

Commanders and Free Exercise of Religion – A Chaplain's Perspective

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Introduction

Freedom is the heartbeat of the United States of America. Protecting freedom was the overarching purpose of the Declaration of Independence (August 2, 1776), the U.S. Constitution (March 4, 1789), and the Bill of Rights (December 15, 1791). The First Amendment alone guarantees freedom of speech, press, religion, and the rights to peaceable assembly and to petition the government. Protecting these freedoms is the crux of U.S. military service. Though Soldiers accept some limitations on personal freedoms to fulfill their obligations, they do

not forfeit their right to the free exercise of religion. Rather, Commanders at every echelon are charged with guaranteeing this right to their Soldiers.

Guaranteeing the free exercise of religion serves several important functions. Religion provides important continuity between the civilian population and the military. According to a 2019 report by the Congressional Research Center, approximately 73.3% of active duty military personnel identify with a religious denomination.¹ This religious identification provides entry-level military personnel with familiarity, comfort, stability, and direction as they transition into the unique culture of the military.

Soldiers, furthermore, must accept greater risk and distress by the very nature of their profession. The experiences of facing death, being isolated from family and established support systems, and witnessing the horrors of war move many Soldiers to reevaluate the religion, faith, or philosophical concepts that guide their lives. Providing religious support as Soldiers grapple with the deep existential questions that arise during conflict significantly contributes to a Soldier's morale and will to fight. "[T]he Continental Congress established the chaplaincy as an integral part of the Army of the United States"² on July 29, 1775 to assist Commanders to meet the religious needs of their Soldiers. The War Department expanded this assistance on December 28, 1909 by

authorizing an enlisted Soldier's position of Religious Affairs Specialist.

What follows in rest of this article is a U.S. Army Senior Chaplain's perspective on the legal obligations and challenges Commanders face in ensuring the free exercise of religion for their Soldiers. The article focuses on the relevant Joint and U.S. Army doctrine, examines common obstacles, and shares some best practices with an emphasis on Chaplain Corps responsibilities and capabilities around internal advisement. The information is relevant to all echelons from a battalion to an Army Command. The article focuses on Chaplains but also applies to the role of Religious Affairs Specialists.

The U.S. Army and Joint Doctrine

The regulatory guidance on internal advisement helps Commanders balance the inherent tension between the Establishment and Free Exercise Clauses. To this end, it is crucial for Chaplains and Religious Affairs Specialists to know and understand Joint and Army doctrine that are the guides and authorities for the Commander in carrying out their responsibility of providing religious support.

Army Regulation 165-1, *Army Chaplain Corps Activities*, provides a summary of the historical, constitutional, and legal basis for the Chaplain Corps and points out the challenge of "striking a balance between the Establishment and Free Exercise Clauses" of the

Constitution.³ Of particular note, the regulation states that providing for the free exercise of religion for Soldiers and dependents is a Commander's responsibility, "Commanders provide for the free exercise of religion through assigned chaplains, Religious Affairs Specialists, and other religious support personnel."⁴ The Chaplain Corps assists the Commander in this effort by providing religious support and advising Commanders on the impact of religion, "As a professional military religious leader, the chaplain must have the capability to perform or provide religious support that accommodates the Soldier's right to the free exercise of religion, and support resilience efforts to sustain Soldiers, Family Members, and authorized Civilians. As the professional military religious staff advisor, the chaplain advises the Commander and staff on morals, morale, ethical issues, and the impact of religion on all aspects of military operations."⁵

Field Manual 1-05, *Religious Support*, notes the important distinction between internal and external advisement. The FM corrects an imbalance in religious advisement created by twenty years of counterinsurgency operations that focused primarily on external advisement to assess the impact of religion on military operations in the context of indigenous populations. Internal advisement, which Army Techniques Publication 1-05.04 defines "as a required religious support capability that advises on religion,

morals, and morale within units, and ethical decision making of the command,"⁶ is the advisement capacity for which Chaplains are best suited.

Joint Guide 1-05, *Religious Affairs in Joint Operations* articulates the same principles as FM 1-05 even though it uses slightly different terminology. "Religious affairs are the commander's responsibility. Religious affairs consist of the combination of RS [religious support] and religious advisement."⁷ It repeats the emphasis on advisement, which it defines as "the practice of informing the commander on the impact of religion on joint operations to include, but not be limited to, worship, rituals, protected places, customs, and practices of US military personnel, international forces, and the indigenous population, as well as the potential impact of military operations on the religious and humanitarian issues in the OA [operational area]."⁸

Obstacles

COMMON LANGUAGE

Clarifying terms is the first step. There is vagueness and disagreement around the terms "religion" and "spirituality." Most interlocutors enter the conversation with strongly held preconceived notions about the meaning of these words and how they should be used. Terminology, for this reason, poses a challenge to effective internal advisement. Some Soldiers describe themselves as spiritual

but not religious, while some see themselves as religious and spiritual, while still others self-describe as religious but not spiritual. This task is further complicated by those who dislike the Army's definitions of the terms religion and spirituality. Nevertheless, working with the Army's definitions is a critical first step in discussing religious support in the Army.

Army Regulation 600-20, *Army Command Policy* defines religion as "a personal set or institutionalized system of attitudes, moral or ethical beliefs and practices held with the strength of traditional views, characterized by ardor and faith, and generally evidenced through specific observances."⁹ The first two words of this definition, "a personal set," reflect a broadened understanding of traditional definitions of religion to include a variety of belief systems as the basis for religious practice. Historically religion was understood as a formalized community expression of shared beliefs and practices. The military definition now extends the concept of religion from a community expression to an individual expression. Under this rubric we now have religious communities that consist of one member. This significantly changes the landscape of religious support, internal advisement, and the free exercise of religion.

The ambiguity of the updated definition of religion is playing out in the COVID-19 religious accommodation exemption for immunization process. Historically, Chaplains conducted religious

accommodation interviews to determine if a particular practice or conviction was part of the expressed belief system, "The chaplain must provide a memorandum that summarizes the interview and addresses the religious basis and sincerity of the Soldier's request."¹⁰ The updated definition now reduces the Chaplain to making a subjective judgment on the "sincerity" of the personal belief. Nevertheless, this is how the Army has defined religion.

The Army's definition of spirituality is even more expansive than that of religion. Army Regulation 350-53 concludes that "an individual's spirituality draws upon personal, philosophical, psychological, and/or religious teachings or beliefs, and forms the basis of their character."¹¹ Field Manual 7-22 states that "Spirituality is often described as a sense of connection that gives meaning and purpose to a person's life. It is unique to each individual. The spiritual dimension applies to all people, whether religious or non-religious."¹² The FM defines the spiritual (not spirituality) as "concerned with an individual's core religious, philosophical, or human values that form that individual's sense of identity, purpose, motivation, character, and integrity. These elements enable one to build inner strength, make meaning of experiences, behave ethically, persevere through challenges, and be resilient when faced with adversity."¹³ These definitions buttress what is now

the fourth domain of Army readiness, Spirituality. The definition of spirituality is broad enough to refer to the universal human need and longing for meaning that undergird human experience of the transcendent.

This expansive definition of spirituality challenges more narrowly defined conceptions of the idea. For example, the traditional Catholic conception of spirituality is “the ways in which people, beyond the ordinary practices of the faith, have sought to live their Christian lives more intensely... the sort of religious attention that goes beyond the ordinary observances of practicing Catholics in the sacramental life of the church.”¹⁴ Nevertheless, the broad description relies on more than twenty years of scientific observations and research examining the correlation between religiosity, spirituality, and psychology. Drawing on this body of research a prominent scholar defines spirituality as “an inner sense of relationship to a higher power that is loving and guiding. The word we give to this higher power might be God, nature, spirit, the universe, the creator, or other words that represent a divine presence. But the important point is that spirituality encompasses our relationship and dialogue with this higher presence.”¹⁵ This definition and the accumulated research of a diverse group of social science disciplines provide the foundation for Army doctrine, policy, and efforts such as the Spiritual Readiness Initiative.

NAVIGATING THE MILITARY ENVIRONMENT:

Another source of religious support friction are the differences between civilian and military religious communities. What is appropriate and legal in a civilian parish is not necessarily so in a military religious community operating in a base chapel. The most common misunderstandings are related to handling and spending chapel tithes and offerings funds, chapel ornamentation, naming chapels, or volunteers satisfying Title 10 requirements. Commanders and Chaplains must not assume that what is fruitful and legal in the civilian sector is so in the military.

To this end, Chaplains must have a fundamental knowledge of the laws and regulations that guide chapel-based programs to advise their commands. To their pastoral skills they must add the staff skills necessary to successfully navigate the military environment. In other words, Chaplains must possess a professional identity that recognizes divine calling in clerical and staff officer functions.

Best Practices

BUILDING TRUST WITH COMMANDERS

At the beginning of each new assignment the Chaplain has the opportunity to establish a relationship of trust with the Commander. The Chaplain who exhibits professional knowledge, skills, behavior, and a genuine concern for each member of the command enriches the relationship

by building trust. According to *Merriam-Webster* trust is “assured reliance on the character, ability, strength, or truth of someone or something or dependence on something future or contingent.”¹⁶ Not surprisingly, according to the *Harvard Business Review*, trust is an outcome of three elements: positive relationships, good judgment/expertise, and consistency.¹⁷ All this research aligns with Colonel (Retired) Patrick J. Sweeney’s conclusions that competence, character, and caring are the fundamental factors of trust.¹⁸ Armed with this understanding, every Chaplain should set out to enrich their relationship with their Commander in a manner that fosters the necessary cooperation for providing religious support.

UNDERSTANDING YOUR COMMANDER

Chaplains at every echelon are frequently welcomed with the sincere and endearing charge, “Chaplain, just take care of my Soldiers.” Though the Commander’s intent is constant, the expectations vary significantly about how this should transpire. Some Commanders have had bad experiences with Chaplains so have very low expectations, while others are happy with their “senior pastor.”

Effective Chaplains learn to meet their Commanders where they are. These Chaplains are cognizant of the wide range of religious backgrounds and experiences a Commander may possess. Chaplains cheerfully learn their Commander’s preferences, temperament, previous experiences with

Chaplains, and how they like to receive information. The Chaplain who develops an understanding of their Commander will have the most opportunities for effective internal advisement.

UNIT, AREA, AND DISTINCTIVE RELIGIOUS GROUP COVERAGE

It is natural for Commanders to prioritize the religious support of their own Soldiers. Nevertheless, it is incumbent upon Chaplains to ensure their Commanders understand the importance of area coverage, the means by which Commanders share religious support assets to ensure that even minority faith groups receive Chaplain support. No single Chaplain can meet the totality of religious need in the command. Even though every Chaplain is part of an endorsing body that “supports the pluralistic requirements of the Army without relinquishing their respective religious demands,”¹⁹ all Chaplains have ministerial restrictions. To protect the individual Chaplain’s own right to free exercise of religion, each Chaplain must advise Commanders on pastoral limitations established by their Endorser while simultaneously explaining how the religious support gaps can be filled by leveraging area and distinctive religious group concepts. Army doctrine provides the justification for this leverage “chaplains are responsible for the unit, area, and distinctive religious group religious support. Operational orders will document recurring coverage responsibilities of chaplain duties beyond their assigned unit. Priority of support is

normally to the unit, then the area, and then distinctive religious groups.”²⁰

Advising Commanders on this aspect of the Army’s doctrine requires proper framing and context. First, area coverage, if properly planned and executed, benefits the unit. In a field environment, it reduces risk and saves time on travel where separated by distance. Second, area coverage and distinctive religious group coverage are an expression of Army teamwork, ensuring that low density faith groups are afforded religious support. By “sharing” a Rabbi, an Imam, or a Catholic Priest, the Commander helps fellow Commanders to fulfill their legal obligation for the free exercise of religion of every member of the command.

TRANSLATING RELIGIOUS PRACTICES INTO THE ARMY’S LANGUAGE

Every good anthropologist knows that the key to effective communication is learning the host culture’s language. The Army is no different. The more fluent the Chaplain is in translating religious support into operational language, the more effective the message and support. To provide effective internal advisement, Chaplains translate religious support into the Army’s language, to include the use of data and data interpretation.

In recognition of the Army’s appetite for data and the historic Chaplain aversion for detailed reporting, the Chaplain Corps has embarked upon an ambitious effort to establish an integrated reporting management system known as OS56.

This reporting system will help the Army, the Chaplain Corps, and the individual Chaplain track trends, measure effectiveness, and tailor care for Soldiers and Families.

The Army expects its officers to be able to interpret data. What does a spike in suicidal ideation counseling in a brigade mean? Should the Commander be concerned that their unit is at higher suicide risk and increase prevention efforts? Or does it mean that current prevention methods are working, and Soldiers are comfortable with asking for help? Though all interpretation efforts should be approached with the humility that complexity and limited knowledge dictate, Chaplains must develop the skills to interpret the data and recommend courses of action.

Chaplains should be open in their desire to cultivate in-person interactions with Commanders as a critical component of effective communication. However, this desire must be tempered with the recognition that face-to-face interactions are constrained by time and mission. Recognizing the severe time constraints under which Commanders work, Chaplains must learn to use established communication processes and instruments. The Army provides a wide range of tools and formats to communicate the religious support effort to include the Commander Master Religious Support Plan, the operational order process, staff update briefings (learn to think past the “the thought of the day”), information papers, executive

summaries, concept of operations briefs, decision briefings, etc. Effective communication by the Chaplain is incumbent upon effective use of these instruments for internal advisement.

FIELD MANUAL 7-22, HOLISTIC HEALTH AND FITNESS

The Publication of the Field Manual 7-22 formalizes the space in which Commanders and Chaplains interact. It establishes authoritative doctrine on spirituality as one of the five holistic health and fitness domains: physical, nutritional, mental, spiritual, and sleep readiness.²¹ It also provides practical information to leaders on how to ensure the spiritual readiness of their respective units and stresses the supporting role of the Chaplain Corps.

Second, the manual opens natural avenues for Commanders and Chaplains to engage Soldiers on issues of religion and spirituality. It reverses the ongoing cultural trend that relegates spiritual and/or religious discussions to the private sphere by reintroducing this discussion to a public forum, which restores important public space for the free exercise of religion. For some time now, Commanders have been reluctant to discuss religion or spirituality in a public setting. Establishing the spiritual domain as a part of Army doctrine reopens the public space for discussions of religiosity and spirituality. In addition, the doctrine provides language that can de-conflict otherwise emotionally-laden and contentious topics around spirituality.

SPIRITUAL READINESS INITIATIVE

The Army's Spiritual Readiness Initiative equips Commanders and Chaplains with the empirical and conceptual understanding to aggressively promote spiritual readiness. The Spiritual Readiness Initiative was conceived in collaboration between the Chaplain Corps and research scientists at some of the United States' most prestigious universities. This research aims to empirically assess the value of spirituality in the human domain. The fruit of this effort, a powerful and undisputable correlation between a strong spiritual core and human flourishing, equips Chaplains and Commanders with the evidence to unabashedly advocate for the spiritual domain. The Spiritual Readiness Initiative begins with installation-level training. The Chief of Chaplains and his team present the science of spirituality findings to command teams, ministry teams, Behavioral Health professionals, Army Community Services providers, and Military Family Life and Army Substance Abuse Program counselors. In addition, ministry teams are trained on three skills: spiritual assessment, spiritual readiness development, and spiritual readiness deep dive. Command and ministry teams utilize this information to review, readjust, and/or introduce new programs according to the needs of the local command/community.

The Spiritual Readiness Initiative is not another canned and scripted mandatory training effort. Rather, it is

a door opening event, as it were, that invites previously excluded parties into an ongoing conversation that aims to improve units and chapel-based programs. It also awakens Soldiers and Families to a subject that has been seriously neglected. The Spiritual Readiness Initiative helps Chaplains to collaborate with the full range of Army care providers, as well as Commanders and Soldiers, to tailor ministry support efforts, eliminating ineffective programs and establishing new efforts to enhance the spiritual core of individuals and communities. Strengthening the Soldier's spiritual core begins in in-processing and continues with ongoing evaluation and encouragement throughout a Soldier's career.

Conclusion

Every cultural sea faces shifting currents of change. The United States and its Army are no exceptions. This article captures some of those particular changes around the Chaplain Corps and Army culture. It also demonstrates the enduring commitment of the United States to protecting the rights of its Soldiers to the free exercise of religion, and emphasizes the special role played by Commanders, Chaplains, and Religious Affairs Specialists in guaranteeing that right. By outlining common obstacles and new opportunities to effective religious support rediscovers of an old reality: the enduring benefit of a strong spiritual life.

PRO DEO ET PATRIA!

NOTES

- 1 *Diversity, Inclusion, and Equal Opportunity in the Armed Services: Background and Issues for Congress*, (Washington, DC: US Library of Congress, Congressional Research Service, June 5, 2019), 46.
- 2 U.S. Department of the Army, *Army Chaplain Corps Activities*, Army Regulation 165-1 (Washington, DC: U.S. Department of the Army, June 23, 2015), 1.
- 3 *Ibid.*
- 4 *Ibid.* 5.
- 5 *Ibid.* 6.
- 6 U.S. Department of the Army, *Religious Support and Internal Advisement*, Army Techniques Publication 1-05.04 (Washington, DC: U.S. Department of the Army, March 23, 2017), 1-6.
- 7 U.S. Joint Chiefs of Staff, *Religious Affairs in Joint Operations*, Joint Guide 1-05 (Washington, DC: U.S. Joint Chiefs of Staff, February 1, 2018), II-1.
- 8 *Ibid.* II-2.
- 9 U.S. Department of the Army, *Army Command Policy*, Army Regulation 600-20 (Washington, DC: U.S. Department of the Army, July 24, 2020), 211.
- 10 *Ibid.* 185.
- 11 U.S. Department of the Army, *Comprehensive Soldier and Family Fitness*, Army Regulation 350-53 (Washington, DC: U.S. Department of the Army, June 19, 2014), 8.
- 12 U.S. Department of the Army, *Holistic Health and Fitness*, Field Manual 7-22 (Washington, DC: U.S. Department of the Army, October 8, 2020), 1-10.
- 13 *Ibid.* Glossary-8.
- 14 Lawrence S. Cunningham, "Catholic Spirituality," *Commonweal*, (February 24, 2006), <https://www.commonwealmagazine.org/catholic-spirituality>.
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- 16 Merriam-Webster Dictionary. "Trust." *Merriam-Webster Dictionary*. Last modified 2022. <https://www.merriam-webster.com/dictionary/trust>.
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- 20 *Ibid.*
- 21 U.S. Department of the Army, *Holistic Health and Fitness*, Field Manual 7-22 (Washington, DC: U.S. Department of the Army, October 8, 2020), 1-2.