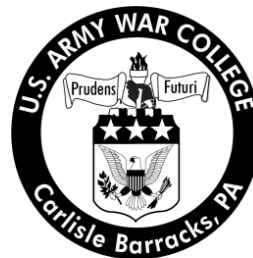


# Strategy Research Project

## Removing the Stigma: For God and Country

by

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Department of the Army Civilian



United States Army War College  
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## Abstract

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The vast majority of those serving in the U.S. military acknowledge a faith identity, yet many are compelled and even coerced into concealing their faith identity due to overzealous concerns for maintaining good order and discipline. A stigma has been attached to the phrase “for God and country.” This leads to a perplexing dilemma: military members are expected to rely on their faith identity as an enabler in the execution of their duties, and are often compelled to conceal expression of their faith. This, if allowed to persist, will degrade readiness across the force. Faith identity has proven an enabler on the battlefield, aiding recruitment, retention, total force fitness, suicide prevention, and military readiness. This dilemma really boils down to a matter of tolerance. A closer look at U.S. religious heritage, military religious constraints, justifiable concerns for caution to religious behavior within the military, and ramifications of overzealousness in stifling military religious accommodations will layout a pathway for remedies to resolve this challenge. Systemic military and public education, a vigilant and responsive process, and collaborative forums will remedy the stigma associated with serving “for God and country.”



## **Removing the Stigma: For God and Country**

History clearly reveals that religious belief or faith identity has been a key contributor to the shaping of ancient and modern civilizations. Since the beginning of time, religion has launched peace and war, incited hope and violence, and helped forge and dissolve relationships. A tremendous amount of blood has been shed over specific fundamental endearing beliefs and practices known as religion. Religion has been defined as “a set of beliefs concerning the cause, nature, and purpose of the universe, especially when considered as the creation of a superhuman agency or agencies, usually involving devotional and ritual observances, and often containing a moral code governing the conduct of human affairs.”<sup>1</sup> Virtually all social strata and organizations, individuals, families, groups, organizations, corporations, institutions, neighbors, communities, tribes, cities, counties, colonies, nations, states, allegiances, and alliances find some of their core values rooted directly or indirectly in this primal source.

The American Republic and the U.S. military are no exception. Nathan Hale in many ways typifies the earliest patriots of the republic. He famously stated at his 1776 execution by the British, “I only regret that I have but one life to lose for my country,” but he was equally committed to his God. Yale, his alma mater, later erected a statue of him that read, “For God, for country, and for Yale.” Walter Berns, who authored a book on the subject of “Making Patriots,” states that Yale recognized that “a patriot may have at least three interests and imply that he can be for all three, simultaneously and without reservation or equivocation.”<sup>2</sup> Founders of this great nation rose up in arms, birthing a militia, because they believed they had the right to “alter and abolish” the government imposed on them. They took up arms and revolted. These founders were successful

and established a nation where all were required to obey the law of their country, regardless of their religious or private beliefs. Berns explains that the founders did not intend to discourage religious belief; “on the contrary, within the limits imposed by their Lockean principles, they intended to promote or protect it.” Why? “They did so because they had reason to believe that, in certain important respects, the religious make better citizens than do the irreligious.”<sup>3</sup>

To what extent, if any, does this apply in the military today? The U.S. military has no rival in its professionalism and reputation. It continues to lead U.S. polls as the most trusted institution in America, well ahead of the U.S. Congress and faith identity organizations.<sup>4</sup> It maintains its power as protector of national interest. Its service members have demonstrated uncommon bravery in preserving our freedom, with many having paid the ultimate price.

Many factors contribute to the formation of service members with such competence, commitment, and courage. Both Congress and the courts acknowledge that the special character of the military requires that its military commanders have some flexibility in dealing with matters pertaining to internal discipline and morale. “In 10 US Code, 654, Congress expressly noted in its findings that the military is a “specialized society” that “is characterized by its own laws, rules, customs, and traditions, including numerous restrictions on personal behavior that would not be acceptable in civilian society.”<sup>5</sup>

Another factor contributing to the inner strength of service members is the military ethic. Although this ethic has historically been framed in many documents, the U.S. Military Code of Conduct has stood since 1955 as the embodiment of the warrior

ethos that enables military men and women to defend the nation. The Code of Conduct codifies the responsibility of American combat soldiers and spells out how military members are to behave if captured by hostile forces. The Code of Conduct was initially prescribed by President Dwight D. Eisenhower and later modified by President Jimmy Carter and President Ronald Reagan for word clarification and to make it gender neutral.<sup>6</sup>

Interestingly, the Code of Conduct details sources of strength for service members. Article VI of the Code of Conduct uses these words: “I will never forget that I am an American, fighting for freedom, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and in the United States of America.”<sup>7</sup> These 39 words of Article VI seek to instill commitment to the enduring principles that made this country great. Carefully crafted to instill a “never-give-up” warrior ethos, Article VI encourages soldiers to resist capture and, if captured, to retain faith and allegiance to “God and the United States of America.” This dual commitment to God and country was clearly intended as a powerful source of hope and comfort, when journeying through “the valley of the shadow of death.”<sup>8</sup> It is for good reason that God—or a faith identity—is acknowledged in Article VI as a primary source of hope during times of tremendous duress in the fog of war. The military is the only social institution whose ultimate purpose is to kill or be killed, to incapacitate or destroy life and property for just cause.<sup>9</sup> Those who stigmatize open commitments to God and country fail to appreciate the inner strength and hope that empower service members of faith.

An intrinsic faith identity in God has emboldened many to willingly serve in the military without regret, even when ordered into harm’s way. Warriors with a faith identity

serve in the military and embody the warrior ethos during times of extreme duress. Jay Sekulow and Robert Ash assert that, “Leaders of military units must understand that, for the vast majority of those serving within their various commands, the moral discipline of the warrior ethos is inexorably linked with the religious faith.”<sup>10</sup> The Code of Conduct simply acknowledges this fact. And the First Amendment to the U.S. Constitution guarantees every citizen freedom of religion. Yet current senior military leaders are increasingly pressured to remain silent regarding their core beliefs and those they share with many who serve under their authority. This evolving pressure may reduce our warrior’s readiness and resilience, and even jeopardize our national security.

This paper examines this perplexing dilemma where military members are expected to rely on their faith identity as an enabler in the execution of their assigned task, and yet conceal any acknowledgement of their faith identity to appease those who might have none. Can senior leaders be expected to lead authentically if they are forced to compartmentalize their professional and personal obligations and conceal their faith identity? For those with an all-embracing faith identity, is denying one’s faith identity tantamount to being disingenuous? The perplexing dilemma really boils down to tolerance, but does tolerance run both ways? Are good intentions across both sides of the aisles leading to violation of constitutional rights, military policy and guidelines? This paper will address five related discussion points to shed light on this dilemma: the religious heritage of our nation, military religious constraints, justifiable concerns for caution to religious behavior within the military, ramifications of overzealousness in stifling military religious accommodations, and remedies to resolve this perplexing dilemma.<sup>11</sup>

## The Religious Heritage of the United States

The American Republic was conceived and born on the premise of escape from religious tyranny, persecution, and expulsion. Numbers of colonists fled their home countries in hopes of freedom to practice a faith identity. "Many of the British North American colonies that eventually formed the United States of America were settled in the seventeenth century by men and women, who, in the face of European persecution, refused to compromise passionately held religious convictions and fled Europe."<sup>12</sup> Berns suggests that "America became what no other country had ever been . . . a haven for all sorts and conditions of men," not only for Christians of every variety, but also for those of other religions as well.<sup>13</sup> From 1500-1700 many religious sects throughout Europe suffered persecution for various reasons. These included: the Puritans, Mennonites, Jesuits, Salzburgers (Lutherans), Huguenots, Catholics, Protestants, and Quakers. They departed their native lands in search of religious freedom in a land unburdened by intolerance. Close examination of a few of these sects clearly reveals their desire to practice deeply held religious beliefs according to their convictions in a place where freedom rang out.

### The Catholics

Catholics were harassed and persecuted in England throughout the seventeenth century and sought refuge in the American Republic. George Calvert was able to obtain a charter from Charles I in 1632 for the territory between Virginia and Pennsylvania later called Maryland in a quest to find a place where his Catholic brethren could practice their faith freely. Catholics' freedom of worship later diminished in Maryland as their

religion became an increasingly minority faith in their new home of the free.

Unfortunately, once the Church of England was legally established around 1689, English laws were adopted that deprived Catholics of many rights in their new territory. This discrimination continued until the American Revolution succeeded.<sup>14</sup>

### The Puritans

Beginning in 1630, within the Puritan faith identity alone some 20,000 adherents made their way to America in hopes of being able to worship God as they chose. Puritans protested the unacceptable residues of Roman Catholicism in the Anglican Church. They tried to reform and purify the Church of England. Interestingly, these Puritans believed that the Church of England was a true church but badly in need of reform. They hoped that their experiment in America would provide a model for reform in England. Although such hopes were not realized, their faith identity and quest to worship God as they chose prompted their geographical relocation from England to New England.

### The Quakers

The Quakers (or Religious Society of Friends) were founded in England in the mid-1600s by George Fox and were severely persecuted for deviating from orthodox Christianity. The Quakers carried the Puritans' convictions to the extreme in their quest for "plainness." Furthermore, they believed that the church was not only regenerated by the Holy Spirit but that the Holy Spirit dwelt within believers and imparted the "Light of Christ." Many contemporaries felt their teachings were dangerous heresy. Some of their beliefs were deemed too radical: they did not believe in the necessity of compelling religious uniformity in society, and they insisted on individual rights and equality of rights for women—in seeming defiance of the Apostle Paul's injunction—to speak in meetings

and preach the gospel. By 1680 roughly 10,000 Quakers were imprisoned, and 243 were tortured to death for their religious convictions. Many sought refuge in New Jersey, a place where William Penn had established an order and was leader. William Penn, a travelling companion of George Fox, was able to charter the province of Pennsylvania in settlement of a debt that Charles II owed Penn's father. By 1685, at least 8,000 Quakers had settled in Pennsylvania. Additionally, William Penn and his agents encouraged German and European emigration to Pennsylvania to practice their religious convictions without persecution. Mennonites, Dunkers, Schwenkfelders, Moravians, and German Baptists took them up on their offer. These sects and the Quakers differed from the Puritans in their tolerance of diversity and respected the liberty of individual conscience. They opposed uniformity of religious beliefs.

### Uniformity and Persecution in the American Republic

Following the sad currents of religious persecution across history, pressures for uniformity and orthodoxy of religious belief and practice crossed the waters of the Atlantic and reared their ugly head also on these shores. Expelled from Massachusetts in the dead of winter in 1636, Roger Williams, a former Puritan leader, fervently argued for freedom of conscience.

God requireth not an uniformity of Religion to be inacted and inforced in any civil state; which inforced uniformity (sooner or later) is the greatest occasion of civil Warre, ravishing of conscience, persecution of Christ Jesus in his servants, and of hypocrisy and destructions of millions of souls. Williams later founded Rhode Island on the principles of religious freedom. He welcomed people of every shade of religious belief, even some regarded as dangerously misguided, for nothing could change his view that "forced worship stinks in God's nostrils."<sup>15</sup>

Many settlers were zealously persecuted and tortured for their religious convictions that did not conform to their locales' dominant belief. For instance, Mary

Dyer, a Quaker, was arrested three times in Massachusetts for spreading Quaker principles and banished. She returned to Massachusetts a fourth time and was hanged on June 1, 1660. The state of Virginia enacted anti-Quaker laws which included the death penalty for certain Quakers in 1659. In certain settlements uniformity of religion was strictly enforced by various religious sects who believed “that it was the duty of civil authorities to impose it, forcibly if necessary, in the interest of saving the souls of all citizens.”<sup>16</sup> Ironically, the practice of enforcing religious uniformity that had compelled many Protestants and Catholics to flee Europe for British North America had come full circle.

The founding fathers of the U.S. Constitution sought to ensure that this persecution ceased throughout the new nation founded under the principles of liberty and justice for all. Their Constitution and later legislation sought to counter the evils of religious uniformity that resulted in persecution in the seventeenth century. Against seventeenth century religious intolerance, Thomas Jefferson considered all to be on equal moral footing—from the Virginians to the Puritans. George Washington exemplified the sentiments of our founding fathers in his response to the address from the Hebrew Congregation of Newport, Rhode Island when he stated:

It is now more that tolerance is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent natural rights, for happily, the government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support. . . . May the children of the stock of Abraham who dwell in this land continue to merit and enjoy the good will of the other inhabitants—while everyone shall sit in safety under his own vine and fig tree and there shall be none to make him afraid.<sup>17</sup>

Sadly, in the twenty-first century there are religious radicals of various faith identities who still adhere to the tenets of enforced religious uniformity. Indeed they are willing to kill non-conformists on domestic and distant shores to advance their ideology. Two such examples are bombings of abortion clinics and the 9/11 attack on the World Trade Center and the Pentagon. In the U.S. violence directed towards abortion providers has killed at least eight people from March 1993 to May 2009.<sup>18</sup> Media images captured the eruptions of celebratory gestures on the West Bank as Palestinians ran to the streets and chanted such slogans as “God is great” as 2,981 innocent people from various nationalities, walks of life, and faith identities lost their lives in these attacks planned and executed by religious extremists.<sup>19</sup>

The fact that human beings can revel in such assaults on innocent lives in the name of religion, and show such intolerance for the sanctity of life in the name of religion, has led to the rise of a number of religious watchdog organizations. The American Civil Liberties Union, Military Religious Freedom Foundation (MRFF), Freedom From Religion Foundation, and Americans United for Separation of Church and State are just a few of the more prominent organizations that have committed themselves to oppose religious bigotry.<sup>20</sup>

Unfortunately, in pursuing these laudable ideals, some of these organizations have gone so far as to infringe upon the founding principles of religious freedom by wielding coercive influence over those simply attempting to practice their deeply held religious convictions without any intention of imposing uniformity on others. “In fact, there are growing numbers of persons and advocacy groups in the United States actively seeking to remove from public life—including the armed service—virtually all

symbols and expression of religion and America's religious heritage by advocating strict separation of church and state."<sup>21</sup>

Many believe that the drafters of the U.S. Constitution intended that there be a strict separation of church and state and cite the First Amendment as their source. A close examination of the First Amendment shows otherwise. The First Amendment is a part of the Bill of Rights to the United States Constitution and states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech."<sup>22</sup> No explicit reference to a "separation of church and state" is found.

Historical study shows that the drafters of the First Amendment intended to ensure that the federal government could not establish a religion and that U.S. citizens would be free to practice their faith. Clearly the founding fathers were concerned about having a state-sponsored religion that would reverse liberty of conscience and spiral the country back to the tyranny of the past—religious uniformity, with intolerance and persecution. Interestingly, the phrase "separation of church and state" arose from an 1802 letter from President Thomas Jefferson to Baptists in Danbury, Connecticut. The purpose of the letter was to protect the Danbury Baptists against any potential free exercise restriction by the federal government, and not to limit the Baptists from influencing government.<sup>23</sup>

In the 1952 case of *Zorach v. Clauson*, the Supreme Court interpreted the original intent of the First Amendment accordingly. It judged that the First Amendment:

Does not say that in every and all respects there shall be a separation of Church and State. . . . Otherwise the state and religion would be aliens to each other—hostile, suspicious, and even unfriendly. . . . Municipalities would not be permitted to render police or fire protection to religious

groups. Policeman who helped parishioners into their places of worship would violate the Constitution. . . . A fastidious atheist or agnostic could even object to the supplication with which the Court opens each session: “God save the United States and this Honorable Court.”<sup>24</sup>

According to Jay Sekulow and Robert Ash, strict separation of church and state is not, nor has it ever been, required in the United States.<sup>25</sup>

That said, a stigma has been attached to the phrase “for God and Country.”<sup>26</sup> This stigma finds much of its tentacles wrapped around the fear of enforced religious uniformity and enforced religious practice. Antagonist and watchdog proponents use this phrase to champion religious diversity and protect those who desire not to practice religion. Some watchdog organizations go farther, using the phrase to claim religious bigotry if anyone practices or advocates religion in the public square!

Reverend Barry Lynn, executive director of Americans United for Separation of Church and State declared, “Unfortunately the mind-set of some military leaders seems grounded in simplistic ‘God-and-country’ rhetoric—that is, their belief is that one cannot be an effective soldier unless one has also adopted, at the very least, some form of religious belief.”<sup>27</sup> Lynn asserts that this glorifies the “Christian soldier”—a belief that the soldiers believe they are compelled to conduct evangelical duties. Lynn’s analysis is typical of extreme interpretations of separation of church and state. Many others espouse similar views, and some have influenced decisions of senior military leaders.

#### Military Constraints on Religious Expression

Constraints on religious expression are a military necessity for the sake of good order and discipline within the ranks. While the First Amendment of the U.S. Constitution guarantees the freedom to speak and freely exercise one’s religion, there are characteristics of the military—including its rank structure and need for good order

and discipline—that justify the need for additional constraints. These characteristics justify constraints on religious speech beyond what would be constitutionally tolerable in the civilian world and its leaders must take additional caution to demonstrate tolerance of all faith identities or lack thereof. Additional constraints have been imposed on the religious speech of service members and in particular military and civilian leaders due to their rank and position.<sup>28</sup> Such constraints regarding expressions of faith identity are necessary to promulgate good order and discipline. The constraints placed upon those serving in the profession of arms fall within two distinct categories: statutory limitations, and military policy and regulations.

### Statutory Limitations

Statutory limitations on military and civilian senior leaders' acknowledgement of a faith identity are nested in interpretations of the original intent of the First Amendment to the U.S. Constitution. Statutory guidelines and limitations placed upon all those serving within the military and their civilian counterparts fall within one of three categories: Free Speech Clause, Free Exercise Clause, or The Establishment Clause. The Free Speech Clause forbids Congress from "abridging the freedom of speech," but the Supreme Court has sanctioned limitations that apply to all government personnel, including the military. Speech in this case refers to both oral and written communication; it also refers to expressive conduct and displays intended to convey a message which may be religious in nature. These qualifications mean that leaders cannot single out religious speech for special limitations just because it is religious. Senior military and civilian leaders cannot prohibit religious discussions in personal conversations or displays of religious paraphernalia in personal barracks space if other discussions or paraphernalia are allowed. However, the military has much more latitude in constraining speech when

the limitations are “content-neutral” and do not infringe on religious expression solely. “These are incidental limitations on speech which may arise when the government regulates for some other legitimate purpose.” For example, if the military prohibits the use of extraneous quotes or materials in emails, that prohibition would apply to religious quotes as well.<sup>29</sup>

One additional limitation to the Free Speech Clause is placed upon the military, grounded in the concept of “unprotected speech.” In essence the Supreme Court has acknowledged that there are times when certain categories of speech serve no First Amendment purpose, but instead serve to the detriment of good order and discipline. In the landmark 1974 case of *Parker v. Levy*, the Supreme Court ruled that there is a type of speech that may “undermine the effectiveness of response to command.” The U.S. Court of Appeals for the Armed Forces, the highest military appellate court, interpreted that phrase to mean speech that “interferes with or prevents the orderly accomplishment of the mission or presents a clear danger to loyalty, discipline, mission, or morale of the troops.” Whenever religious speech crosses this threshold of unprotected speech, it can be prosecuted in the military court system.<sup>30</sup>

The same is true regarding the Free Exercise and Establishment clauses. As its title implies, the Free Exercise Clause addresses the freedom to practice religious beliefs as distinguished from the freedom to speak about one’s personally held religious beliefs, which the Free Speech Clause addresses. The Free Exercise Clause prohibits the government, and hence the military, from impermissibly interfering with the free exercise of religion or religiously motivated conduct, e.g., worship, dietary restrictions, ceremonies, etc. As with the Free Speech Clause, the Supreme Court has ruled that

laws limiting the free exercise of religion are permissible when they are “religion-neutral” and are otherwise valid. As with religious speech, senior military leaders cannot target religious practices and prohibit them solely because of their religious nature.

Additionally, the government must prove that it has a compelling reason for not granting a religious exception to accommodate the free exercise of religion. This means that there is a much higher standard of review placed upon content-neutral exercise of religion than is placed upon speech. Religious practices are further addressed in military regulations and policies.<sup>31</sup>

The Establishment Clause has the greatest bearing on military leaders’ conduct; it provides individual protection of religious speech and exercise by prohibiting the government (including the military) from making any “law respecting an establishment of religion.” This clause essentially limits what military members acting in an official capacity can do to promote religion. Senior leaders acting as representatives of the government in an official capacity should remain neutral toward religion. They cannot favor one religion over another, or favor religion over non-religion.<sup>32</sup> In the Supreme Court case of *Lemon v. Kurtzman*, the Court delineated three requirements that the challenged governmental action must meet to satisfy the Establishment Clause: (1) the governmental action must have a non-religious purpose; (2) the primary effect of the governmental action cannot advance or inhibit religion; and (3) the governmental action cannot result in excessive government entanglement with religion.<sup>33</sup> Most senior leaders’ violations of constraints on handling of religious issues have involved their infringements of the Establishment Clause.

## Military Policy and Regulation Limitations

Military policy and regulations align with statutory laws to ensure that the First Amendment's original intent and the Court's interpretations are codified to the greatest extent possible within the parameters of good order and discipline. The Free Exercise Clause has the most significant impact on military policy and regulation because they address accommodation. Department of Defense (DoD) Instruction 1300.17 states:

The U.S. Constitution proscribes Congress from enacting any law prohibiting the free exercise of religion. The Department of Defense places a high value on the rights of members of the Military Services to observe the tenets of their respective religions. It is DoD policy that requests for accommodation of religious practices should be approved by commanders when accommodation will not have an adverse impact on mission accomplishment, military readiness, unit cohesion, standards, or discipline.<sup>34</sup>

The default DoD position is to approve religious accommodation requests, except when military necessity dictates otherwise. When the latter is the case administrative actions are considered. Those actions include, but are not limited to, assignment, reassignment, reclassification, or separation. DoD policy strives to respect individual faith identity to the greatest extent possible, subject to the limits of good order and discipline.

Army Regulation (AR) 600-20 similarly affirms that the Army "places a high value on the rights of its soldiers to observe tenets of their respective religious faiths."<sup>35</sup> Again, the default answer is that the Army "*will* approve requests for accommodation of religious practices *unless* accommodation will have an adverse impact on unit readiness, individual readiness, unit cohesion, morale, discipline, safety, and/or health."<sup>36</sup> This means that accommodation is the standard, with military necessity providing the basis for any exceptions to granting religious accommodation requests of

individual soldiers. The Deputy Chief of Staff G-1 (DCS, G-1) is responsible for establishing policy on religious accommodations for the Army. Unit commanders then rely on this policy to approve or disapprove requests for accommodation of religious practices.

Within this policy religious accommodation requests fall within four distinct categories: worship practices, dietary practices, medical practices, and wear and appearance of the uniform. The Army accommodates soldiers' religious practices to the greatest extent allowable, but military necessity can come into play. For example, concerning the soldier's health and wellbeing, a soldier may request on religious grounds to be exempted from certain medical treatment; however, if the soldier would likely suffer significant medical harm without the treatment, the Commander could disapprove. Unit commanders can consult subject matter experts prior to rendering a documented decision: Chaplains, doctors, and lawyers are only a part of the range of expertise available to render assistance. But the regulation clearly affirms that the Army respects the individual faith identity of every soldier and does everything it can to ensure that soldiers' statutory rights are upheld. Finally, commanders, not chaplains, are responsible for ensuring that the Army's policies and regulations on religion (speech, practice, and establishment) are scrupulously observed.<sup>37</sup>

Army civilian leaders that supervise military personnel have the same responsibility as their military counterparts. AR 690-600, Civilian Personnel Equal Employment Opportunity Discrimination Complaints, and related publications and policies govern civilian conduct with regards to religious accommodations for civilian personnel.<sup>38</sup> Army Commands are afforded the latitude to promulgate policy and

regulations that conform to AR 690-600. Religious accommodations and acknowledgement of faith identity hinge on applicable statutory and military limitations. AR 690-600 details procedures for complaints of discrimination. Most policy regarding civilian religious accommodation and conduct is driven by case law. The Civilian Personnel Advisory Center (CPAC), Installation Legal Advisers, and chaplains are some of the many agencies and personnel available for consultation with both military and civilian leaders regarding these matters. The primary doctrine pertaining to civilians is the same as that pertaining to the military: One religion cannot be promoted over another, and due diligence must be given in an attempt avoid offense of any religious sect.<sup>39</sup>

#### Justifiable Concerns

The military embraces diversity of religious affiliation, and there are valid concerns when military policies and regulations nested within the Free Speech Clause, Free Exercise Clause, or the Establishment Clause have been violated. While the military in years past may have exhibited much greater religious uniformity, it has made gallant efforts to ensure all preferences or non-preferences are respected. That said, there have been instances when religious expression was at times abused by those who were in authority and went beyond the constraints on religious expression placed upon the military. Watchdog organizations quickly protest such abuses. Many senior leader infractions or alleged infractions are related to perceived violations of the Establishment Clause.

#### Concerns of Watchdog Organizations

Shortly after World War II, General Douglas MacArthur brought Christian leaders to Japan to meet with Emperor Hirohito; he also encouraged mass distribution of Bibles

to the Japanese people. He declared, "We must have ten thousand Christian missionaries and a million bibles to complete the occupation of this land."<sup>40</sup> While General MacArthur had the best of intentions, as a senior military officer he exceeded his authority by using his position of influence to exert his personal religious beliefs on both Japan and American non-governmental organizations.

In 2003 the Christian Leadership Ministries published an advertisement in the Air Force Academy (USAFA) installation paper: "We believe that Jesus Christ is the only real hope for the world. If you would like to discuss Jesus, feel free to contact one of us!" Its signatures included over 200 USAFA staff and faculty members and even some department heads at the academy.<sup>41</sup> Again good intentions, gone badly: The military cannot endorse one faith identity over another or conduct religious activity that undermines good order and discipline by denying respect for diversity of faith identification.

In 2004, an organization called Christian Embassy filmed a video in the Pentagon in which several generals and senior defense leaders discussed the significance of religion in their jobs and lives. The DoD Inspector General determined that the Army and Air Force personnel in this video violated the Joint Ethics Regulation by participating in the video in uniform while still on active duty.<sup>42</sup> In 2003, US Army Lt Gen William "Jerry" Boykin went on a speaking tour of churches in uniform during which he professed his belief that the global war on terrorism (GWOT) was a war between Satan and Christians. His comments essentially alluded to the conflict of good versus evil.<sup>43</sup> Some critics felt his statements incited Muslims into believing that the U.S. was on a crusade in the GWOT.

Similar situations suggested such a crusade: Large crosses were erected in Muslims lands for passersby to see; crosses and Christian messages were painted on military vehicles driving through Iraq; images of U.S. soldiers holding rifles and bibles were posted on the internet; virulently anti-Muslim speakers lectured at military colleges and service academies; Bibles and evangelical materials were sent to Muslim lands with official U.S. military emblems on them; Bibles translated into Arabic, Dari, and Pashtu languages were distributed in Muslim lands.<sup>44</sup>

Some religious watchdog organizations clearly believe that while Christianity is not sanctioned as the official religion of the military, the military ignores routine practices that give this appearance. These organizations report that some military leaders, officers and enlisted, distribute religious emails to personnel under their authority. For example, “An Air Force colonel sent out an e-mail to a large number of subordinates containing a link to an ‘inspirational’ video. Not only was the video an overt promotion of Christianity, but the web site linked to it was a far right Catholic Web site containing material attacking the president and vice president of the United States, including an image of the president depicted as Adolf Hitler.”<sup>45</sup>

These are just a sample of the many concerns of religious watchdogs regarding violations of statutes, or military policy and regulation—especially regarding proselytizing and promoting one faith identity over another. While many of these allegations have been dismissed in the courts, they have left doubts about the military’s sincerity in allowing diverse faith identity across all services. But each military member must know that his or her personal faith identity beliefs or lack of a belief is respected; regardless of religious preferences, each is a valued vital team member. It is critical that all serving in

the military be able to rely on their individual sources of consolation; they should not be pressured to conform to that of others—whether a senior, peer, or subordinate. Senior military leaders should promote an environment in the military that ensures that diversity of religious convictions is embraced, not rejected. Indeed, an environment of religious intolerance can undermine good order and discipline. It demonstrates a lack of respect for those with differing faith identities, and lowers the morale and effectiveness of organizations.

### Coercive Influence

Commanders and senior leaders shoulder the burden for ensuring that statutory laws and military policy and regulations are followed in order to ensure readiness; however, they are also increasingly pressed to go beyond legal and regulatory requirements when it comes to religion. Consider the example of General Norton Schwartz. While serving as U.S. Air Force Chief of Staff (USAF CoS) he stripped mission command responsibility from all USAF Commanders, denying their right or duty to speak to their Airmen regarding the availability of chaplain programs. The USAF CoS ordered that commanders “refrain from appearing to officially endorse religion generally or any particular religion.”<sup>46</sup> He went on to direct that “I expect Chaplains, not commanders to notify Airmen of Chaplain Corps programs.” The USAF CoS essentially undermined the intent of the Establishment Clause by granting commanders the opportunity to notify their subordinates about all other voluntary programs, but directing them to remain silent regarding vital programs that promote spiritual fitness and are religious in nature.<sup>47</sup> This decision appears to have overstepped the government’s requirement for military leaders to maintain neutrality toward religion, and dramatizes the magnitude of the problem facing leaders.

Growing numbers of individual non-state actors and advocacy groups within the United States are actively seeking to remove virtually all symbols and expressions of religion and of the nation's religious heritage by advocating a strict separation of church and state—to include in the Armed Forces. Many of these advocacy groups have filed or threatened to file lawsuits.<sup>48</sup> Some senior leaders and government officials are bowing to these external pressures and allowing the pendulum to swing away from the original intent of statutory limits, coming dangerously close to violating religious rights afforded military members. In some cases their reaction has led to actual violation of religious freedom.<sup>49</sup> Such decisions go well beyond what the Constitution and U.S. law require, endangering the very freedom that the First Amendment was crafted to protect. Further, these decisions encroach upon military readiness: “Protecting free exercise of religion is particularly important in the armed service because it is a key component in developing and strengthening the warrior ethos, an indispensable factor in fighting and winning our nation's wars.”<sup>50</sup>

Inhibitions on senior leaders' acknowledgment of a faith identity could irreparably harm the military and severely impact leader authenticity, readiness, and internal moral compass. Clearly, statutory guidelines and military policy and regulations must be followed in order to ensure that religious diversity flourishes in an atmosphere of tolerance and respect, devoid of senior leaders' religious coercion or endorsement. As the Free Exercise Clause implies, this principle must be applied both ways: tolerance is a two-way street. Senior leaders should neither be coerced into denying their faith identity nor compelled to endorse any particular faith, or lack of faith expression, in the public square.<sup>51</sup>

Gordon James Klingenschmitt, a former U.S. Navy Chaplain who was court-martialed for worshipping in public in uniform and then involuntarily separated from the Navy, chronicles several incidents in which watchdog groups pressured military members. Klingenschmitt warns that censorship of religious expression can threaten national security.<sup>52</sup> For instance, in “Burning Bibles and Censoring Prayers,” Klingenschmitt claims that Mickey Weinstein, a graduate of the USAFA who later joined four USAFA graduates in a suit against the Air Force which was eventually thrown out, “stands as a leading voice of opposition to religious expression by Christians in the military.” Klingenschmitt describes how Weinstein “demanded the chaplain who distributed the Bibles in the Al-Jazeera video be court-martialed for encouraging voluntary evangelism in church, despite the Pentagon’s claim that the same chaplain also assisted in confiscating the Bibles.”<sup>53</sup>

Klingenschmitt also reports that Weinstein’s group, the “Military Religious Freedom Foundation (MRFF) has repeatedly sued the military to silence our troops and chaplains, but they have not won any lawsuits.” Klingenschmitt adds, “The favorite new ploy of the MRFF is to intimidate some troops into silence by issuing press releases demanding the court-martial of any soldier or chaplain who talks publicly about his or her faith.” Weinstein has demanded that the Army court-martial its Chief of Chaplains solely because he issued a proclamation calling for a day of fasting and prayer for the troops. The Chief of Chaplains was concerned over “the traumas, pressures, and temptations” of troops to commit suicide and had called for “voluntary prayer by chaplains of diverse faiths” in keeping with their religious traditions.<sup>54</sup>

Religious liberty applies to all religions. It is critical that no one serving in the military be coerced or encouraged to support a religion against his or her will. But the freedom to practice one's faith identity within the confines of military policy and regulations must also not be undercut. Senior leaders shoulder this responsibility: They must serve as the vanguard to ensure that statutory and governing policies and regulations are followed at all times to ensure good order and discipline within the profession, while also ensuring free exercise of religion and related freedom of speech.

## Ramifications

### Impact on Recruitment and Retention

There are currently over 1500 religious groups in America and additional groups are constantly being added to the number.<sup>55</sup> Those entering military service come from this diverse religious spectrum. Large numbers of those entering the armed forces enter with deeply held religious convictions. The military recognizes the value of individually held religious convictions and makes every effort to accommodate the needs of its military members. Chaplains play a vital role in the military by assisting the individual and their Commander in identifying all that can be done to help military members practice their faith convictions. The individual service components prepare handbooks and pamphlets to assist Chaplains in providing this service. For instance, the Office of Chaplains, Department of the Army prepared a handbook "Religious Requirements and Practices" after extensive research to provide useful information to assist Chaplains and Commanders in considering the needs of each member individually.<sup>56</sup>

While the vast majority of those entering military service are from traditional Christian denominations (see Table 1 and 2), the remainder of those entering represent a broad spectrum of the world's religions and must be accommodated.<sup>57</sup> The vast

majority of those entering the military ranks do acknowledge a faith identity (see Table 3). In fact, the numbers overwhelmingly suggest that those who crafted Article VI of the Code of Conduct not only encapsulated an endearing, but also an enduring, principle. As of 23 November 2012, out of a grand total of 1,388,028 active duty enlisted and officers within the Army, Navy, Marine Corps, and Air Force only 12,440 stated that they were either Agnostic or Atheist (see Table 1).

Table 1. Religion of Active Component Personnel by Svc (no Coast Guard) as of 30 Sep 2012<sup>58</sup>

Religion of Active Duty Personnel					
Total (Officer & Enlisted)	USA	USN	USMC	USAF	Total
Agnostic	0	788	1,318	249	2,355
Atheist	2,930	1,033	1,898	4,226	10,085
Baha'l Faith	0	30	22	37	89
Buddhism	2,236	1,309	937	1,498	5,980
Christian (Incl Roman Catholic)	379,630	200,866	138,629	243,746	963,115
Christian Heritage Groups	9,928	4,130	3,187	7,082	24,327
Eastern Religions	0	9	10	0	19
Hinduism	523	206	92	187	1,008
Islamic	1,880	727	415	606	3,628
Jewish	1,932	1,090	631	1,156	4,809
Magick and Spiritualist	2	56	2	0	60
Native American	0	47	197	0	244
New Age Churches	0	7	0	0	7
No Religious Preference	97,989	88,185	31,629	62,732	280,535
Unclassified Religions	3,633	1,044	796	2,510	7,983
Unitarian Universalist	143	145	48	171	507
Unknown	44,842	18,089	18,651	4,612	86,194
Wicca	389	298	358	0	1,045
<b>Total</b>	<b>546,057</b>	<b>314,339</b>	<b>198,820</b>	<b>328,812</b>	<b>1,388,028</b>
<b>Data Produced by DMDC on November 23, 2012 DRS# 24012</b>		<b>Data Grouped According to DA Pam 165-13-1</b>			

This trend continues in the reserve forces: of the 840,320 enlisted and officers serving in the ARNG, USAR, USNR, USMCR, ANG, and USAFR only 4,443 stated that

they were either Agnostic or Atheist (see Table 2).<sup>59</sup> While about 20 percent of the active component and 27 percent of the reserve component of military members expressed that they did not have a religious preference, this lack of religious preference most precisely indicates that they have not chosen one religion over another, not that they have no religion or faith identity (see Tables 1 and 2).

Table 2. Religion of Reservist Personnel by Component (no Coast Guard) as of 30 Sep 2012<sup>60</sup>

Religion of Selected Reserve Personnel							
Total (Officer & Enlisted)	ARNG	USAR	USNR	USMCR	ANG	USAFR	Total
Agnostic	360	0	137	188	22	52	759
Atheist	1,548	748	152	276	559	401	3,684
Baha'1 Faith	3	0	5	0	12	13	33
Buddhism	889	871	189	213	351	307	2,820
Christian (Incl Roman Catholic)	220,149	127,140	23,544	28,616	55,685	55,136	535,132
Christian Heritage Groups	7,926	4,126	560	761	2,155	1597	17125
Eastern Religions	41	0	1	1	0	0	43
Hinduism	155	170	42	32	34	52	485
Islamic	547	658	120	100	95	150	1,670
Jewish	792	758	180	194	300	345	2,569
Magick and Spiritualist	128	2	18	1	0	0	149
Native American	68	0	24	15	0	0	43
New Age Churches	4	0	1	0	0	0	5
No Religious Preference	124,409	53,209	8,118	5,104	20,023	12,256	223,119
Unclassified Religions	712	803	128	137	1,232	525	3,537
Unitarian Universalist	83	87	31	10	69	63	343
Unknown	15	12,594	31,424	3,861	0	585	48,479
Wicca	249	0	41	35	0	0	325
<b>Total</b>	<b>358,078</b>	<b>201,166</b>	<b>64,715</b>	<b>39,544</b>	<b>105,389</b>	<b>71,428</b>	<b>840,320</b>
<b>Data Produced by DMDC on November 23, 2012 DRS# 24012</b>		<b>Data Grouped According to DA Pam 165-13-1</b>					

The overwhelming majority of these professional men and women acknowledge a spirit that empowers the human spirit to sacrifice for the good of others. James E. Parco and David A. Levy, both U.S. Air Force Academy Professors at the time of

publication of their article entitled “The One True Religion in the Military,” predict that “it’s unrealistic to expect the spiritual beliefs of soldiers to vanish once they put on a uniform. Indeed, the explicit enforcement of such a requirement prior to enlistment would likely cause the armed forces to shrink to unacceptable levels.”<sup>61</sup> Men and women enter military service on active or reserve status with an expectation that they will be able to continue to practice their faith identity while serving their country.

Table 3. Faith Identity Statistic as of 30 Sep 2012

Active Faith ID (CG Not Included)		Reserve Faith ID (CG Not Included)	
USA	546,057	ARNG	358,078
USN	314,339	USAR	201,166
USMC	198,820	USNR	64,715
USAF	328,812	USMCR	39,544
<b>Total</b>	<b>1,388,028</b>	ANG	105,389
		USAFR	71,428
		<b>Total</b>	<b>840,320</b>
<b>Data Produced by DMDC on November 23, 2012 DRS# 24012</b>			

### Faith Identity Impact on Values

There are other intangible benefits to the military that its members’ acknowledgement of a faith identity brings to bear on military readiness. “In June 2006, the Pentagon announced that all U.S. servicemen in Iraq were to undergo additional military ethics training, including lessons in core warrior values.”<sup>62</sup> According to Lieutenant General Peter Chiarelli, then commander of the Multinational Corps in Iraq, this training would center on professional military values, discipline, and professional conduct in combat. This Pentagon announcement came after a series of improprieties were committed by those serving in Iraq. Extensive research has been conducted on religion and the value system. While disagreement on the relationship between church

and state persists, evidence strongly suggests that religious values have a positive impact on society.<sup>63</sup>

In her research on values and behavior, Sonia Roccas define values as “conceptions of the desirable that guide the way persons select actions, evaluate people and events, and explain their actions and evaluation. Values express what people believe to be good or bad, and what they think should or should not be done.” Roccas also states that “religious people differ from nonreligious people in many aspects of behavior, including the rituals they abide by, some of their daily practices, and public figures they admire.<sup>64</sup> Milton Rokeach research from 1969 and 1973 concluded that family security, forgiveness, and obedience values were relatively high for religious people, while pleasure and an exciting life rated low in importance to religious people.<sup>65</sup>

Later in 1992 and 1994, Shalom Schwartz examined the relationships between values and religiosity within an integrative framework and derived ten clear motivational goals: power, achievement, hedonism, stimulation, self-direction, universalism, benevolence, tradition, conformity, and security. Schwartz then placed the ten goals into two distinct conflict categories: self-enhancement versus self-transcendence and openness to change versus conservatism. Using those opposing categories, Schwartz analyzed data collected in a series of studies from more than 65 countries and 210 samples in 1995. Schwartz, to read together with Sipke Huismans, developed hypotheses that considered psychological, sociological, and theological analyses of religiosity with regards to the earlier studies:

Their sociological analysis suggested that religion provides a consecrated basis for prevailing norms and social structure, and thus encourages the acceptance of the social order and discourages questioning and innovation. In their psychological analysis, they suggested that degree of

religiosity reflects, at least in part, the intensity of the need to reduce uncertainty. In their theological analysis, Schwartz and Huisman argued that religion emphasizes feelings of awe, respect, and humility and opposes seeking happiness through the pursuit of material goods.<sup>66</sup>

After testing their hypotheses on four religious groups, they found that the relations of values and religiosity generally followed the predicted pattern and validated that there is a positive correlation between religiosity and the importance attributed to conservative values, and a negative correlation between religiosity and openness to change. They further found that the self-interested focus of self-enhancement values was opposed to a focus on religious teachings, which showed a positive correlation with maintaining social order and promoting benevolence. The correlation of universalism with religiosity was less positive than that of benevolence values and openness to change. Their study concluded that religiosity positively correlated with traditional values, benevolence, and conformity values and negatively correlated with stimulation, self-direction, universalism and hedonistic values (pleasure and sensuous gratification for oneself). From these findings it is easy to conclude that religiosity strongly reinforces military values.

Among many other related studies, especially noteworthy is the 2000 Ronald Inglehart and Wayne Baker study comparing values of different religious groups. In their analysis of 63 societies, two main value dimensions emerged: survival versus self-expression values and traditional versus secular-rational values. They found that the religion dominant in each society is related to the types of values considered to be most important in it. These findings demonstrate that there is a direct correlation between the types of values a given society deems most important and the dominant religion of a given society. In this context, the “for God and country” framework simply embodies the

will to protect those values held dearest in a person's social upbringing and surroundings.<sup>67</sup>

### Total Force Fitness

“Commanders throughout history have understood the importance of the human spirit to overcoming challenges and great odds to achieve victory.” General Patton stated that although wars are fought with weapons, they are won by men.<sup>68</sup> He believed that it is the spirit of the leader and of those who follow that gains the victory. Senior leaders have the responsibility to facilitate the development of their subordinates' human spirit because spiritual fitness is needed to accomplish the mission, to recover from adversity, and to derive meaning from every experience. Soldiers' spiritual fitness can help mitigate moral injury by fostering the strength of will to behave according to individually held and organizational values.<sup>69</sup>

Just as it is critical to fully understand the meaning of the clauses that establish constraints to religious speech, practices, and establishment within the military, it is also important to understand the value of the human spirit, spirituality, and spiritual fitness in sufficiently broad terms that encompass the diversity of spiritual practices in DoD.<sup>70</sup> Military ethics experts Patrick Sweeney, Sean Hannah, and Don Snider define the human spirit as “the essence and animating force of the individual.” This spirit encompasses soldiers' “core values and beliefs, identity, purpose in life, vision for creating a meaningful life, knowledge and truth about the world, autonomy to lead one's life, connection with others, and the quest to realize potential.” These ethics experts believe that the development of the human spirit shapes “the essence of character.”<sup>71</sup>

Spirituality is defined by Sweeney, Hannah, and Snider as a process or path taken “to discover and develop their human spirit. It is a process of searching for the

sacred in one's life; discovering who one is; finding meaning and purpose; establishing interconnectedness with others and, if one so believes, with the divine; and charting a path to create a life worth living." Spirituality in essence is an internal conceptualization and a synthesis of an individual's meaning of life. It attempts to answer the question of one's purpose on earth.<sup>72</sup> Spiritual fitness refers to the overall spiritual condition of an individual; spiritually fit individuals are able to remain whole. Spiritual fitness helps one to:

Gain understanding of who one is in terms of core values and identity; live in accordance with core values; find purpose and meaning in life; be open to and continuously seek education and experiences that broaden one's view of the world; manage thoughts, emotions, and behavior; be uplifted by strong connections with others; demonstrate the strength of will and resilience to persevere when faced with challenges and adversity; make meaning out of their experiences; and exercise the autonomy to create a meaningful life that will realize one's full potential.<sup>73</sup>

According to Sweeney, Hannah, and Snider, the domain of the human spirit consists of two components: psychological and social. These two components are interrelated. Integrated, they promote development of the human spirit. The model depicts the benefit of spiritual fitness, which enables individuals to exhibit value-based behavior, strength of will, resilience, purpose and meaning in life, uplifting relationships, openness and acceptance, quest for knowledge and truth, enhanced motivation to leverage skills to realize potential, greater satisfaction and commitment, and increased happiness.<sup>74</sup>

The model provides senior leaders with insights into how they can best facilitate their own and their subordinates' development. Senior leaders can incorporate techniques to encourage spiritual fitness in several ways: promote organizational culture, ask reflective questions, model respect, encourage meaning-making (promote

opportunities to share perspectives and rationale for making certain decisions), empower and challenge, network connection checks (establish uplifting relationships with group members and encourage subordinate leaders to do the same, then check), and offer resources.<sup>75</sup> Senior military and civilian leaders should lead authentically by providing an example and by modeling servant leadership for their subordinates. Senior leaders are in effect responsible for all their commands do or fail to do. Irrespective of commanders' own faith identity or lack thereof, they are responsible for ensuring that their subordinates' moral and spiritual needs are identified and met.<sup>76</sup>

Proper moral and spiritual health contributes to combat effectiveness, and serves as a force multiplier on the battlefield. Spiritual well-being strengthens and emboldens the will to fight beyond perceived limitations to accomplish the unthinkable; it firmly undergirds the tenets of Article VI in the U.S. Code of Conduct.<sup>77</sup> This preparation for combat begins back in garrison during training, drills, various exercises. It is developed through everyday relationships with other members of the profession of arms prior to deployment into battle. It creates a spiritually cohesive unit. Hence, moral and spiritual needs should be addressed by commanders during all phases of ramping up for combat deployment. Spiritually nourished soldiers prevail on the battlefield. Spiritual fitness is one of eight domains of total force fitness. The Chairman of the Joint Chiefs of Staff directed that the total force fitness program be instituted to enhance force effectiveness and alleviate much of the stress on the forces after over 10 years of combating terrorism. Spiritual fitness fundamentally fortifies the remaining seven domains of total force fitness: physical, medical, environmental, social (including family), behavioral,

psychological, and nutritional. Together these domains provide a holistic or comprehensive picture of total force fitness.<sup>78</sup>

### Combat Effectiveness

The Army commissioned a study in 2009 to examine soldiers' spirituality in a combat zone and to ascertain its impact and correlations with ethics and resilience. Dubbed the Army's Excellence in Character, Ethics, and Leadership (EXCEL), this study was based on a survey administered to U.S. soldiers in the Iraq combat zone. The survey measured spirituality as one variable or facet of character among soldiers. It "conveys notable correlations between spirituality, ethical attitudes and action, and personal resilience."<sup>79</sup> The EXCEL study clearly demonstrates that there is a strong correlation between faith identity and the practice of good sound ethical decision-making. It concludes that:

Three specific factors emerged as correlative or included within the domain of spirituality: connection to others, religious identification, and hopeful outlook. . . . Spirituality positively correlates with several elements of ethical attitudes and intentions. Spirituality strongly correlates with moral courage/ownership, moral efficacy, and embracing Army values. . . . Spirituality correlates with indications of emotional and physical well-being. Spirituality strongly correlates with positive affectivity and inversely with negative affectivity. Spirituality reveals a strong inverse correlation with somatic complaints and fatigue. Somatic complaints and fatigue contribute to physical risk.<sup>80</sup>

### Suicide Prevention

One of the unfortunate results of the strain on our military after over 10 years of combating terrorism is the rise in suicides in our military forces. Senior leaders throughout the military are actively seeking ways to curb this epidemic. In the Army alone, suicides rose from 100 in 2006 to 325 for the year 2012.<sup>81</sup> One suicide is one too many, but 325 is unimaginable. Suicides have many contributing factors. Statistics

reveal that there is a significant correlation between prior offenses (criminal history) and drug/alcohol use and suicide. “Approximately 16% of all suicides involved subjects of on-going criminal investigations. These investigations and legal actions are almost exclusively related to felony crimes. Prior offenses among suicide victims average 29%, while alcohol/drug use at the time of death average 35% (FY2006-11).”<sup>82</sup>

Faith identity can provide a sentinel against contributing factors to suicide within the military. The research of Schwartz and Huismans further demonstrates that faith identity can help to reduce suicides. Yet current suicide prevention programs within the Army fail to include religious support as a vital source of refuge. The Army’s Red Book (Army Health Promotion Risk Reduction Suicide Prevention Report 2010) and Gold Book (Army 2020 Generating Health & Discipline in the Force: Ahead of the Strategic Reset Report 2012) do not reference religion or God as a viable mitigation avenue. Spiritually fit soldiers with faith identity do not exhibit many of the character traits that lead to suicide. The rate of suicides within the military can be reduced by promoting the total force fitness concept and its key component—spiritual fitness.

### Remedies

There are remedies and safeguards to help senior leaders and subordinates who possess a faith identity to maintain their spiritual fitness and remain well within the confines of applicable statutory laws, military and Department of the Army (DA) civilian regulations, and related policies. These remedies and safeguards can help reduce the stigma associated with the phrase “God and country” within the military context, help alleviate internal and external concerns of over aggressive acknowledgement of faith and, most of all, help foster authentic leadership that enables our military to flourish.

## Educating the Force

As is often the case, contentious issues generally arise out of misunderstanding and lack of knowledge. Within the military ranks, where good order and discipline remains the trademark of the profession, leaders and subordinates really do want to do the right things. The same can be said of the various external advocates and opponents of limited expression of a faith identity. Some issues can be resolved through educational initiatives that lead to greater understanding and through respect for the Free Speech, Free Exercise, and Establishment Clauses' rights that military members enjoy. Of course, there are some limitations on those rights, but military and civilian regulations and policies support military personnel's acknowledgment of their faith identity. Finally, we must recognize the immense value of a faith identity to total force fitness and its impact on the "never-give-up" ethos during the fog of war.

"By virtue of their rank and position, leaders need to be particularly sensitive to how the Establishment Clause limits their speech."<sup>83</sup> The Establishment Clause does not address leaders' private religious speech, but it bears on their governmental behavior. Unfortunately, lines of demarcation are blurred:

In deciding whether a military member's speech is private or is as a representative of the government, broad factors such as the status of the speaker, the status of the listener, and the context and characteristics of the speech itself should be considered. In the context of religious speech, many of the same factors that indicate the speech is official also indicate that the speech is coercive, thereby violating the Establishment Clause. There is no single litmus test, so it is important to look at all the circumstances.<sup>84</sup>

Major David E. Fitzkee, (USA Retired), an associate professor in the Department of Law at the US Air Force Academy, has been active in developing and teaching classes on freedom of religion. He asserts that relevant questions should be asked

regarding leaders' adherence to the tenets of the Establishment Clause (see Table 4). He concludes by reemphasizing that it is better that leaders consult with their Judge Advocate General's officer before giving a religious speech or taking actions against someone who may have inappropriately stepped across the line of freedom of religious expression.

Table 4. Fitzkee's Relevant Questions<sup>85</sup>

<b>Fitzkee's Relevant Questions for Leader's to Ask Themselves Prior to Participating in Religious Speaking Engagements</b>
1. <b>What is the rank and position of the speaker?</b> (The higher the rank and the greater the position, the more likely the speaker will be seen to be speaking for the military rather than personally).
2. <b>What is the rank, position, age, and experience of the listener?</b> (Lower rank, position, youth, and inexperience make the listener more likely to view the speaker as speaking officially and make the listener more susceptible to coercion).
3. <b>Is the speaker in a position of authority over the listener?</b> (The more influence the speaker has over the listener, the more likely the speech is seen to be official and coercive).
4. <b>Did the speech occur in uniform?</b> (If so, this is one factor suggesting the speech is official).
5. <b>Did the speech occur during duty time?</b> (If so, this again is a factor suggesting the speech is official).
6. <b>Were listeners voluntarily present?</b> (If listeners are summoned to a meeting, the ensuing religious speech is likely to be seen as official).
7. <b>Who initiated the religious speech?</b> (If a subordinate asks a superior about the superior's personal faith, the subordinate likely understands that the superior is speaking personally).
8. <b>Was the speech planned and formal or extemporaneous and casual?</b> (If planned, and the speaker is introduced by his rank and position, this may reasonably indicate official speech).
9. <b>How extensive (length and religious content) or repeated is the religious speech?</b> The greater the extent and frequency of the speaker's religious message, the more likely the speech is to be perceived as official).
10. <b>What is the rest of the context for the religious speech?</b> (If other matters being discussed by the leader are official, the religious speech may be more likely viewed as official too).
11. <b>Did the speaker indicate during the speech that the religious speech is personal?</b> (Use of the first-person "I" favors private speech).
12. <b>Do the circumstances otherwise indicate that the religious speech is personal?</b> (For example, a comment to a subordinate facing a personal adversity that "I'll keep you and your family in my prayers" is likely to be seen as the speaker's personal comment).
13. <b>Is the speech being made by military members in the course of their official duties?</b> (If so, the speech is likely to be viewed as official. Thus, providers of various services that military members are entitled to receive [e.g., medical, dental, legal, recreational] should not initiate religious speech with their customers).

Clearly leaders should know their rights and those of their subordinates, and they should respect those rights. Leaders must ensure they foster an environment of religious neutrality in the execution of their official duties. Leaders must establish a non-coercive environment in which all under their command authority are comfortable with their faith or lack of a faith identity. Leaders must assist others to ensure that all members of the profession of arms are treated with dignity and respect, regardless of their religious convictions or lack thereof. Good order and discipline must remain as the primary concern during all interactions.

No religion should be advocated by leaders during the execution of their official duties. Leaders should ask themselves of the likely effect of speeches or displays that convey a religious message. Fitzkee suggests that leaders “should consider substituting moments of silence for prayer at official military functions.”<sup>86</sup> Other options include having chaplains of different faiths rotate into recurring ceremonies to lead prayer, or making explicit that the prayer itself is an optional component of the official function and that those present may choose to participate, or not.

Education is key to diminishing contention, apprehension, and anxiety over acknowledgement of faith identity. Insecurity fosters mistrust among those with the best of intentions. And because faith identity and spiritual fitness are such critical factors in total care fitness within DoD, they should be embraced and not stigmatized. Statistics demonstrate that a considerable majority of military members (active and reserve) acknowledge a faith identity.<sup>87</sup> Education on the proper way to acknowledge a faith identity and on the value that faith identity contributes to military readiness should be stressed at all levels of professional military education and within the civilian education

system. Also, soldiers and DA civilians should receive education on religious accommodations upon entering into or affiliating with military service to ensure they are aware of these processes. Additionally, spiritual fitness should be emphasized as an enabler during total care fitness training sessions. And while proselytizing must not be tolerated on official duty, neither should stereotyping nor dissuading. Lastly, just as many other sensitive topics such as sexual harassment, equal opportunity, equal employment opportunity are mandatorily reemphasized on an annual basis, so also should the legal and regulatory parameters of religious speech, expression, and establishment parameters be included as annual mandatory training.

### Educating the Public

Public scrutiny will only increase as the speed of and access to instant messaging technology increases. Opinion really does matter; it can impact national security. Resourcing and support for the U.S. military are greatly impacted by how the military is viewed by the domestic community. Therefore, it is critical that the U.S. military strictly adhere to statutory and military policy and regulations regarding religious expression. That said, adherence alone is not enough: The general public also must be educated on military policy and regulation regarding respect for all of its members' personal faith identity or lack of faith identity. The military should design a strategic communication (STRATCOM) message that clearly spells out its respect and support for personal religious beliefs and its intolerance for religious bigotry.

It is also critical that the STRATCOM message clearly spell out the significance of its policies and regulations to military readiness. This message should clearly show how its policy and regulations are nested within the tenets of U.S. statutory obligations. The goal of the STRATCOM message should be to make everyone aware of the fact

that all members of the military are treated with dignity and respect, regardless of religious affiliation or the lack of a religious affiliation. The message should clearly state that: (1) free exercise of religion is protected for every military member and (2) actions promoting and requiring religious uniformity are a violation of military policy and regulations, and will not be tolerated. Then the military should demonstrate its sincerity in the following ways: Offer easy-access discrete forums in which military members can share best practices, voice concerns, or register complaints (some should be accessible on the internet). Offer an easy-access discrete forum in which the general public (including watchdog and religious advocate organizations) can participate in discussion and dialog, from lauding efficacious religious practices to lodging complaints of improper religious expression or coercion for or against religious expression (these forums should also be accessible on the internet).

These initiatives will demonstrate a sincere effort to remain transparent; they can reduce mistrust within the general public—especially amongst watchdog organizations. On the one hand, sharing good news stories of the exercise of religious freedom and spirituality will reinforce their positive effects. On the other hand, timeliness of response to allegations, whether launched by military members or the general public, will be critical. Timelines should be spelled out in military policy. Often watchdog organizations get complaints from military members or former military members who believe they have no other recourse. The recommended transparent forums could alleviate this problem and reduce military members' fear of reprisal or retribution. These forums could also eliminate many of the major concerns of watchdog organizations.

Religious advocacy organizations would have the same opportunity to honor religious expression, advocate for religious freedom, and address complaints and allegations. They, too, should be assured of sincere military efforts to protect military members' religious rights within all branches of military service. Military members turn to them, as well, when they lack trust in the military to do the right thing. These religious advocacy and watchdog organizations could hold joint conferences and forums with the military to discuss concerns, trends, or issues important to their constituents. These forums and conferences would provide a balanced approach to these issues and challenge religious bigots. Increasing the trust factor is important for removing the stigma from the phrase, "for God and country," and from those whose service is thereby characterized.

### Conclusion

The evidence is clear: Military members' faith identity is a force multiplier. Faith identity makes soldiers more willing to embrace the warrior ethos and it strengthens soldiers' will during the fog of war. Article VI of the U. S. Military Code of Conduct codifies the value of faith. Trust in "God and country" provides hope and fortitude; it enables believers to perform beyond their abilities and stamina. Lieutenant General Thomas 'Stonewall' Jackson declared, "Captain, my religious belief teaches me to feel as safe in battle as in bed. God has fixed the time for my death. I do not concern myself about that, but to be always ready, no matter when it may overtake me. That is the way all men should live, and then all would be equally brave."<sup>88</sup> Expression of religion is guaranteed by the Constitution and by military regulation and policies. But specific limitations ensure good order and discipline. All members of the profession of arms,

regardless of rank or position, have the right to acknowledge their faith identity within the confines of policy and regulation.

Commanders and senior military and civilian leaders are responsible for demonstrating proper conduct in their acknowledgements of a faith identity. That stated, they should know the military guidelines and not be coerced into violating military policy and regulation, but address it. Despite good intentions, many opponents challenge protections of faith identity at the peril of military readiness as they attempt to impose their will. DoD Directive 1300.17 clearly states that the DoD “places a high value on the rights of members of the Military Services to observe the tenets of their respective religions.” Commanders and senior leaders respect individual religious beliefs and recognize the value faith brings to the individual and the cohesive team. They will make every effort to accommodate religious practice request as long as the request does not impede mission or good order and discipline.<sup>89</sup>

Spiritual fitness is a key domain of DoD’s Total Force Fitness program. The human spirit is animated by core values and beliefs that serve as an ethical and moral compass, and by spirituality that gives meaning to life. Spiritual fitness thus enables military members to “exhibit value-based behavior, strength of will, resilience, purpose and meaning in life, uplifting relationships, openness and acceptance, quest for knowledge and truth, enhanced motivation to leverage skills to realize potential, greater satisfaction and commitment, and increased happiness.”<sup>90</sup> These traits confirm the EXCEL study finding that faith identity “conveys notable correlations between spirituality, ethical attitudes and action, and personal resilience” for soldiers deployed in

combat zones.<sup>91</sup> Spiritual fitness also alleviates many of the social problems related to suicides, which have risen to epidemic proportions within the military.

Education about religious practice in the military can dispel concerns and contribute to a culture that fosters senior leaders' and subordinates' respect and their willingness to acknowledge their faith identity or lack of it. Acknowledgement of faith identity is not an impediment, but an enabler that contributes to leaders' authenticity and military readiness. National security should not be jeopardized by stigmatizing any acknowledgement of God or some other faith identity within the military ranks. Constraints on acknowledging faith identity in the military were never intended to demean religion or personal beliefs. The cost of demeaning the acknowledgement of a faith identity is too high. Education and greater understanding will go far in ensuring that our military remains ready and totally fit. Senior military and civilian leaders and their subordinates can execute their professional duties and responsibilities while acknowledging their faith identity in a manner that strengthens unit morale and cohesion and does not impede authentic leadership.

#### Endnotes

<sup>1</sup> Dictionary.Com. <http://dictionary.reference.com/browse/religion?s=t> (accessed February 6, 2013).

<sup>2</sup> Walter Berns, *Making Patriots* (Chicago: The University of Chicago Press, 2001), 1-2.

<sup>3</sup> *Ibid.*, 39.

<sup>4</sup> KPBS, "U.S. Military Most Trusted of All American Institutions." <http://www.kpbs.org/news/2011/jun/23/us-military-most-trusted-all-american-institutions/> (accessed February 6, 2013).

<sup>5</sup> 10 U.S.C. 654 (a)(8)(A) & (B) (2006).

<sup>6</sup> Bennett Murray, "History of the Military Code of Conduct," [http://www.ehow.com/about\\_6615131\\_history-military-code-conduct.html](http://www.ehow.com/about_6615131_history-military-code-conduct.html) (accessed March 2, 2013).

<sup>7</sup> Code of Conduct for Members of the United States Armed Forces, Executive Order 10631, art. VI. [http://www.au.af.mil/au/awc/awcgate/readings/code\\_of\\_conduct2.htm](http://www.au.af.mil/au/awc/awcgate/readings/code_of_conduct2.htm) (accessed February 25, 2013). Although this phrase is the official motto of the U.S. Army Chaplain Corps, I am not using the phrase in this sense. Instead, I am using it as a shorthand for Article VI of the Code of Conduct, where soldiers are said to serve based on a dual commitment, to God and their country. Both sources provide strength for service, according to Article VI.

<sup>8</sup> Robert C. Denig, 2000, linked from *Psalms, chpt 23, KJV*, at "God's View," <http://godsvie.net/cgi-bin/rcdenig/pdchap.pl?file=13844&occ=8> (accessed January 1, 2013).

<sup>9</sup> Jay Alan Sekulow and Robert W. Ash, "Religious Rights and Military Service," in *Attitudes Aren't Free: Thinking Deeply about Diversity in the US Armed Forces*, eds., James E. Parco and David A. Levy (Maxwell Air Force Base, AL: Air University Press, 2010), 104.

<sup>10</sup> *Ibid.*, 105.

<sup>11</sup> This paper will not explore all of the ramifications of senior military leaders' commitment to eliminate coercive pressure on military personnel to practice a religion of their leaders' choice. For additional information on this subject read: David E. Fitzkee, Religious Speech in the Military: Freedoms and Limitations, *Parameters* 41, no.3 (Autumn 2011) and Jay Alan Sekulow and Robert W. Ash, "Religious Rights and Military Service," in *Attitudes Aren't Free: Thinking Deeply about Diversity in the US Armed Forces*, eds., James E. Parco and David A. Levy (Maxwell Air Force Base, AL: Air University Press, 2010).

<sup>12</sup> James H. Hutson, "Religion and the Founding of the American Republic," Library of Congress, <http://www.loc.gov/exhibits/religion/religion.html> (accessed February 6, 2013).

<sup>13</sup> Berns, *Making Patriots*, 32.

<sup>14</sup> For more details on religion's impact on the American heritage, see James H. Hutson, "Religion and the Founding of the American Republic," Library of Congress, <http://www.loc.gov/exhibits/religion/religion.html> (accessed February 6, 2013). I rely on Hutson for my discussion of religious persecution and freedom in the American colonies and early U.S. republic.

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> Berns, *Making Patriots*, 28-29.

<sup>18</sup> For more details on violence directed against abortion clinics visit the following websites: <http://www.refuseandresist.org/ab/020301chronicle.html> ; <http://www.cnn.com/US/9810/24/abortion.violence/> (accessed March 2, 2013).

<sup>19</sup> More than 2,600 people died at the World Trade Center; 125 died at the Pentagon; 256 died on the four planes. The death toll surpassed that at Pearl Harbor in December 1941. For complete details on the findings of the 9/11 commission visit: National Commission on Terrorist Attacks upon the United States, “The 9/11 Commission Report,” [http://www.9-11commission.gov/report/911Report\\_Exec.htm](http://www.9-11commission.gov/report/911Report_Exec.htm) (accessed February 22, 2013). To view footage on the 9/11 Terrorist Attack visit: CBS News, <http://www.bing.com/videos/search?q=video+of+9%2f11+attack&qv=video+of+9%2f11+attack&FORM=VDRE#x0y2436> (accessed February 22, 2013).

<sup>20</sup> For additional information on the American Civil Liberties Union (ACLU) visit: <http://www.aclu.org/> ; For additional information on the Military Religious Freedom Foundation (MRFF) visit: <http://www.militaryreligiousfreedom.org/> ; For additional information on the Freedom From Religion Foundation (FFRF) visit: <http://ffrf.org/> ; For additional information on the Americans United for Separation of Church and State (AU) visit: <http://www.au.org/> (all accessed February 22, 2013).

<sup>21</sup> Sekulow and Ash, “Religious Rights and Military Service,” 99.

<sup>22</sup> U.S. Constitution, Amendment I.

<sup>23</sup> Sekulow and Ash, “Religious Rights and Military Service,” 100.

<sup>24</sup> *Zorach v. Clauson*, 343 U.S. at 306 (1952).

<sup>25</sup> Sekulow & Ash, “Religious Rights and Military Service,” 101.

<sup>26</sup> While a research could not determine the origin of the phrase or motto “For God and Country,” research did conclude that it or a close derivative is utilized extensively throughout the world; it is utilized for rallying purposes, patriotic purposes (was utilized as the code to denote capture or killing of Osama Bin Laden), to epitomize the mission and as the motto of the U.S. Army Chaplain Corps (*Pro Deo Et Patria*), and for numerous other purposes. Some of its many uses can be found by viewing: <http://www.bing.com/images/search?q=God+And+Country+Quotes&FORM=RESTAB> (accessed February 22, 2013).

<sup>27</sup> Barry W. Lynn, “Religion In The Military: Finding the Proper Balance,” in *Attitudes Aren’t Free: Thinking Deeply about Diversity in the US Armed Forces*, eds., James E. Parco and David A. Levy (Maxwell Air Force Base, AL: Air University Press, 2010), 22.

<sup>28</sup> David E. Fitzkee, Religious Speech in the Military: Freedoms and Limitations, *Parameters* 41, no.3 (Autumn 2011): 59. It is imperative that military and civilian leaders be careful and not display preference or partiality to a particular religion during the execution of their official duties to maintain good order and discipline within their respective organization.

<sup>29</sup> *Ibid.*, 60, 70.

<sup>30</sup> *Ibid.*, 61.

<sup>31</sup> See this paper’s section, “Military Policy and Regulation Limitations.”

<sup>32</sup> Ibid., 69.

<sup>33</sup> Ibid., 63. Taken originally from *Lemon v. Kurtzman*, 403 U.S. 612-13 (1971).

<sup>34</sup> Department of Defense Instruction, *Accommodation of Religious Practices Within the Military Service* (Washington, DC: DoDI Number 1300.17, February 10, 2009), 2.

<sup>35</sup> U.S. Department of the Army, *Army Command Policy*, Army Regulation 600-20 (Washington, DC: U.S. Department of the Army, March 18, 2008), 41.

<sup>36</sup> Ibid. Emphasis added.

<sup>37</sup> Ibid., 41-44.

<sup>38</sup> U.S. Department of the Army, *Civilian Personnel Equal Employment Opportunity Discrimination Complaints*, Army Regulation 690-600 (Washington, DC: U.S. Department of the Army, February 9, 2004).

<sup>39</sup> Thomas G. Kane, Installation Legal Adviser, Office of the Post Judge Advocate, U.S. Army War College & Carlisle Barracks, email sent to author, December 13, 2012.

<sup>40</sup> Gordon James Klingenschmitt, "Burning Bibles and Censoring Prayers: Is That Defending Our Constitution?" in *Attitudes Aren't Free: Thinking Deeply about Diversity in the US Armed Forces*, eds., James E. Parco and David A. Levy (Maxwell Air Force Base, AL: Air University Press, 2010), 30.

<sup>41</sup> Paula M. Grant, "The Need for (More) New Guidance Regarding Religious Expression in the Air Force," in *Attitudes Aren't Free: Thinking Deeply about Diversity in the US Armed Forces*, eds., James E. Parco and David A. Levy (Maxwell Air Force Base, AL: Air University Press, 2010), 40.

<sup>42</sup> Ibid.

<sup>43</sup> Chris Rodda, "Against All Enemies, Foreign and Domestic," in *Attitudes Aren't Free: Thinking Deeply about Diversity in the US Armed Forces*, eds., James E. Parco and David A. Levy (Maxwell Air Force Base, AL: Air University Press, 2010), 69.

<sup>44</sup> Ibid., 71-76.

<sup>45</sup> Ibid., 82.

<sup>46</sup> Don M. Snider, (Commentary & Reply) David Fitzkee's "Religious Speech in the Military: Freedoms and Limitations," *Parameters* 42, no.1 (Spring 2012): 90.

<sup>47</sup> Ibid.

<sup>48</sup> Sekulow & Ash, "Religious Rights and Military Service," 99.

<sup>49</sup> Ibid., 109.

<sup>50</sup> Ibid., 99.

<sup>51</sup> Lynn, "Religion In The Military," 18.

<sup>52</sup> James E. Parco and David A. Levy, "Religious Expression," in *Attitudes Aren't Free: Thinking Deeply about Diversity in the US Armed Forces*, eds., James E. Parco and David A. Levy (Maxwell Air Force Base, AL: Air University Press, 2010), 12.

<sup>53</sup> Klingenschmitt, "Burning Bibles and Censoring Prayers," 31.

<sup>54</sup> Ibid.

<sup>55</sup> U.S. Department of the Army, Office of the Chief of Chaplains, *Religious Requirements and Practices, of Certain Selected Groups: A Handbook for Chaplains*, (Washington, DC: U.S. Department of the Army, n.d.), viii. This work involved in developing and producing this handbook was performed pursuant to contract number MDA903-90-C-0062 with the Department of Defense by The Institute for The Study of American Religion.

<sup>56</sup> Ibid., v.

<sup>57</sup> Ibid., viii. The data utilized in Tables 1-3 was generated by Defense Manpower Data Center on 23 November 2012 for FY12. The data for tables 1-2 was grouped and categorized according to DA Pam No. 165-13-1 *Religious Requirements and Practices* (dated April 1980) to consolidate religions into "Christian" and "Christian Heritage" groups.

<sup>58</sup> Ibid.

<sup>59</sup> Department of Defense, Defense Manpower Data Center, *Religious Preference Data* (Unclassified), (Washington, DC: DRS#24012, September 30, 2012).

<sup>60</sup> Ibid.

<sup>61</sup> James E. Parco and Barry S. Fagin, "The One True Religion in The Military," in *Attitudes Aren't Free: Thinking Deeply about Diversity in the US Armed Forces*, eds., James E. Parco and David A. Levy (Maxwell Air Force Base, AL: Air University Press, 2010), 62-63.

<sup>62</sup> Paul Robinson, "Ethics Training and Development in the Military," Spring 2007, <http://search.proquest.com/docview/198076969> (accessed February 6, 2013).

<sup>63</sup> Sonia Roccas, "Religion and Value Systems," November 16, 2005, <http://onlinelibrary.wiley.com/doi/10.1111/j.1540-4560.2005.00430.x/abstract> (accessed February 6, 2013).

<sup>64</sup> For more details on the analysis of several different research findings on how religion impact individual value systems visit: Sonia Roccas, "Religion and Value Systems," November 16, 2005, <http://onlinelibrary.wiley.com/doi/10.1111/j.1540-4560.2005.00430.x/abstract> (accessed February 6, 2013). I rely on Roccas in my discussion of research by Rokeah, Schwartz, Huismans, Inglehardt, and Baker.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

<sup>67</sup> Ibid.

<sup>68</sup> Sekulow and Ash, "Religious Rights and Military Service," 104.

<sup>69</sup> Patrick J. Sweeney, Jeffrey E. Rhodes and Bruce Boling, "Spiritual Fitness: A Key Component of Total Force Fitness," *Joint Force Quarterly* 66, (3<sup>rd</sup> Quarter July 2012), 35.

<sup>70</sup> Sweeney, Rhodes and Boling, "Spiritual Fitness: A Key Component of Total Force Fitness," 36. Adapted from Patrick J. Sweeney, Sean T. Hannah, and Don M. Snider, "The Domain of the Human Spirit" in *Forging the Warrior's Character: Moral Precepts from Cadet Prayer*, ed. Don M. Snider and Lloyd J. Mathews (Boston: McGraw-Hill, 2008).

<sup>71</sup> For more details on the conceptualization of the Domain of the Human Spirit and the definitions of human spirit, spirituality, and spiritual fitness see: Sweeney, Rhodes and Boling, "Spiritual Fitness: A Key Component of Total Force Fitness," 36. Adapted from Patrick J. Sweeney, Sean T. Hannah, and Don M. Snider, "The Domain of the Human Spirit" in *Forging the Warrior's Character: Moral Precepts from Cadet Prayer*, ed. Don M. Snider and Lloyd J. Mathews (Boston: McGraw-Hill, 2008).

<sup>72</sup> Rick Warren, *The Purpose Driven Life: What On Earth Am I Here For?* (Grand Rapids, MI: Zondervan, 2002), 16.

<sup>73</sup> Sweeney, Rhodes and Boling, "Spiritual Fitness: A Key Component of Total Force Fitness," 36. Taken from Patrick J. Sweeney, Sean T. Hannah, and Don M. Snider, "The Domain of the Human Spirit" in *Forging the Warrior's Character: Moral Precepts from Cadet Prayer*, ed. Don M. Snider and Lloyd J. Mathews (Boston: McGraw-Hill, 2008), 37.

<sup>74</sup> Ibid. Adapted from Patrick J. Sweeney, Sean T. Hannah, and Don M. Snider, "The Domain of the Human Spirit" in *Forging the Warrior's Character: Moral Precepts from Cadet Prayer*, ed. Don M. Snider and Lloyd J. Mathews (Boston: McGraw-Hill, 2008).

<sup>75</sup> Ibid., 40.

<sup>76</sup> Sekulow and Ash, "Religious Rights and Military Service," 106.

<sup>77</sup> Ibid., 107.

<sup>78</sup> Sweeney, Rhodes, and Boling, "Spiritual Fitness: A Key Component of Total Force Fitness," 36. Total Force Fitness (TFF) encompasses eight domains: physical, medical, environmental, social (including family), behavioral, spiritual, psychological, and nutritional.

<sup>79</sup> Franklin Eric Wester, "Soldier Spirituality in a Combat Zone and Preliminary Findings about Correlations with Ethics and Resilience," *Journal of Healthcare, Science and the Humanities* 1, no. 2 (2011) 67, 84.

<sup>80</sup> Ibid., 84.

<sup>81</sup> Tom Watkins and Maggie Schneider, "325 Army Suicides in 2012 a Record," February 2, 2013, <http://www.cnn.com/2013/02/02/us/army-suicides> (accessed March 7, 2013).

<sup>82</sup> Army 2020 Generating Health & Discipline in the Force: Ahead of the Strategic Reset (Washington, DC: Headquarters, Department of Army, Report 2012), 141-142.

<sup>83</sup> Fitzkee, "Religious Speech in the Military," 68.

<sup>84</sup> For more details on the proper way to conduct religious speech in the military see: David E. Fitzkee, Religious Speech in the Military: Freedoms and Limitations, *Parameters* 41, no.3 (Autumn 2011): 59-72. David E. Fitzkee, MAJ (USA Retired) is an associate professor in the Department of Law at the U.S. Air Force Academy. He is active in developing and teaching classes on freedom of religion to cadets and faculty and has published and presented on this important topic. His degrees include a J.D. from Dickinson School of Law and an LL.M. from The Judge Advocate General's School—Army.

<sup>85</sup> Fitzkee, "Religious Speech in the Military."

<sup>86</sup> *Ibid.*, 69.

<sup>87</sup> Department of Defense, DMDC, "Religious Preference Data DRS#24012."

<sup>88</sup> Henderson, *Stonewall Jackson*, 1898. Original work written in 1898 and no longer in print, quoted in "Warriors' Words," ed. Peter G. Tsouras (New York: Sterling Publishing, 1992), 329.

<sup>89</sup> Department of Defense, DoD Instruction Number 1300.17, 2.

<sup>90</sup> Sweeney, Rhodes, and Boling, "Spiritual Fitness: A Key Component of Total Force Fitness," 37.

<sup>91</sup> *Ibid.*, 36.

