a matter of history.”¹⁷ And General MacArthur commended the role of chaplains in the post-World War II occupation of Japan, since “moral leadership devolves, in large measure, upon the corps of chaplains working in close understanding and cooperation with all unit commanders.”¹⁸

Much as chaplains are defenders of the free exercise clause, especially when their

congregants are far from alternative opportunities for worship, they are also the military's moral guardians in faraway lands and self-contained bases.

Since military personnel are under pressures unique to their profession and are often physically removed from the civilian world, they “look to their institution ... to support their physical, emotional, social, and religious needs,” according to Drazin and Currey.¹⁹ In 1950, the Chief of Chaplains claimed that the typical chaplain spent 30 percent of his time counseling, 25 percent on religious services, 8 percent on collateral responsibilities, 8 percent on education, and 4 percent on community liaisons.²⁰ Beginning in the 1960s, chaplains were available to counsel soldiers, sailors, and airmen on drug abuse issues.²¹ Today's chaplains spend time with fighting men and women in places like Baghdad, Fallujah, and Kabul, mentoring, cheering, and reassuring.²²

The chaplain serves soldiers, sailors, and airmen in a way that civilian clergy cannot. When civilian ministers showed up on the ground during the Vietnam War, they required security details and were unable to relate to the needs of combat soldiers.²³ In a 2008 PBS interview, Army Chaplain Seth George, who has served two tours in Iraq, summarized the specialized challenges of uniformed ministers:

[Y]ou will be with a platoon that just lost a soldier. Guys are crying. You're hugging them. You are trying to talk to them a little bit, and then you literally walk around the corner to another company area and it's, “Hey chaplain, what's the word for the day?” And they want to laugh and cut up, just like always, and so to switch gears like that is very difficult, and I try my best to do that. You rejoice with those who rejoice, and weep with those who weep, and that's part of, I think, the unique element of being a chaplain in the Army.²⁴

Chaplains also function as a social conscience for the major decision-makers in the military. It was because Navy chaplains protested the flogging of sailors that the practice was ended in 1850. In 1872, Navy chaplains successfully petitioned against the service of grog aboard vessels.²⁵ In the 1980s, Chief of Chaplains Kermit Johnson was publicly critical of some of President Reagan's national security policies (this probably crossed the line of propriety).²⁶

The early years of the Cold War saw a renewed focus on the moral impact of the military chaplaincy. A 1945 proposal for universal military training by the War and Navy Departments explained its call for new chaplains: “religion strengthens and steadies the serviceman in the presence of danger and sustains him in hardship and adversity.”²⁷ An Army Character Guidance Manual published by the Army Chaplain's School five years later envisioned soldiers who were capable of distinguishing right from wrong, obedient to an ethical code “as set forth in the Moral Law and the Natural Law.”²⁸

Third, the chaplaincy serves a civic purpose. Not only does religion shape individual character, it influences the way individuals interact in a democratic society. It was mentioned earlier that chaplains participate in military ceremonies outside of the chapel, because those ceremonies are said not to be religious. Yet such ceremonies—installations, dedications, memorials, public holiday observances, collective prayers on the eve of battle—are forms of *civil* religion. Nowhere is civil religion both created and celebrated more than in the Armed Forces; nothing is more hallowed to Americans or to war veterans than what Lincoln called “these honored dead.”²⁹ The Chaplain is a guardian not only of his particular faith, but of the common American faith - in democracy, liberty, and justice.

During the Cold War, military and civilian leaders stressed the importance of the chaplain as a molder of useful, self-governing citizens for the industrial age. President Truman called on chaplains to “develop skills that could be used in civilian life, to raise the physical standards of the nation’s manpower, to lower the illiteracy rate, to develop citizenship responsibilities, and to foster the moral and spiritual welfare of our young people.”³⁰ Beginning in 1947, the chaplain was to be a teacher of civics and ethics during regular training exercises. Secretary of War Robert Patterson decreed that “The Corps of Chaplains bears a special responsibility for the moral and spiritual welfare of troops. [C]ommanding officers will allocate appropriate periods in the regular training schedule for instruction in citizenship and morality which all personnel will attend.”³¹

The idea of the chaplain is transferable to civilian civic life. The Post Chaplain figures prominently in Veterans of Foreign Wars and American Legion meetings, the sorts of meetings where patriotic ceremony and prayer are taken seriously. Veterans pray for soldiers and sailors who are currently serving, and they pray for their own comrades who have passed on. The prayer becomes a link between the servants of the nation and the Divine.

Military chaplains have played an important role along America’s path to racial equality. After Emancipation brought freed slaves into the ranks of the Union Army, General Ulysses S. Grant called on a chaplain, John Eaton, to organize and care for a new corps of black soldiers.³²

As America becomes more religiously diverse, the chaplaincy becomes as much an affirmation of pluralism as it is of a chaplain’s particular faith. Today, Muslims and Buddhists minister in the Army, Navy, and Air Force chaplain corps, a practice that would raise eyebrows in previous generations.³³ In his review of Congressional debates about the chaplaincy, Lorenzo Johnson wrote in 1856, “Their very existence in the Government employ, commits our nation to the recognition of Christianity in distinction from Mohammedanism and Paganism.”³⁴ Many early chaplains were nondenominational; beginning around 1826, the Army and Navy Secretaries asked chaplain candidates to present ordination credentials within a Christian denomination.³⁵ Only during World War I was a formal denominational endorsing system established.³⁶ For most of American history, the military chaplaincy was dominated by mainline Protestants and Catholics.³⁷ Only seven or eight Protestant denominations were represented in the Chaplain Corps during World War II, according to the Presbyterian Council for Chaplains and Military Personnel. Today, the Department of Defense recognizes over 200 religious denominations, 130 of which are actually represented in the armed forces.³⁸

In an interview for the State Department Bureau of International Information Programs in February 2008, Imam Abuhena Saifulislam, the U.S. Navy’s second Muslim chaplain, explained his reasons for joining the Navy chaplaincy: “I wanted to help other people understand more about Islam by being an example. The chaplaincy program offered me that opportunity as well as a chance to help military service members of other faiths.” The imam discussed his ministry to cyclone victims in his native Bangladesh and affirmed the religious openness of the U.S. military. “I have personally been well-received into the military. I have been treated as an equal, and have been able to practice my faith like anyone else.” With this interview, the pluralism within the U.S. military chaplaincy was used to reach out to the Muslim world. Online questions for Imam Saifulislam came in from Afghanistan and several locations in Bangladesh.³⁹

This suggests a final reason for the chaplaincy, perhaps increasingly relevant: its

function in shaping international perceptions about American religious freedom and pluralism, as well as the military's perception of diverse religious practices throughout the world. At the end of World War II, Jewish chaplains were attached to Army units liberating the concentration camps, and chaplains suggested that a Buddhist priest be available to assist former Japanese POWs.⁴⁰ Rabbi Max Wall, an Army chaplain, channeled aid to Holocaust survivors and helped them to reunite with family members.⁴¹

Today's chaplains are cultural navigators for their commanders and mediators between military and religious leaders, especially in the Middle East. According to Col. Steven Mains, director of the Center for Lessons Learned at Fort Leavenworth, Kansas, "Our enemy has said this is a religious war, so the chaplain is being pulled into a different role. They have to be able to sit down with imams and sheikhs and have relationships that would take the commander many more visits."⁴²

The increasingly cross-cultural role of America's chaplains has been among the major developments of the wars in Afghanistan and Iraq. In a 2004 speech to the National Conference on Ministry to the Armed Forces, Undersecretary of Defense for Personnel and Readiness Dr. David Chu said, "Whereas in the past, chaplains would probably be called upon to function as practitioners in their individual faith traditions; in the future, they will increasingly be called upon to be consultants and advisors ... to their commanders on the precepts of other world religions." Chu turned emphatic about the need for endorsing denominations to embrace pluralism: "For the chaplains that you send ... their conceptual picture of ministry must clearly depict a very pluralistic mindset reflecting pluralism in their own ranks and in the world in which we function."⁴³

In 2007, Lee Lawrence of the *Christian Science Monitor* followed Navy Capt. James Fisher, an evangelical chaplain, as he met and ate with an Afghan mullah in Kabul. Fisher was working with the mullah to establish a chaplaincy within the Afghan National Army, the first-ever American attempt at such a feat in an Islamic country under reconstruction. Though Afghanistan's chaplaincy would be distinctly Muslim, Fisher stated his hope that American chaplains could be "living, breathing witnesses to how [plurality] can work and that the RCA will pick up on that."⁴⁴

No doubt, the chaplaincy will change as America changes—and as countries like Iraq and Afghanistan change. The Chaplain Corps will continue to reflect America's growing religious diversity, and it will continue to adapt to the moral and strategic challenges of the nation. Though this discussion has been limited to a rationale for the U.S. military chaplaincy, several controversial questions about the chaplaincy remain unresolved. Issues include the fair representation of denominations and faiths in the chaplaincy, the place of proselytizing by chaplains, the tension between a chaplain's religious beliefs and military force in the prosecution of war, a chaplain's free speech rights, and the role of chaplains in combat.⁴⁵ Regardless of how these issues are handled by military leaders and policymakers, the place of chaplains alongside America's men and women in uniform will remain indispensable.

Endnotes

1. Second Circuit Court of Appeals, *Katkov v. Marsh* (755 F.2d 223, 1985), quoted in Maj. Michael J. Benjamin, "Justice, Justice You Shall Pursue: Legal Analysis of Religion Issues in the Army," *The Army Lawyer*, Judge Advocate General's School, (Nov. 1998), 3-4. See also Drazin and Currey, *For God and Country: The History of a Constitutional Challenge to the Army Chaplaincy*.

2. Stewart, dissent, 374 US 203 (1963), 308-309. Justice Brennan acknowledged the same concept in his concurring opinion.

3. Maj. Michael J. Benjamin, "Justice, Justice You Shall Pursue: Legal Analysis of Religion Issues in the Army," *The Army Lawyer*, Judge Advocate General's School, (Nov. 1998), 6. "It is possible that the military is headed to the place where prayers at command functions are simply banned, and religious expression is relegated to the chapel," writes Capt. Lawrence Greenslit, an Army Chaplain. (Capt. Lawrence P. Greenslit, "Religion and the Military: A Growing Ethical Dilemma," U.S. Army War College Strategy Research Project, (Carlisle Barracks, PA: U.S. Army War College, 2006).

4. Benjamin, 6.

5. Israel Drazin and Cecil B. Currey, *For God and Country: The History of a Constitutional Challenge to the Army Chaplaincy*. (Hoboken, NJ: KTAV Publishing House, 1995), 10.

6. Drazin and Currey, 11.

7. Greenslit, 4.

8. James Meacham, "Chaplains in Congress and in the Army and Navy," in Lorenzo D. Johnson, *Chaplains of the General Government, With Objections to their Employment Considered*. (New York: Sheldon, Blakeman & Co., 1856), 9.

9. Meacham, in Johnson, 12.

10. Drazin and Currey, 22, 26.

11. Johnson, 19. For numbers in 1856 see Johnson, 26.

12. Drazin and Currey, 25.

13. Drazin and Currey, 25.

14. Drazin and Currey, 25-26.

15. Benjamin, 3.

16. Drazin and Currey, 12.

17. Drazin and Currey, 36.

18. Drazin and Currey, 38.

19. Drazin and Currey, 31.

20. President's Committee on Religion and Welfare, 1950 report, cited in Merlin Gustafson, "Church, State, and the Cold War, 1945-1952," *Journal of Church and State*, Vol. VIII, No. 1, (Winter, 1966), 58.

21. Drazin and Currey, 40.

22. See Lee Lawrence, "Military Chaplains: Tour of Higher Duty," series, *Christian Science Monitor*, 2007, www.csmonitor.com/specials/chaplains/, (accessed 5 Dec. 2008.)

23. Drazin and Currey, 43.

24. PBS, "Army Chaplain Boot Camp," Religion & Ethics Newsweekly, April 4, 2008, episode 1131, www.pbs.org/wnet/religionandethics/week1131/cover.html, (accessed Dec. 5 2008).

25. Drazin and Currey, 36.

26. Brendan Conway, Review of *The Sword of the Lord, First Things*, June/July 2004, www.firstthings.com/article.php3?id_article=346, accessed (Dec. 5, 2008).

27. War and Navy Departments, *Views on Military Training*, 1945, quoted in Gustafson, 57.
28. U.S. Army, "The Army Guidance Program," March 1, 1950, in Gustafson, 57.
29. The Gettysburg Address
30. Drazin and Currey, 38.
31. Drazin and Currey, 38.
32. Drazin and Currey, 36.
33. Greenslit, 4.
34. Johnson, 28.
35. Johnson, 27-28, 77.
36. Drazin and Currey, 32.
37. Greenslit, 3.
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39. U.S. Department of State, "U.S. Navy Imam Explains His Role as a Military Chaplain," Bureau of International Information Programs, Feb. 28, 2008, www.america.gov/st/washfile-english/2008/February/20080228160352eaifas0.9701502.html, (accessed 5 Dec. 2008).
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43. David S.C. Chu, Address to the National Conference on Ministry to the Armed Forces, Dec. 7, 2004, NCMAF, 5; <http://ncmaf.org/policies/PDFs/DrChuSpeechDec04.pdf>, (accessed Nov. 16, 2008).
44. Lee Lawrence, "Military chaplains: being a cog of conscience in the military killing machine," *Christian Science Monitor*, Nov. 20, 2007, www.csmonitor.com/2007/1120/p20s01-usmi.html, (accessed Dec. 5, 2008).
45. For a discussion of proselytizing and minority faith representation, see Capt. Lawrence Greenslit, "Religion and the Military: A Growing Ethical Dilemma." For a discussion of chaplains' free speech rights, see John A. Carr, "The Voice from the Pulpit: Can the Department of Defense Regulate the Political Speech of Military Chaplains?" William Wildhack explores several of these issues in "Navy Chaplains at the Crossroads."