

Moral Warriors: A Contradiction in Terms?¹

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Kings, strategists, and prophets have long debated the morality of warfare. Some have viewed war as the mere exercise of power, with practitioners excused from moral liability. Others have regarded war as an intrinsic violation of human dignity, with soldiers branded as barbarians. Yet others have focused on the demands of justice to limit war, with warriors embodying those demands. Lutheran Christians have traditionally followed St. Paul in framing war within God's rule of the civil realm, with state leaders authorizing war and soldiers prosecuting war to punish evil and protect good (Rom 13:1–6). To add complexity, these categories of assessing warfare sometimes overlap.

This essay examines the morality of warfare in terms of those who fight. Is “moral warriors” a contradiction in terms? The question asks whether it is morally problematic to be a warrior, a soldier, a uniformed member of the military Services.² The paper offers two approaches to this question. The first is internal to the profession of arms. This approach asks: Is the very exercise of the profession of arms inherently immoral, or at least practically so? Does being a soldier and doing what soldiers must do necessarily cause moral transgression? For example, does being part of the military, exercising command authority, or, quite bluntly, killing in combat make one morally censurable?

The second approach is “interprofessional,” that is, between the profession of arms and the profession of faith. This approach asks: Do the mandates of the military and the state, and the teachings of the church and her Lord, exercise authority in such a way that the service member is caught in the middle, with requirements that contradict one another? Are soldiers able to meet military requirements and live out their faith? Are chaplains able to fulfill professional officer service requirements and conduct ministry according to their ordination oaths? Confessional Lutherans would ask pointedly: Can you serve honorably, with career

¹ This essay was first delivered in an abbreviated format on January 19, 2018, at the 41st Annual Symposium on the Lutheran Confessions, Concordia Theological Seminary, Fort Wayne, IN. The views expressed herein are those of the author and do not necessarily reflect the official position or policy of the US Army, the Department of Defense, or the US Government.

² References to soldiers and the profession of arms are shorthand for all who serve in the US Army, US Marine Corps, US Navy, US Air Force, and US Coast Guard.

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viability, and be straightforward about your faith, or must you hide your faith in public, affirm same-sex marriage, compromise on unionism, and so on?

The first part of this study applies the moral-warrior question within the profession of arms. It investigates moral dimensions of the profession through the lenses of just war, moral injury, killing and the conscience, and battlefield empowerment. Here I make the case that military effectiveness and the well-being of service members require that certain moral, spiritual, and religious elements be strengthened in the service ethic, in military training, and in religious support practice. The second part considers the question between the profession of arms and the profession of faith. It reviews current moral flashpoints, advances two Lutheran confessional principles for negotiating the intersection of the realms of civil and spiritual authority, applies Luther's doctrine of the two kingdoms to show the proper scope of civil and spiritual authority,³ and examines religious freedom provisions in US law and military policy. The study concludes with a way forward to address the moral-warrior question and whether churches may with confidence send their members to serve as soldiers and their clergy to serve as chaplains.

I. Moral Challenges Internal to the Profession of Arms

Does the very exercise of the profession of arms compromise the morality of the warrior? It is important to note at the outset that the military is not a mere killing machine, but a profession of arms, providing society with a valued service through individuals trained, certified, and called to make difficult moral judgments in the exercise of that profession. For example, the US Army has five essential profession characteristics: military expertise, noble service, trust, esprit de corps, and stewardship of the profession. Soldiers put these elements into practice in their vocation.⁴

This professional practice is governed by the Army Ethic—those laws, values, and beliefs embedded in Army culture. The Army Ethic, as currently documented, asserts a legal and moral framework.⁵ The Army as profession rests on legal and moral foundations, such as the US Constitution and the just war tradition. The individual as professional has legal and moral supports, such as the oath of office

³ Nomenclature regarding Luther's doctrine of the two kingdoms is fluid. The following terms tend to be used interchangeably: *kingdom* and *realm*; *left, civil, and temporal*; and *right, spiritual, and eternal*.

⁴ See US Department of the Army, *The Army Profession*, Army Doctrine Reference Publication 1 (Washington, DC: US Department of the Army, June 14, 2015), <http://data.cape.army.mil/web/repository/doctrine/adrp1.pdf>.

⁵ See Table 1.

and the golden rule. But what you will not find here is any reference to the soldiers’ own religious beliefs, spiritual values, or family commitments which shape their identity and empower their service.

Table 1. The Legal and Moral Framework of the Army Ethic⁶

	Legal Foundations	Moral Foundations
<p>Army as Profession (Laws, values and norms for performance of collective institution)</p>	<p>Legal-Institutional</p> <ul style="list-style-type: none"> • The U.S. Constitution • Titles 5, 10, 32, USC • Treaties • Status-of-forces agreements • Law of war 	<p>Moral-Institutional</p> <ul style="list-style-type: none"> • The Declaration of Independence • Just war tradition • Trust relationships of the profession
<p>Individual as Professional (Laws, values and norms for performance of individual professionals)</p>	<p>Legal-Individual</p> <p>Oaths:</p> <ul style="list-style-type: none"> • Enlistment • Commission • Office <p>USC—Standards of Exemplary Conduct UCMJ Rules of engagement Soldier’s Rules</p>	<p>Moral-Individual</p> <p>Universal Norms:</p> <ul style="list-style-type: none"> • Basic rights • Golden rule <p>Values, Creeds, and Mottos:</p> <ul style="list-style-type: none"> • “Duty, Honor, Country” • NCO Creed • Army Civilian Corps Creed • Army Values • The Soldier’s Creed, Warrior Ethos
<p>NCO noncommissioned officer U.S. United States</p>	<p>UCMJ Uniform Code of Military Justice USC United States Code</p>	
<p>The <i>Army Ethic</i> is the evolving set of laws, values, and beliefs, embedded within the Army culture of trust that motivates and guides the conduct of Army professionals bound together in common moral purpose.</p>		

⁶ US Department of the Army, *The Army Profession*, Table 2-1, p. 2-3. Public domain.

Table 2. An Alternative Model for a Professional Ethic⁷

A Professional Ethic with Morals, Ethics, and Law	A Professional Ethic to Strengthen Members
<p><i>Morals:</i></p> <ul style="list-style-type: none"> • Authoritative beliefs and practices about right and wrong, good and bad (aspirational) • Deals with the character and conduct of people in actual life situations 	<ul style="list-style-type: none"> • To achieve highest moral standards of character and conduct
<p><i>Ethics:</i></p> <ul style="list-style-type: none"> • Intellectual discipline that studies right and wrong, good and bad (scientific) • Examines how people make moral judgments 	<ul style="list-style-type: none"> • To use critical reasoning astutely in making related moral judgments
<p><i>Law:</i></p> <ul style="list-style-type: none"> • Binding laws, rules, and policies for a community (minimum acceptable standard) • Often functions as baseline through prohibition 	<ul style="list-style-type: none"> • To meet or exceed minimum requirements of law or policy
<p style="text-align: center;">A Professional Ethic that Recognizes the Foundations of</p> <ul style="list-style-type: none"> • The member’s personal moral, spiritual, religious identity and meaning (purpose and empowerment) • Society’s basis in natural law 	

An alternative model for a professional ethic would include the legal and moral elements of the current expression of the Army Ethic, but add to these. The nomenclature is open to debate, but the elements are essential.⁸ A professional ethic needs morals—aspirational beliefs and practices about the character of conduct

⁷ This table is the author’s work and draws broadly on a variety of moral and ethical frameworks.

⁸ See Table 2.

of people in actual life situations. It needs ethics—an intellectual discipline for reasoning clearly and making moral judgments. It needs laws, rules, and policies—minimum, binding standards. But a military professional ethic also needs a foundation. It needs to recognize that its members do not enter as a *tabula rasa* but with their own empowering religious and moral beliefs and practices, and that the profession itself rests on a society undergirded by natural law. A profession that calls its members to be willing to make the ultimate sacrifice and to use deadly force on behalf of society would be well served to recognize and reinforce these foundations. Otherwise, the profession of arms places its warriors at grave risk of moral and spiritual harm.

Just War

The importance of recognizing and reinforcing these foundations may be illustrated from the just war tradition, using an adapted parable.⁹

Two men went up to the temple to pray. One was a realist, the other a just war practitioner. The realist stood and prayed thus with himself, “God, I thank you that I am not like other men—those who feign piety, virtue, and values—or even like this just war practitioner. I am honest about power. ‘The strong do what they can and the weak suffer what they must.’¹⁰ Power justifies its own use, and might makes right.” And the just war practitioner, standing afar off, would not so much as raise his eyes up to heaven, but beat his breast, saying, “War is the mournful work of sustaining relative goods in the face of greater evils.”¹¹ War is morally dubious and must be undertaken with greatest care and as a last resort.¹² God, be merciful to me, a part of the military instrument of national power!” I tell you, this man went down to his house justified rather than the other, for everyone who wields power exultantly will be humbled, and he who wields power humbly will be exalted.

This parable highlights the enduring moral contribution of the Western just war tradition—to restrain war and promote the state’s mournful, careful application of military power, aiming at a better, more just peace. Between the extremes of “might makes right” (realism) and “peace at all costs” (passivism), the state will

⁹ The following parable is the author’s work, adapted from Luke 18:10–14.

¹⁰ Thucydides, *The Peloponnesian War* (5.89), in *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War*, ed. Robert B. Strassler, trans. Richard Crawley (New York: Touchstone, 1998), 352.

¹¹ Attributed to Augustine, based on his *Letter to Boniface* (189), in *Augustine: Political Writings*, ed. Ernest L. Fortin and Douglas Kries, trans. Michael W. Tkacz and Douglas Kries (Indianapolis: Hackett, 1994), 219–220.

¹² Michael Walzer stakes out this position in his classic *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 4th ed. (New York: Basic Books, 2006).

at times turn to military power to achieve “a better, more just peace” (just war tradition). God willing, justice will be served, but the warrior must still bear the human cost.

This is where the Western just war tradition runs into the problem of morality and the soldier’s soul. It is what I call *jus ad se*, justice toward the self. Justice itself is a wonderful thing. Indeed, it is a gift of God. But it comes at great personal cost for the warfighter, who must coerce and take life as the instrument of the state. Thankfully, the just war tradition provides the state with *jus ad bellum*, that is, criteria for going to war justly. The state should ensure legitimate authority, just cause, last resort, just intent, and so on before committing military forces in combat. The just war tradition also gives the military *jus in bello*, that is, criteria for prosecuting a war justly. Rules of engagement must honor the criteria of discrimination and proportionality.¹³ But the state rightly going to war (*jus ad bellum*) and the military rightly prosecuting war (*jus in bello*) do not address the justification that likely matters most to the warfighter (*jus ad se*). How should the warfighter justify his own violent actions to himself or to God? This is where justice must be applied to the self, to the warfighter who metes it out.¹⁴

Addressing the struggles of the soldier’s soul requires recognizing a common moral framework against the claims of relativism. Moral objectivism makes the case for a common morality that imprints human nature. By natural or divine law, people possess reason and share a basic understanding of good and bad, right and wrong. People should follow the Golden Rule and treat others as they would like to be treated (Matt 7:12). This implies bringing comfort to the afflicted, justice to the

¹³ For a brief introduction to *jus ad bellum* and *jus in bello* criteria within the just war framework, see Martin L. Cook, *The Moral Warrior: Ethics and Service in the U.S. Military* (Albany: State University of New York Press, 2004), 26–34. *Jus in bello* criteria form the basic principles of the law of armed conflict: military necessity, distinction, proportionality, and unnecessary suffering. See “The Law of Armed Conflict” in *Operational Law Handbook 2015*, ed. David H. Lee (Charlottesville, VA: The Judge Advocate General’s Legal Center and School, 2015), 9–46, http://www.loc.gov/rr/frd/Military_Law/pdf/operational-law-handbook_2015.pdf.

¹⁴ I intend *jus ad se* as a just war category that (1) maintains the good and necessary nature of the soldier’s service in wielding military power to achieve just ends, (2) recognizes that in so serving, the soldier immerses himself in a sinful, broken world, which can subject his conscience to severe attack, and (3) seeks justice, or personal justification, in the soul of the soldier in light of such attacks. Martin Luther’s dictum, *homo incurvatus in se* (sinful man curved in on himself, and away from God and others), provides the context for the second element of *jus ad se*. On man’s “curvedness,” see Martin Luther, *Lectures on Romans* (1515-1516): vol. 25, pp. 291-292, 345, in *Luther’s Works, American Edition*, vols. 1–30, ed. Jaroslav Pelikan (St. Louis: Concordia Publishing House, 1955–1976); vols. 31–55, ed. Helmut T. Lehmann (Philadelphia/Minneapolis: Muhlenberg/Fortress, 1957–1986); vols. 56–82, ed. Christopher Boyd Brown and Benjamin T. G. Mayes (St. Louis: Concordia Publishing House, 2009–), hereafter AE.

oppressed, and justification to the warfighter who must practice coercion and killing for the state.

If the enduring moral contribution of the Western just war tradition is to restrain war and promote the state's mournful, careful application of military power to achieve a better, more just peace, *jus ad se* seeks that peace for the peacemaker, the warfighter.¹⁵

Moral Injury

If *jus ad se* reveals a just war problem in the human dimension, moral injury confirms the actual pain and suffering. The writing of Pulitzer Prize winner David Wood provides powerful documentation:

How do we begin to accept that Nick Rudolph, a thoughtful, sandy-haired Californian, was sent to war as a 22-year-old Marine and in a desperate gun battle outside Marjah, Afghanistan, found himself killing an Afghan boy? . . .

Can we imagine ourselves back on that awful day in the summer of 2010, in the hot firefight that went on for nine hours? Men frenzied with exhaustion and reckless exuberance, eyes and throats burning from dust and smoke, in a battle that erupted after Taliban insurgents castrated a young boy in the village, knowing his family would summon nearby Marines for help and the Marines would come, walking right into a deadly ambush.

Here's Nick, pausing in a lull. He spots somebody darting around the corner of an adobe wall, firing assault rifle shots at him and his Marines. Nick raises his M-4 carbine. He sees the shooter is a child, maybe 13. With only a split second to decide, he squeezes the trigger and ends the boy's life.

The body hits the ground. Now what?

"We just collected up that weapon and kept moving," Nick explained. . . .

There is a long silence after Nick finishes the story. He's lived with it for more than three years and the telling still catches in his throat. Eventually, he sighs. "He was just a kid. But I'm sorry, I'm trying not to get shot and I don't want

¹⁵ Modern just war ethicists are generally silent on the human dimension of just war. Lieutenant General James M. Dubik, US Army (Ret.), is an exception. He has raised the issue in terms of *jus post bellum*, a nascent just war category that examines moral requirements that may apply to those who "win" wars, e.g., to restore authority, rebuild infrastructure, or provide security. See his Foreword, "Expanding Our Understanding of the Moral Dimension of War," in Nancy Sherman's recent, insightful work on moral injury: *Afterwar: Healing the Moral Wounds of Our Soldiers* (New York: Oxford University Press, 2015), xi-xvii.

any of my brothers getting hurt, so when you are put in that kind of situation . . . it's [expletive deleted] that you have to, like . . . shoot him.

"You know it's wrong. But . . . you have no choice."

Almost 2 million men and women who served in Iraq or Afghanistan are flooding homeward, profoundly affected by war. Their experiences have been vivid. Dazzling in the ups, terrifying and depressing in the downs. The burning devotion of the small-unit brotherhood, the adrenaline rush of danger, the nagging fear and loneliness, the pride of service. The thrill of raw power, the brutal ecstasy of life on the edge. "It was," said Nick, "the worst, best experience of my life."

But the boy's death haunts him, mired in the swamp of moral confusion and contradiction so familiar to returning veterans of the wars in Iraq and Afghanistan.

It is what experts are coming to identify as a *moral injury*: the pain that results from damage to a person's moral foundation. In contrast to Post-Traumatic Stress Disorder, which springs from fear, moral injury is a violation of what each of us considers right or wrong. . . . [It] is increasingly acknowledged as the signature wound of this generation of veterans: a bruise on the soul, akin to grief or sorrow, with lasting impact on the individuals and on their families.¹⁶

David Wood's account is compelling, and his distinction between PTSD and moral injury is endorsed by a mountain of recent works and studies. Distinguishing between PTSD and moral injury is critical, because the military determines capabilities needed to help soldiers from its strategic requirement. If no distinction is made, then capabilities required for helping soldiers will retain the current PTSD focus, and the problem will become circular. Adapting the proverb, if all you have is a PTSD hammer, everything looks like a PTSD nail. We *need* that hammer, but also other tools.

The American Psychiatric Association offers official PTSD diagnostic criteria that run to over fifty lines of text, but also provides a simplified definition. PTSD is "an anxiety problem that develops in some people after extremely traumatic events,

¹⁶ David Wood, "The Grunts: Damned If They Kill, Damned If They Don't," first in a three-part series on moral injury, *Huffington Post*, March 18, 2014, <http://projects.huffingtonpost.com/projects/moral-injury/the-grunts>. Quotation used with the express written permission of the author. For a more comprehensive treatment of the moral injury experienced by soldiers in modern wars, see Wood's well-researched and insightful volume, *What Have We Done: The Moral Injury of Our Longest Wars* (New York: Little, Brown and Co., 2016).

such as combat, crime, an accident or natural disaster,” often accompanied by flashbacks, nightmares, avoidance of event reminders, and severe, disruptive anxiety.¹⁷ Symptoms include a highly mobilized state of mind and body, persistent perception of danger, chronic health problems, feelings of fear and helplessness, and alcohol and drug abuse.

Only in the last twenty-five years have experts rigorously sought to define moral injury and distinguish it from PTSD. Jonathan Shay, a medical doctor and clinical psychiatrist, launched his seminal 1994 work *Achilles in Vietnam: Combat Trauma and the Undoing of Character* after years of providing support for Vietnam veterans.¹⁸ For Shay, moral injury results when a person with legitimate authority betrays “what’s right” in a high-stakes situation.¹⁹ Moral injury is a complicating overlay to physical and psychological injury. He notes, “Veterans can usually recover from horror, fear, and grief once they return to civilian life, so long as ‘what’s right’ has not also been violated.”²⁰

Ten years after Shay’s work appeared, Larry Dewey, chief of psychiatry at the Boise (Idaho) Veterans Affairs Medical Center and professor of psychiatry at the University of Washington School of Medicine, published his comprehensive work, *War and Redemption*.²¹ It is based on his experiences spanning over twenty years in treating combat veterans diagnosed with PTSD. For Dewey, PTSD reflects physiological and psychological symptoms caused by traumatic stress, but moral injury reflects “moral, spiritual and existential pain” caused by killing, or being part of the killing enterprise, in war. This results in “estrangement from God and humanity.”²²

Edward Tick, psychotherapist and executive director of Soldier’s Heart, a veterans’ healing initiative, authored his groundbreaking *War and the Soul*

¹⁷ The simplified definition is adapted from the *Encyclopedia of Psychology*; see “Post-traumatic Stress Disorder,” American Psychological Association (APA) (website), accessed August 18, 2018, <http://www.apa.org/topics/ptsd/index.aspx>. On diagnosis and treatment, see “What is Posttraumatic Stress Disorder?” APA (website), accessed December 7, 2018, <https://www.psychiatry.org/patients-families/ptsd/what-is-ptsd>. On changes in diagnostic criteria, see “DSM-5 Fact Sheets, Updated Disorders, Posttraumatic Stress Disorder,” APA (website), accessed December 7, 2018, <https://www.psychiatry.org/psychiatrists/practice/dsm/educational-resources/dsm-5-fact-sheets>.

¹⁸ Jonathan Shay, *Achilles in Vietnam: Combat Trauma and the Undoing of Character* (New York: Scribner, 1994).

¹⁹ Shay, “Betrayal of ‘What’s Right,’” in *Achilles in Vietnam*, 3–21. In war, “when a leader destroys the legitimacy of the army’s moral order by betraying ‘what’s right,’ he inflicts manifold injuries on his men” (6).

²⁰ Shay, *Achilles in Vietnam*, 20.

²¹ Larry Dewey, *War and Redemption: Treatment and Recovery in Combat-related Posttraumatic Stress Disorder* (Aldershot, England: Ashgate, 2004).

²² Dewey, *War and Redemption*, 189.

in 2005.²³ Tick sees the arena of war as wounding the warrior's soul and entire community. For Tick, moral injury damages self-awareness, rationality, volition, aesthetics, love, intimacy, imagination, and participation in the divine. Moreover, the more unjust the war and its conduct, the greater the moral injury.²⁴

An important 2009 study by Brett T. Litz and others provides a useful overview of PTSD and moral injury, establishes terms of reference, and offers a helpful conceptual framework.²⁵ The study finds that PTSD is triggered when death, threatened death, or serious injury affects a victim or witness so as to bring fear, horror, or helplessness. Personal safety is lost. Moral injury, on the other hand, is triggered when an event violates deeply held moral values so as to bring guilt, shame, or anger. The morally injured individual may be the perpetrator, the victim, or a witness. Personal trust is lost.²⁶

Table 3. Distinctive Elements of PTSD and Moral Injury²⁷

	PTSD	Moral Injury
Triggering Event	Actual or threatened death or serious injury	Acts that violate deeply held moral values
Individual's role at time of event	Victim or witness	Perpetrator, victim, or witness
Predominant painful emotion	Fear, horror, helplessness	Guilt, shame, anger
Physiological arousal?	Yes	No
What necessity is lost?	Safety	Trust

²³ Edward Tick, *War and the Soul: Healing Our Nation's Veterans from Post-traumatic Stress Disorder* (Wheaton, IL: Quest, 2005).

²⁴ "When the cause is unjust, whether it is the immediate individual action or the pursuit of an entire war, moral injury is inevitable" (Edward Tick, "Military Service, Moral Injury, and Spiritual Wounding," *The Military Chaplain* 89, no. 1 [2016]: 4–8, quote at 5).

²⁵ Brett T. Litz et al., "Moral Injury and Moral Repair in War Veterans: A Preliminary Model and Intervention Strategy," *Clinical Psychology Review* 29, no. 8 (2009): 695–706.

²⁶ See Table 3.

²⁷ Table 3 presents the work of the Veterans Administration's Center of Excellence for Stress and Mental Health, used by Jonathan Shay to summarize Litz et al., "Moral Injury and Moral Repair in War Veterans," in "Moral Injury," *Psychoanalytic Psychology* 31, no. 2 (2014): 182–191.

The 2012 work of Rita Nakashima Brock and Gabriella Lettini, *Soul Repair: Recovering from Moral Injury after War*, is noteworthy for its insights into moral injury and its critique of a related military program. For Brock and Lettini, “Moral injury results when soldiers violate their core moral beliefs, and in evaluating their behavior negatively, they feel they no longer live in a reliable, meaningful world and can no longer be regarded as decent human beings.”²⁸ Brock and Lettini find that such guilt can arise in a broad range of circumstances, from honorable conduct in combat operations, to passive conduct in witnessing suffering, to patently immoral conduct in war crimes or prisoner abuse.

Ironically, they further find that a US Army program designed to build spiritual resilience may unwittingly deepen moral injury. They assess the Comprehensive Soldier and Family Fitness (CSF2) program as inculcating a spirituality devoid of conscience.²⁹ According to Brock and Lettini, CSF2 resilience exercises ask soldiers “to practice seeing events in a neutral light instead of labeling them as good or bad. . . . Conscience is grounded in empathy and compassion for others and the capacity to recognize what is good and to know when something is profoundly wrong.” Obscuring the conscience increases moral injury, runs roughshod over religious and moral traditions, and pressures warriors to “abandon their souls.”³⁰

To sum up, the research shows that moral injury may overlay the physical and mental trauma of war, but moral injury must be addressed on its own terms. Any acts that violate deeply held spiritual meaning and moral values can lead directly to debilitating guilt, shame, and anxiety in the soul. This magnifies the problematic nature of omitting the soul in the service ethic. Military resilience, fitness, and medical concepts focus almost exclusively on the neurobiological. Standard PTSD treatment targets trauma to the body and mind through cognitive behavioral

²⁸ Rita Nakashima Brock and Gabriella Lettini, *Soul Repair: Recovering from Moral Injury after War* (Boston: Beacon Press, 2012), xv. Brock is a research professor and co-director of the Soul Repair Center at Brite Divinity School, Fort Worth, TX. Lettini is Dean of Faculty, the Aurelia Henry Reinhardt Professor of Theological Ethics, and Director of Studies in Public Ministry at the Starr King School for the Ministry, Graduate Theological Union, Berkeley, CA.

²⁹ CSF2’s stated goals include building physical, emotional, social, spiritual, and family fitness. See US Department of the Army, *Comprehensive Soldier and Family Fitness*, Army Regulation 350–53 (Washington, DC: US Department of the Army, June 19, 2014), https://www.army.mil/e2/downloads/rv7/r2/policydocs/r350_53.pdf. CSF2 is part of the US Army’s larger Ready and Resilient (R2) campaign. R2’s stated goals include building mental, physical, emotional, and spiritual resilience, as measured by its Global Assessment Tool accessible only through a digitally-encoded military network. See “U.S. Army Ready and Resilient,” US Army (website), accessed December 7, 2018, readyandresilient.army.mil. On the power of religion and spirituality for personal resilience, and their omission within the CFS2 and R2 programs, see Brian Koyn, “Religious Participation: The Missing Link in the Ready and Resilient Campaign,” *Military Review* 95, no. 5 (2015): 2–12, https://usacac.army.mil/CAC2/MilitaryReview/Archives/English/MilitaryReview_20151031_art017.pdf.

³⁰ Brock and Lettini, *Soul Repair*, 101–102.

therapy, prolonged exposure therapy, eye movement desensitization and reprocessing, and medication, but it usually bypasses moral and spiritual injury. For the well-being of service members, the service ethic must integrate the soldier's moral and spiritual foundation, and officially recognize and address moral injury.

Killing and the Conscience

Silence on moral injury may reflect a general military discomfort with all things moral, spiritual, and religious, but there is a deeper issue. The military is made for killing, but societies generally prohibit it. *Men against Fire*, an epic work on World War II combat effectiveness, illustrates how this tension can play out in war. US Army combat historian S. L. A. Marshall found that only about one quarter of American soldiers fired on the enemy when engaged in combat. He credited American morality, but questioned the combat efficiency.

The average and normally healthy individual—the man that can endure the mental and physical stresses of combat—still has such an inner and usually unrealized resistance toward killing a fellow man that he will not of his own volition take life if it is possible to turn away from that responsibility. . . . At the vital point, he becomes a conscientious objector, unknowingly. That is something to the American credit. But it is likewise something which needs to be analyzed and understood if we are to prevail against it in the interests of battle efficiency.³¹

Dave Grossman's volume *On Killing* explores the related pain of citizens raised by a society never to kill, serving as soldiers trained to kill.³² Grossman argues, "Killing is what war is all about, and killing in combat, by its very nature, causes deep wounds of pain and guilt."³³ Waging war necessarily presents an internal, as well as an external, struggle: "The force of darkness and destruction within us is balanced with a force of light and love for our fellow man. These forces struggle and strive

³¹ S. L. A. Marshall, *Men against Fire: The Problem of Battle Command* (New York: William Morrow, 1947), 79. Some scholars have questioned Marshall's World War II data.

³² David A. Grossman, *On Killing: The Psychological Cost of Learning to Kill in War and Society*, rev. ed. (New York: Back Bay Books, 2009). Grossman argues that combat is necessarily impulsive, i.e., exercised according to the impulse to defend one's life or the life of a comrade. Battle drills hinge on taking such impulses and forming effective, often lethal, "instinctive" responses. For Grossman, close-quarters killing merges experientially with the procreative act. "The link between sex and war and the process of denial in both fields are well represented by Richard Heckler's observation that 'it is in the mythological marriage of Ares [the god of war] and Aphrodite [the god of sex] that Harmonia is born'" (137).

³³ Grossman, *On Killing*, 92.

within the heart of each of us. . . . We cannot know life if we do not acknowledge death.”³⁴

Here our inquiry necessarily engages theology. The struggle to find life in the context of death has been documented in liturgical proclamations of the Easter resurrection for two thousand years. Grossman’s quote touches the Latin antiphon *Media vita in morte sumus* (“In the midst of life we are in death”), dating perhaps from AD 750. The entire antiphon reads:

In the midst of life we are in death;
From whom can we seek help?
From You alone, O Lord,
Who by our sins are justly angered.
Holy God, holy and mighty, holy and merciful Savior,
Deliver us not into the bitterness of eternal death.³⁵

Media vita expresses well the existential and theological struggle of soldiers who, in taking life, face their own culpability and mortality. Werner Elert calls this struggle (which may be identified as a form of moral injury) *Urerlebnis*: the primal experience of God.³⁶ It includes guilt from sin but grows into hostility toward God. A corrupted world leaves none uncompromised, so even “doing one’s best” condemns the conscience before a hidden God who controls all and who holds each person accountable. For some, this struggle leads to the personal brokenness of contrition, which in turn makes room for the healing of forgiveness in the community of reconciliation. The wounded seek help in community before the revealed God, who brings peace by participating in their pain, taking their punishment, and overcoming it. Elert’s iconic community is the Christian Church, composed of wounded sinners who find forgiveness and peace in the redemptive words and deeds of the Son of God made flesh. This is the power of religious redemption (i.e., redemption in Christ) for human reconciliation and moral healing. The morally injured soul requires authentic moral engagement.³⁷

To find redemption from complicity in the brutality of war, returning warriors require rites of purification and absolution. Jonathan Shay frames Odysseus’s ten-year journey home in Homer’s *Odyssey* as the archetypal soldier’s search

³⁴ Grossman, *On Killing*, 137.

³⁵ Commission on Worship of The Lutheran Church—Missouri Synod, *Pastoral Care Companion* (St. Louis: Concordia Publishing House, 2007), 126.

³⁶ Werner Elert, *The Structure of Lutheranism: The Theology and Philosophy of Life of Lutheranism Especially in the Sixteenth and Seventeenth Centuries*, trans. Walter A. Hansen (St. Louis: Concordia Publishing House, 1962), 17–35.

³⁷ Elert, *The Structure of Lutheranism*, 59–73.

for wholeness.³⁸ Edward Tick documents rituals from ancient Roman baths to Native American sweat lodges to US Army reintegration services, where returning warriors have sought cleansing from the corruption of war.³⁹ Scripture records that for ancient Hebrew soldiers returning from combat, the Lord commanded a seven-day rite of purification before they could reenter the camp (Num 31:19–24).

For Christians, the search for purification from the corruption of the flesh and the brutality of this world leads to the waters of Holy Baptism. Here, God pours out his grace in Christ, washing away all sin, bestowing life in the Spirit, and securing eternal salvation for all who hold to these promises. Wittingly or not, returning warriors beset with guilt and shame image the crucified Christ who draws them to himself in this sacrament. To atone for the sins of the world, the Son of God became man, entering into the corrupted world. He took on human sin, bore its consequences, was forsaken by the Father on the battlefield of the cross, died, and *then* was vindicated, being raised to life again. Soldiers' work is fundamentally different, but analogous. To bring in a better, earthly peace, soldiers enter a dark and corrupted battlefield of death, immerse themselves in it, do what must be done, suffer the attacks of conscience and the wicked one, and *then* seek a return to life. For Christians, this life is bestowed in Baptism, received now by faith and one day in the body at the resurrection. Holy Absolution is the quintessential healing rite for returning soldiers who are wounded in spirit: it brings Baptism into an existential moment of redemption, where sins are laid bare (confession), Christ's word works forgiveness (absolution), and life begins anew.

This consideration of religious experiences helps us sense the depth of moral injury suffered by veterans, and the possibility of an open horizon through religious, spiritual, and moral means. Notions of moral injury as mere deficiency in spiritual fitness and positive thinking are clearly inadequate.

Society needs effective warriors for its defense, but the very practice of warfighting attacks the empathy, conscience, and faith needed to sustain soldiers. This is the paradox of the moral warrior. This tension recapitulates *jus ad se*, which seeks inner peace for the peacemaker. It is a strategic military requirement to offer soldiers a way of redemption that brings help and healing for such deep wounds.

³⁸ Jonathan Shay, *Odysseus in America: Combat Trauma and the Trials of Homecoming* (New York: Scribner, 2002), 1–18.

³⁹ Edward Tick, *Warrior's Return: Restoring the Soul After War* (Boulder, CO: Sounds True, 2014), 175–204.

Battlefield Empowerment

Moral, spiritual, and religious empowerment has long been a military strategic requirement that leaders have worked to ensure. In 1941, as the US anticipated the war that lay ahead, General George C. Marshall affirmed the operational importance of the soldier's soul:

The soldier's heart, the soldier's spirit, the soldier's soul, are everything. Unless the soldier's soul sustains him he cannot be relied on and will fail himself and his commander and his country in the end. . . .

It is true that war is fought with physical weapons of flame and steel but it is not the mere possession of these weapons, or the use of them, that wins the struggle. They are indispensable but in the final analysis it is the human spirit that achieves the ultimate decision.⁴⁰

General William Slim similarly credited the spiritual foundation of morale over the physical and mental foundations. Reflecting on having turned the completely demoralized Fourteenth Army into an effective fighting unit in the Burma Campaign, Slim wrote,

Morale . . . is that intangible force which will move a whole group of men to give their last ounce to achieve something, without counting the cost to themselves; that makes them feel they are part of something greater than themselves. If they are to feel that, their morale must, if it is to endure—and the essence of morale is that it should endure—have certain foundations. These foundations are spiritual, intellectual, and material, and that is the order of their importance. Spiritual first, because only spiritual foundations can stand real strain.⁴¹

In his 1962 Thayer Award Address, General Douglas MacArthur offered an assessment of the soldier's spirit as being anchored in the divine. After more than fifty years of military service, he concluded,

⁴⁰ From George C. Marshall's speech on June 15, 1941, at Trinity College, Hartford, CT, as quoted in Larry I. Bland, Sharon Ritenour Stevens, and Clarence E. Wunderlin, Jr., eds., *The Papers of George Catlett Marshall*, vol. 2, "We Cannot Delay," July 1, 1939–December 6, 1941 (Baltimore: Johns Hopkins University Press, 1986), 534–538, <http://marshallfoundation.org/library/digital-archive/speech-at-trinity-college>. General Martin Dempsey, while serving as Chairman of the Joint Chiefs of Staff, echoed Marshall's view that weapons alone do not bring victory: "Iraqi security forces weren't 'driven from' Ramadi, they 'drove out of Ramadi'" (Bill Roggio, "Iraqi forces not driven from Ramadi, they drove out of Ramadi," *Threat Matrix: A Blog of the Long War Journal*, May 21, 2015, <http://www.longwarjournal.org/archives/2015/05/iraqi-forces-not-driven-from-ramadi-they-drove-out-of-ramadi.php>).

⁴¹ Field-Marshal Viscount Slim, *Defeat into Victory: Battling Japan in Burma and India, 1942–1945* (New York: Cooper Square, 2000), 182.

The soldier, above all other men, is required to practice the greatest act of religious training—sacrifice.

In battle and in the face of danger and death, he discloses those divine attributes which his Maker gave when he created man in his own image. No physical courage and no brute instinct can take the place of the Divine help which alone can sustain him.⁴²

This strategic requirement for strength of soul cannot be relegated to the mists of history. Harold G. Koenig, Dana E. King, and Verna Benner Carson have compiled a monumental collection of peer-reviewed quantitative research demonstrating the positive correlation of religion to health: 1,200 studies from the years 1872 to 2000, and 2,100 studies from the years 2000 to 2010.⁴³ Over two-thirds of the studies found religious/spiritual people to be healthier, emotionally more positive, and socially more stable with lower rates of depression, suicidal ideation, and substance abuse. In a 2012 review, Koenig emphasized the requirement for spirituality within human care: “The research findings, a desire to provide high-quality care, and simply common sense, all underscore the need to integrate spirituality into patient care. . . . At stake is the health and well-being of our patients and satisfaction that we as health care providers experience in delivering care that addresses the whole person—body, mind, and spirit.”⁴⁴ The US Army’s own 2009 combat soldier survey, Excellence in Character, Ethics, and Leadership (EXCEL), reached similar conclusions on the operational importance of religion and spirituality to well-being and human empowerment.⁴⁵

What Does This Mean?

In sum, the demands of justice within the warfighter, the distinctive nature of moral injury, the cost of killing accrued in the conscience, and the historic requirements of battlefield empowerment show that, for its own viability,

⁴² Douglas MacArthur, “Thayer Award Acceptance Address” (speech, West Point, NY, May 12, 1962), <http://www.americanrhetoric.com/speeches/PDFFiles/Douglas%20MacArthur%20-%20Thayer%20Award%20Address.pdf>.

⁴³ Harold G. Koenig, Dana E. King, and Verna Benner Carson, *Handbook of Religion and Health*, 2nd ed. (New York: Oxford University Press, 2012).

⁴⁴ Harold G. Koenig, “Religion, Spirituality, and Health: The Research and Clinical Implications,” *International Scholarly Research Notices: Psychiatry* 2012, no. 278730 (2012): 1–33.

⁴⁵ 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): 67–91. Of 2,572 soldiers surveyed, 1,366 completed the spirituality portions, with 1,263 of these completed sufficiently for tabulation and analysis (72). “Three specific factors emerged as correlative and included within the domain of spirituality: connection to others, religious identification, and hopeful outlook” (84).

the profession of arms needs to provide moral, spiritual, and religious strength to the soldier.

In today's military, chaplains work hard to provide that support, and most soldiers greatly value their chaplains. Chaplains deliver the Department of Defense (DoD) Title 10 religious support and pastoral care for all soldiers, families, and authorized civilians. The chaplain team's deployed presence is essential for walking with soldiers in "the valley of the shadow" of moral injury, darkness, and death (cf. Ps 23:4), and their garrison presence is equally critical for comprehensive religious support for soldiers and families.

Chaplains are one essential part of the larger team that addresses internal moral challenges. The military Services are well known for high moral standards, rigorous discipline, teamwork built on trust, warfighting competence, and commitment to improving the profession. The profession of arms generally meets its moral challenges well, but regarding the internal moral challenges that I have highlighted here, the profession of arms has a ways to go. From the perspective *internal* to the profession of arms, "moral warriors" is not a contradiction in terms. It is a call for critical adjustments: to integrate moral, spiritual, and religious foundations into its service ethic, training, and education; and officially recognize and address moral injury.⁴⁶

This is an assessment *internal* to the exercise of the profession of arms. We now turn to the "interprofessional" assessment, in which the profession of arms dialogues with the church.

II. Moral Challenges between the Profession of Arms and the Profession of Faith

Do the mandates of the military and the conscience of the church exercise authority in such a way that the service member is caught in the middle, with requirements that contradict each other? Can people exercise their faith with integrity and serve in the military loyally? Can confessional Lutherans serve honorably as enlisted personnel, officers, and chaplains?

⁴⁶ For recommended critical adjustments in the areas of Army doctrine, organization, training, leader development and education, and policy, see Jonathan E. Shaw, "Integrating the Soul from War to Peace: Required Capabilities for Just War, Moral Injury, and the U.S. Army Operating Concept," in *Engagement Between Peace and War: How Soldiers and Military Institutions Adapt*, ed. William G. Braun III, Stéfanie von Hlatky, and Kim Richard Nossal (Kingston, Ontario, Canada: Queen's University Press, 2016), 71–91, required capabilities at 88–91, <https://www.queensu.ca/kcis/pubID9781553396031>.

Current Flashpoints

These questions are open to debate. On November 21, 2017, The Lutheran Church—Missouri Synod’s Information Center took the significant step of launching an email to its subscribers with the subject line “Religious Freedom and Military Service Becoming Incompatible.” It stopped short of announcing a divorce, but it disclosed relational problems. Civil-spiritual challenges, especially for the military, make the press.⁴⁷

On January 1, 2018, the DoD moved to allow those self-identifying as transgender to serve in the military based on a US district court judge disallowing President Trump’s earlier ban. The policy moves away from physiologically and genetically based identity to the gender-marker identity as recorded in the Defense Enrollment Eligibility Reporting System, or DEERS. The policy, if fully implemented, would mean that if a soldier’s gender marker is changed in DEERS through official processes, the soldier would use the barracks, bathrooms, and common showers associated with that gender marker, irrespective of actual genitalia.⁴⁸ This challenges biblical concepts of human identity, modesty, morality, and marriage.⁴⁹

In 2017, US Air Force Colonel Leland Bohannon, a Christian with a biblical view of marriage, declined to sign a certificate expressing appreciation for a same-sex spouse of a retiring airman. Instead, he sought out a two-star general to sign the certificate, to give command recognition without personally violating his own faith. As a result, he was suspended from command and issued an official letter recommending that he not be promoted to Brigadier General. After many appeals, on March 27, 2018, the Secretary of the Air Force reversed the earlier substantiated finding of discrimination based on sexual orientation, expunged all derogatory

⁴⁷ The email read, in part: “The U.S. military has been heavily influenced by atheist and LGBT activist groups, and this presents challenges for LCMS military chaplains and Lutheran service members who wish to remain faithful while serving our country in the armed forces” (Lutheran Church—Missouri Synod Communications Information Center, email to author, November 21, 2017).

⁴⁸ Vignette 4 of official Army training makes this point. See US Army, “Policy on the Military Service of Transgender Soldiers Training Module, Tier 3: Units and Soldiers,” *YouTube*, video file, September 16, 2016, <https://www.youtube.com/watch?v=Zzx4Na3wrA4>.

⁴⁹ More recent policy advisement would limit such moral effects by disqualifying the vast majority of transgender individuals from military service. See US Secretary of Defense James Mattis, “Military Service by Transgender Individuals,” Memorandum for the President, Washington, DC, February 22, 2018, <https://media.defense.gov/2018/Mar/23/2001894037/-1/-1/0/Military-Service-By-Transgender-Individuals.pdf>.

references in Bohannon's file, and ordered a new board to consider Bohannon for promotion.⁵⁰

In 2016, US Air Force Colonel Michael Madrid received a Letter of Admonishment from a new commander based on an investigation concluded two years before, which had charged Madrid but then cleared him of making derogatory remarks about homosexuality. The new commander wanted to press the issue. Madrid openly holds to the scriptural view of marriage.⁵¹

In 2013, US Marine Lance Corporal Monifa Sterling was court-martialed for refusing to obey an order to remove a religious text posted at her workspace. In asserting her religious freedom, the young Marine apparently lost her bearing and showed disrespect, but religious infringement was the presenting problem.⁵²

On the pastoral front, some military chaplains have reported pressure from senior chaplains or commanders to make their public prayers, private counselings, and unit classes religiously neutral, and their chapel services unionistic. Mikey Weinstein's atheistic Military Religious Freedom Foundation (MRFF) has brought lawsuits and threats against religious expression in the military. The MRFF seeks a military where "there is only one religious scripture: the American Constitution."⁵³

Given these moral challenges between the civil government (the military) and the spiritual estate (the church), should religious communities (including confessional Lutherans) encourage their young adults to serve in the military and, more particularly, in the military chaplaincy?

First, it is important to note that most people in the military go about their duties morally, following law and policy, and this includes respecting the free exercise of religion—but a small percentage do not. Soldiers can go to chapel, discuss faith issues with friends, and keep a Bible on their desk which they read over lunch. That said, there is a growing secularism affecting military culture. Some individuals feel empowered to go beyond law and policy, and try to root out any religious expression in the public square.

I can conceive of no vocation more dependent on a proper understanding of the two kingdoms than military service. Soldiers must be spiritually empowered

⁵⁰ For case summary and documents, see "Col. Bohannon Case," n.d., *First Liberty* (website), accessed August 18, 2018, <https://firstliberty.org/cases/bohannon>.

⁵¹ For case summary and documents, see "Col. Michael Madrid Case," n.d., *First Liberty* (website), accessed August 18, 2018, <https://firstliberty.org/cases/madrid>.

⁵² Based on Isa 54:17, the text read, "No weapons formed against me shall prosper." See Roger Drinnon, "Synod, Other Advocates Speak for Religious Liberty in Secularized Military," *Reporter* (blog), April 10, 2017, updated July 20, 2018, <https://blogs.lcms.org/2017/religious-liberty-in-secularized-military>.

⁵³ See Mikey Weinstein's quote in the header of the website for the Military Religious Freedom Foundation, accessed August 18, 2018, <https://www.militaryreligiousfreedom.org>.

and confident to stand in the jaws of death for the defense of the nation. Even more, chaplains as officers exercise military power through mission planning, staff coordination, and command advisement, while as clergy they exercise spiritual power through word and sacrament. Moral challenges between the profession of arms and the profession of faith could put both at risk. A proper understanding of the two kingdoms is needed.

To examine these challenges, I will raise two Lutheran confessional principles to frame the discussion, apply Luther's doctrine of the two kingdoms in its historical context to show the proper scope of civil and spiritual authority, and then review US law and military policy to assess protections for military religious freedom. I will conclude with a way forward to address the question of "moral warriors" and whether churches should send their members to serve as soldiers and their clergy to serve as chaplains.

Two Confessional Principles

Two confessional principles must be honored in order for the church in good conscience to send her laity to serve as soldiers and her clergy to serve as chaplains. First, the power of the spiritual realm must not be mixed with the power of the civil realm. Second, doctrine and sacramental practice in the spiritual realm must be kept pure and unadulterated by false confession. From the standpoint of the Lutheran Confessions, these two principles are binding for Lutherans as they negotiate the intersection of the two kingdoms.

These principles are expressed in the Augsburg Confession (*Confessio Augustana*). Lutheran political authorities presented this document in 1530 to Holy Roman Emperor Charles V as a confession of their faith.⁵⁴ Article XXVIII highlights the first principle of not mixing the power of the two realms by contrasting the power of the gospel, or of bishops, with the power of the civil government, or

⁵⁴ For a discussion of the Augsburg Confession (AC) signatories and document sources, including the Marburg, Schwabach, and Torgau Articles and the involvement of Philip Melancthon (chief author), Martin Luther, John Bugenhagen, and Justus Jonas, see F. Bente, "Historical Introductions to the Symbolical Books of the Evangelical Lutheran Church," Historical Introductions pp. 15–23 in *Triglott Concordia: The Symbolical Books of the Evangelical Lutheran Church, German-Latin-English*, trans. and ed. W. H. T. Dau and F. Bente (St. Louis: Concordia Publishing House, 1921), hereafter *Trigl*. Page numbers refer to the confessional documents section, unless preceded by "Historical Introductions," which section has its own page numbering. See also M. Reu, *The Augsburg Confession: A Collection of Sources with An Historical Introduction* (Chicago: Wartburg, 1930).

of magistrates—a principle that, admittedly, was difficult to implement in the sixteenth century.⁵⁵

According to the gospel, the power of the keys or the power of the bishops is the power of God's mandate to preach the gospel, to forgive and retain sins, and to administer the sacraments. For Christ sent out the apostles with this command [John 20:21–23]: “As the Father has sent me, so I send you. . . . Receive the Holy Spirit. If you forgive the sins of any, they are forgiven them; if you retain the sins of any, they are retained.” And Mark 16[:15]: “Go . . . and proclaim the good news to the whole creation. . . .”

. . . Civil government is concerned with things other than the gospel. For the magistrate protects not minds but bodies and goods from manifest harm and constrains people with the sword and physical penalties. The gospel protects minds from ungodly ideas, the devil, and eternal death. Consequently, the powers of church and civil government must not be mixed.⁵⁶

The second principle is implied by the first: doctrine and sacramental practice in the church must be kept pure and in agreement with the Word of God. Article VII defines the church in terms of purity of gospel preaching and sacramental administration.

There must at all times be and remain one holy Christian Church, which is the assembly of all believers among whom the gospel is purely preached and the holy sacraments are administered according to the gospel. For it is sufficient for the true unity of the Christian Church that the gospel be unanimously preached there in its pure understanding and that the sacraments be administered in conformity with the divine word.⁵⁷

One might well trace the development of these principles from Jericho (Josh 6) to Worms,⁵⁸ in a three-thousand year history of the interface of the two kingdoms in clergy and chaplain support to soldiers. That valuable account is beyond the scope

⁵⁵ James D. Tracy, “Magistracy: Germany and the Low Countries,” in *The Oxford Encyclopedia of the Reformation*, ed. Hans J. Hillerbrand, (New York: Oxford University Press, 1996), 2:487–493.

⁵⁶ AC XXVIII 5–7, 11–12 Latin, p. 93 in Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, trans. Charles Arand et al. (Minneapolis: Fortress, 2000), hereafter KW.

⁵⁷ AC VII 1–2 German (*Trigl.*, 46), my translation. Article X of the Solid Declaration (SD) of the Formula of Concord (FC) reasserts this as agreement “in the doctrine and all its articles, also in the right use of the holy Sacraments” (FC SD X 31 in *Trigl.*, 1063). Here, “the doctrine” refers to the central doctrine of justification. On the related divine right of the office of bishop, see AC XXVIII 21–22.

⁵⁸ On the Diet of Worms of 1521, a congress of the Holy Roman Empire, see Rainer Wohlfeil, “Worms, Diet of,” in *The Oxford Encyclopedia of the Reformation*, 4:300–301.

of this study. What is nonnegotiable for the Lutheran understanding of the two kingdoms, however, is the political context beginning in 1519 with Charles V.

Luther's Two Kingdoms in Historical Context

In 1519, when the electors of the Holy Roman Empire chose nineteen-year-old Charles as the new emperor, he inherited an empire with a weak central government. He was determined to build a Christian political dynasty supported by the Roman Catholic Church, but he never achieved his vision. Pope Leo X had opposed the choice of Charles over Francis I, but Leo had taken some solace in the fact that Charles was of the Hapsburg line and so could be expected to rein in Luther, the German. When this did not happen, the pope took matters into his own hands and condemned Luther of heresy in the June 1520 papal bull *Exsurge Domine*. Luther reached out to Charles V (along with the German princes) with his pamphlet *An Open Letter to the Christian Nobility* (1520),⁵⁹ calling for reform and the right use of political authority, but Charles would not sign up. The German people sided with Luther against the pope and Elector Frederick III of Saxony insisted that Luther be given a fair hearing, so Charles agreed that Luther's case would be considered at the 1521 Diet of Worms.⁶⁰

In the edict that followed, Charles V enforced the papal bull against Luther, declared him guilty of heresy, and placed him under the imperial ban, depriving him of civil protections within the empire. But the emperor could enforce this ban only in Roman Catholic territories and in cities directly under imperial control, not in Electoral Saxony where Frederick the Wise could protect Luther, nor in other evangelical territories—such was the nature of the decentralized Holy Roman Empire. The Edict of Worms did not achieve the success for which Charles had hoped.⁶¹ Now Luther, excluded from the established church and state (at least at the national level), was forced to find an alternative construct for living in both kingdoms.

Following Worms, the Lutheran princes faced massive church-state challenges. Luther had personally defied the emperor's authority, Luther's followers in some

⁵⁹ Luther, *An Open Letter to the Christian Nobility of the German Nation Concerning the Reform of the Christian Estates* (1520), AE 44:123-217.

⁶⁰ On the chain of events leading from the 1519 election of the emperor through the 1521 Diet of Worms, see Harold J. Grimm, "Luther's Break with Rome," in *The Reformation Era: 1500-1650*, 2nd ed. (New York: MacMillan, 1973), 99-116.

⁶¹ Additional political maneuvering occurred in the background. Before signing the edict, Charles V secured the promise of needed aid from the estates to prosecute the war against Francis. In return, he restored the council of regency, increasing territorial powers (Grimm, *Reformation Era*, 115-116).

places were forbidden to read his books, and the limits of spiritual and political authority seemed unknowable. Elector John of Saxony asked Luther to address these critical topics, and Luther responded in his treatise *Temporal Authority: To What Extent It Should Be Obeyed* (1523).⁶² It is hard to overstate the significance of the treatise. It countered the Roman Catholic claim to be the source of both civil and spiritual authority by distinguishing the power and goal of each, setting a moral arc for the Western differentiation of church and state.

In *Temporal Authority*, Luther examines the distinctive nature and purpose of the two kingdoms. To begin, he divides humanity into two parts. First are the “true believers who are in Christ and under Christ.”⁶³ They have heard the gospel, they have Christ’s Spirit, and they belong to the kingdom of God. As regards themselves, they have no need of any civil government, law, or punishment. Later, Luther and his heirs would clarify that Christians still need to be taught God’s law and are subject to civil laws, being righteous and at the same time sinners (*simul justus et peccator*).⁶⁴ But in 1523, Luther comments,

The righteous man of his own accord does all and more than the law demands. . . . I would take to be quite a fool any man who would make a book full of laws and statutes for an apple tree telling it how to bear apples and not thorns, when the tree is able by its own nature to do this better than the man with all his books can describe and demand. Just so, by the Spirit and by faith all Christians are so thoroughly disposed and conditioned in their very nature that they do right and keep the law better than one can teach them with all manner of statutes; so far as they themselves are concerned, no states or laws are needed.⁶⁵

Moreover, Christians patiently bear the unkindnesses of others, as regards themselves, without turning to the law for vengeance.⁶⁶ “This is also why Christ did not wield the sword, or give it a place in his kingdom. For he is a king over Christians and rules by his Holy Spirit alone, without law.”⁶⁷

Luther also distinguishes a second group, “all who are not Christians,” which includes those who are Christians in name only.⁶⁸ They have refused to believe the

⁶² Luther, *Temporal Authority: To What Extent It Should Be Obeyed* (1523), AE 45:81–129. See the fine editorial introduction by Walther I. Brandt, AE 45:77–80.

⁶³ Luther, *Temporal Authority* (1523), AE 45:88.

⁶⁴ Luther, *Against the Antinomians* (1539), AE 47:109, 112–113; FC Ep VI 4.

⁶⁵ Luther, *Temporal Authority* (1523), AE 45:89.

⁶⁶ Luther refers here to Matt 5:38–41.

⁶⁷ Luther, *Temporal Authority* (1523), AE 45:93.

⁶⁸ Luther, *Temporal Authority* (1523), AE 45:90.

gospel, to follow its call for mercy, and to resist evil. These people belong to the kingdom of the world and are under its coercive law.

[God] has subjected them to the sword so that, even though they would like to, they are unable to practice their wickedness, and if they do practice it they cannot do so without fear or with success and impunity. In the same way a savage wild beast is bound with chains and ropes so that it cannot bite and tear as it would normally do, even though it would like to.⁶⁹

Based on this two-fold anthropology, Luther argues that each kingdom has its own purpose. In the kingdom of God (the spiritual realm), the Holy Spirit is active through the preaching of the gospel to produce Christians who stand righteous before God. In the kingdom of this world (the civil realm), God is active in a hidden way through temporal law and punishment to restrain evil and achieve a measure of external peace. Without the spiritual, the world would produce hypocrites at best. Without the civil, anarchy and chaos would ensue.⁷⁰

With such a stark distinction between the two kingdoms, why would a Christian serve as a soldier or participate in other civic duty? Certainly not to bring in the kingdom of God, for only the internal power of the preached gospel can do that. Perhaps he would do so to contribute to a more moral society, even though laws and punishments are finally only coercive, modifying behavior somewhat, but leaving untouched the corrupt inner man.⁷¹

What moves the Christian to serve in the kingdom of the left, as Luther sees it, is the love of Christ. The obedience of his holy life, the bitterness of his atoning sacrifice, and the glory of his justifying resurrection have freed Christians from the bonds of sin and death and made them citizens of the kingdom of God. Christians willingly bend low to serve others in the kingdom of this world. They do this because they desire to help others, reflecting the love first shown them. For Luther, this explains why the apostles regularly preach obedience to earthly authorities.

Because the sword is most beneficial and necessary for the whole world in order to preserve peace, punish sin, and restrain the wicked, the Christian submits willingly to the rule of the sword . . . serves, helps, and does all he can to assist the governing authority. . . . Just as he performs all other works of love which he himself does not need—he does not visit the sick in order that he himself may be made well, or feed others because he himself needs food—so he serves

⁶⁹ Luther, *Temporal Authority* (1523), AE 45:90.

⁷⁰ Luther, *Temporal Authority* (1523), AE 45:91–92.

⁷¹ Even in the field of moral philosophy, law generally assumes only a baseline function, articulating minimum acceptable standards, without raising humanity to aspirational levels.

the governing authority not because he needs it but for the sake of others, that they may be protected and that the wicked may not become worse. . . . If he did not so serve he would be acting not as a Christian but even contrary to love.⁷²

On this basis, Luther encourages all Christians to serve the state dutifully, wherever they are qualified, be it in government or the military, or simply as honorable citizens. He cites the example of holy martyrs who waged war under pagan Roman emperors to secure peace. The Christian undertakes such service not for the sake of wielding power or seeking revenge, but “for the good of your neighbor and for the maintenance of the safety and peace of others.”⁷³

Luther’s reference to the holy martyrs bears further comment. Extant sermons show that St. Augustine and others taught that parishioners should fight alongside Roman soldiers as an expression of Christian love, in defense of their neighbors’ safety, and in support of Roman authority. This occurred even though the Roman army frequently sacrificed to pagan gods. Accounts record that Christian soldiers served loyally but refused to offer such sacrifices. During persecution, the emperor sometimes ordered the torture or decimation of Christian soldiers. The most extreme case is said to have occurred in AD 286, when the entire Theban Legion—numbering at least 6,600 Christian soldiers—was martyred under Emperor Maximian.⁷⁴

To summarize, in his 1523 treatise *Temporal Authority*, Luther praises the civil realm as a great gift of God. It wields external power to restrain evildoers and secure external peace. The limit of temporal authority is that it applies only to external things—the human body and property—and has no power in the spiritual realm. In the spiritual realm, the gospel alone rules, bringing salvation in Christ. The limit of spiritual authority is that it applies only to internal things—faith and matters of conscience—and has no power to rule in the temporal realm. Although the coercive power of temporal authority does not properly apply to the Christian as new man,

⁷² Luther, *Temporal Authority* (1523), AE 45:94. Here, Lutheran orthodoxy’s third use of the law finds traction in Luther’s theology: the Christian places himself under the law for the sake of others, including the wicked, which includes his own sinful flesh.

⁷³ Luther, *Temporal Authority* (1523), AE 45:96.

⁷⁴ Luther, *Temporal Authority* (1523), AE 45:99. See n. 44 in the Luther text, in which the editor relates the account of the martyrdom of 66,000 Christian soldiers serving under the Roman emperor Maximian Herculus (AD 285–310). They were willing to serve under Caesar but refused to sacrifice to the pagan gods. Most other sources list the number at 6,600 or 6,666, closer to the typical 6,000-man Roman legion. Biblical numerology may explain the discrepancy conveyed in certain accounts. In biblical numerology, the number ten symbolizes perfection and the fullness of God’s law. In this case, the actual number of soldiers (6,600) multiplied by the number of perfection (10) would yield that victory in Christ fully realized in the martyrdom of the Theban Legion (66,000).

still Christians honor the temporal authority and, where qualified, serve in positions of authority and use its sword out of Christian love in service to others.⁷⁵

Table 4. The Exercise of Power in Luther's Two Kingdoms⁷⁶

	Kingdom of Left/Civil	Kingdom of Right/Spiritual
Type of Power	Hard Power / Coercive Law	Soft Power / Gospel Word
Principles	Order and Justice	Faith and Love
Authority over	Externals: Body / Works	Internals: Soul / Faith
Produces	External Peace <ul style="list-style-type: none"> • Prevents, punishes evil deeds • Protects the good 	Internal Righteousness of Faith <ul style="list-style-type: none"> • Brings eternal salvation • Serves others in love
Citizens	The Unregenerate ~ "Resident Aliens" ←	The Faithful serving in freedom and love
How God Rules	As Hidden	As Revealed

Luther's counsel to Elector John in *Temporal Authority* largely guided Lutheran princes, but not emperor or pope. When Charles V issued his 1530 summons for the Diet of Augsburg, his dual purpose was to enlist the Lutherans to fight the Turkish forces invading Europe and to resolve theological differences by preserving the "single, true religion."⁷⁷ In the summons, he brought these two purposes into one, key sentence: "For just as we are all under one Christ and fight, so also we are all to live in one communion, church, and unity."⁷⁸ For the emperor, both purposes were cut from the same cloth—being under one Christ to fight the enemy Turk implied living in a single, united church.

For the Lutherans, this was a confusion of the kingdoms. It is true that at Augsburg, the Lutherans hoped to gain consensus in the gospel. Failing that, they would assert freedom to live in their own territories with the gospel purely preached and sacraments rightly administered. But from the Lutheran perspective, a

⁷⁵ See Table 4.

⁷⁶ This table is the author's work.

⁷⁷ AC Preface 1–3 German (KW, 30).

⁷⁸ AC Preface 4 German (*Trigl.*, 38), my translation.

theological break did not itself rule out marching side by side with imperial forces to drive the Turk from Europe.

This context drives the Augsburg Confession's distinction of the kingdoms. In the spiritual realm, the proper work of the office of bishop is "to preach the gospel, to forgive sin, to judge doctrine and reject doctrine that is contrary to the gospel, and to exclude from the Christian community the ungodly whose ungodly life is manifest—not with human power but with God's Word alone."⁷⁹ Within the spiritual office, there is no room for accepting false doctrine or misleading sacramental practice,⁸⁰ nor for using coercive, temporal authority.⁸¹

In the civil realm, the proper work of government and princes is to protect "body and goods against external violence."⁸²

All political authority, orderly government, laws, and good order in the world are created and instituted by God. . . . Christians may without sin exercise political authority; be princes and judges; pass sentences and administer justice according to imperial and other existing laws; punish evildoers with the sword; wage just wars; serve as soldiers; buy and sell; take required oaths; possess property; be married; etc.⁸³

Regarding the emperor, the Augustana lauds his power as instituted by God, worthy of obedience, and vital for justice,⁸⁴ but faults the Roman Catholic bishops for introducing false doctrine and usurping civil power.⁸⁵ The 1531 Apology of the Augsburg Confession makes explicit that the Lutherans were willing to unite under the emperor and his God-given, temporal authority, but they objected to the opponent bishops' prerequisite that the Lutherans compromise the truth of the gospel.

We greatly wish for public harmony and peace. . . . We do not wish to differ with His Majesty the Emperor, whom we revere not only on account of the dignity of the imperial office but also on account of the truly heroic virtues with which we have known him to be endowed. However, the opponents do not permit us to unite in peace except under the condition that we agree with those who condemn the manifest truth of the gospel, which the church

⁷⁹ AC XXVIII 21 German (KW, 94).

⁸⁰ AC VII 1–2.

⁸¹ "However, where bishops possess secular authority and the sword, they possess them not as bishops by divine right but by human, imperial right, given by Roman emperors and kings for the secular administration of their lands. That has nothing at all to do with the office of the gospel" (AC XXVIII 19 German [KW, 94]).

⁸² AC XXVIII 11 German (KW, 92).

⁸³ AC XVI 1–2 German (KW, 48).

⁸⁴ AC XVI 1–2, 5–7; AC XXVIII 11.

⁸⁵ AC XXVIII 1–3, 12–19, 34–37.

needs. This we cannot do. For “we must obey God rather than any human authority” [Acts 5:29]. Therefore the opponents, who by a new and unheard-of cruelty are destroying the churches, will have to render to God an account of the schism. Nor is there any doubt that this cruelty will produce some change in public affairs.⁸⁶

In short, the Augsburg Confession follows Luther’s treatise *Temporal Authority* in requiring the purity of the gospel, honoring proper temporal authority, and in rejecting the intrusion of power from one kingdom into the other—of secular authority into the internal matters of faith and conscience, or of spiritual authority into the external matters of civil rule and coercive force. Here we have returned to the two confessional principles cited earlier. For the church to send members to serve as soldiers and clergy to serve as chaplains, first, the power of the spiritual realm must not be mixed with the power of the civil realm. Each kingdom must exercise its power properly, in its own realm. Second, doctrine and sacramental practice in the spiritual realm must be kept pure and unconstrained.

Protections under US Law and Military Policy

We now must ask: Do American protections align with these principles? The First Amendment to the US Constitution protects the freedom of religion as a fundamental right: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.”⁸⁷ The establishment clause forbids governmental authority from mandating a religion or form of spirituality. The civil realm must remain religiously neutral. For example, commanders cannot legally direct soldiers to attend Christian services or pray the Lord’s Prayer, and neither can they legally direct chaplains to pray generic prayers to sanction a generic spirituality.

The free exercise clause, the second part of the First Amendment, guarantees individuals the right to believe and practice what their religion requires and their conscience dictates. The free exercise clause forbids governmental authority from prohibiting individuals from exercising their faith. Positively, the civil realm must give deference to religious exercise. This is why the US Congress and federal courts have consistently recognized the necessity of the military chaplaincy for ensuring the religious free exercise rights of service members.⁸⁸ It would be

⁸⁶ Ap XXVIII 24–25 (KW, 292).

⁸⁷ US Constitution, Amendment I.

⁸⁸ *Katcoff v. Marsh*, 755 F.2d 223, 234 (2nd Cir. 1985). In an important challenge to the constitutionality of the military chaplaincy, the Second US Circuit Court of Appeals ruled that the

absurd if those charged with defending the US Constitution with their lives could not enjoy its free exercise provision.

It is important to note that the military chaplaincy helps protect the establishment clause by requiring ministry given inside the DoD to be done according to normative standards that come from outside the DoD. This means that chaplains are expected to preach, teach, pray, and counsel according to the standards of their endorsing religious organizations. If the military set the faith standards for religious support, this would violate the establishment clause.

Recent National Defense Authorization Acts (NDAAs) passed by the US Congress further strengthen the freedom of religion of service members and the chaplains who serve them.⁸⁹ NDAA 2013 includes Section 533, "Protection of Rights of Conscience of Members of the Armed Forces and Chaplains of Such Members."

The Armed Forces shall accommodate the beliefs of a member of the armed forces reflecting the conscience, moral principles, or religious beliefs of the member and, in so far as practicable, may not use such beliefs as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment.

No member of the Armed Forces may require a chaplain to perform any rite, ritual, or ceremony that is contrary to the conscience, moral principles, or religious beliefs of the chaplain; or discriminate or take any adverse personnel action against a chaplain, including denial of promotion, schooling, training, or assignment, on the basis of the refusal by the chaplain to comply with a requirement prohibited by paragraph (1).⁹⁰

NDAA 2014 places into law three related sections that further strength the provisions of NDAA 2013 for military religious freedom and chaplain religious integrity. Section 532, "Enhancement of Protection of Rights of Conscience of Members of the Armed Forces and Chaplains of Such Members," requires the Secretary of Defense to consult with military faith-group chaplain endorsers before changing any DoD policy instruction on religious freedom. Section 533, "Inspector General Investigation of Armed Forces Compliance with Regulations for the Protection of Rights of Conscience of Members of the Armed Forces and Their Chaplains," requires an investigation and report on any "adverse personnel actions, discrimination, or denials of promotion, schooling, training, or assignment

chaplaincy was constitutional, since it was the government's mechanism to ensure the free exercise of religion for those in the armed forces.

⁸⁹ Such protections under law are not necessarily new but may be included within NDAAs to demonstrate congressional commitment and ensure continuing compliance.

⁹⁰ *National Defense Authorization Act for Fiscal Year 2013*, H.R. 4310, Public Law 239, 112th Congress, 2nd sess. (January 2, 2013), 97, excerpts.

for members of the Armed Forces based on conscience, moral principles, or religious beliefs.” Section 534, “Survey of Military Chaplains Views on Defense Policy regarding Chaplain Prayers Outside of Religious Services,” required the Secretary of Defense to survey military chaplains on “restrictions placed on prayers offered in a public or non-religious setting,” to assess if chaplains had been hindered in exercising their faith and if service members and their families had been hindered in receiving religious support.⁹¹

Citing these laws, the NDAA 2018 Senate Report directs the Secretary of Defense to consult with the military Chiefs of Chaplains and “develop curriculum and implement training concerning religious liberty in accordance with the law. Recipients of this training should include commanders, chaplains, and judge advocates.”⁹²

On the executive branch side, on October 6, 2017, the Attorney General issued rigorous guidance to ensure federal religious freedom protections applicable to the DoD. The twenty-five-page memorandum quotes James Madison, arguing that religious liberty is “precedent, both in order of time and in degree of obligation, to the claims of Civil Society.”⁹³ It lays down twenty principles for accommodating all religious practices in government activities to the greatest extent permitted by law. It also provides detailed guidance on the Religious Freedom Restoration Act of 1993 (RFRA), which requires strict scrutiny for “substantially burdening any aspect of religious observance or practice.”⁹⁴ In sum, the memorandum protects religious freedom and guards against the federal government encroaching into spiritual matters.

DoD Instructions (DoDIs), the top level of military policy publications, further reinforce religious freedom in the military. DoDI 1300.17, *Accommodation of Religious Practices Within the Military Services*, affirms, “DoD places a high value on the rights of members of the Military Services to observe the tenets of their respective religions or to observe no religion at all.” It requires the Services

⁹¹ *National Defense Authorization Act for Fiscal Year 2014*, H.R. 3304, Public Law 66, 113th Congress, 1st sess. (December 26, 2013), 89–90, excerpts.

⁹² *National Defense Authorization Act for Fiscal Year 2018*, Report 125, S. 1519, 115th Congress, 1st sess. (July 10, 2017), 149–150.

⁹³ US Attorney General Jeff Sessions, “Federal Law Protections for Religious Liberty,” memorandum for all Executive Departments and Agencies, Washington, DC, October 6, 2017, <https://www.justice.gov/crt/page/file/1006786/download>. James Madison cited from “Memorial and Remonstrance Against Religious Assessments” (June 20, 1785), in Philip B. Kurland and Ralph Lerner, eds, *The Founders’ Constitution* (Chicago: University of Chicago Press, 1987), 5:82 (Sessions, “Federal Law Protections for Religious Liberty,” 1).

⁹⁴ On RFRA, see Sessions, “Federal Law Protections for Religious Liberty,” 3–6, 5a–15a, quote at 3.

to “accommodate individual expressions of sincerely held beliefs,” subject to the limits of military necessity. Where a service member’s free exercise of religion would be substantially burdened, RFRA’s strict scrutiny standards must be met:

Requests for religious accommodation from a military policy, practice, or duty that substantially burdens a Service member’s exercise of religion may be denied only when the military policy, practice, or duty furthers a compelling governmental interest, [and] is the least restrictive means of furthering that compelling governmental interest.⁹⁵

DoDI 1304.28, *Guidance for the Appointment of Chaplains for the Military Departments*, sets forth DoD policy on appointing chaplains “to represent their religious organizations to the Military Departments.” A chaplain is defined as “an individual endorsed to represent a religious organization and to conduct *its* religious observances or ceremonies.”⁹⁶ This means that military chaplains represent the churches or religious organizations that endorse them, and conduct the religious observances and rites of those churches or religious organizations in the military context.

Religious protections of the Constitution, federal law, and DoDIs are also elaborated in Service-specific regulations and manuals. Army Regulation 165–1, *Religious Support: Army Chaplain Corps Activities*, well represents Service-level religious support policy.

Chaplains are required by law to hold religious services for members of the command to which they are assigned, when practicable. Chaplains provide for religious support, pastoral care, and the moral and spiritual well-being of the command. . . .

Chaplains will perform their professional military religious leader ministrations in accordance with the tenets or faith requirements of the religious organization that certifies and endorses them.

Chaplains will not be required to perform a religious role . . . in worship services, command ceremonies, or other events, if doing so would be in variance with the tenets or practices of their faith.⁹⁷

⁹⁵ US Department of Defense, *Accommodation of Religious Practices Within the Military Services*, Department of Defense Instruction 1300.17 (Washington, DC: US Department of Defense, February 20, 2009, as amended), 2–3.

⁹⁶ US Department of Defense, *Guidance for the Appointment of Chaplains for the Military Departments*, Department of Defense Instruction 1304.28 (Washington, DC: US Department of Defense, June 11, 2004, as amended), 11, my emphasis.

⁹⁷ US Department of the Army, *Religious Support: Army Chaplain Corps Activities*, Army Regulation 165–1 (Washington, DC: US Department of the Army, June 23, 2015), 7–8.

Where soldiers require religious support based on a different faith, the chaplain facilitates support through another chaplain or other resource in accord with the policy: “Chaplains cooperate with each other, without compromising their religious tradition or ecclesiastical endorsement requirements, to ensure the most comprehensive religious support opportunities possible within the unique military environment.”⁹⁸

This legal and policy review has shown remarkable protections for military religious freedom and chaplain service, and for the spiritual realm against civil realm encroachments. What we have not seen is concern for protecting the civil realm against spiritual realm encroachments.⁹⁹ Gone is sixteenth-century Europe, where confessional Lutherans confronted a religious authority threatening a double encroachment: first, of using papal armies against civil authorities toward religious ends and, second, of requiring doctrinal compliance (against the gospel, as the Lutherans saw it) before allowing a military alliance against a common enemy. This significant change in the strategic environment, with the spiritual realm emptied of coercive force, largely explains a constitutional lack of concern for spiritual realm encroachment into the civil realm. But there is more: far from a threat, the Founding Fathers saw religion as a critical reinforcement for morality in the body politic. They expected individuals to live out their faith in the public square and to effect moral ends—not by coercive force, but by moral persuasion.

To Serve or Surrender

The review of US constitutional, legal, and policy protections *for* religious free exercise and *against* civil power infringement into religious matters is encouraging. Military members and their chaplains should be able to serve with integrity and meet Service requirements while living out their faith.

That said, there remain the troubling aspects of a few well-publicized individual free exercise infringements, some reports of pressure on chaplains to compromise their faith in ministering to soldiers, certain same-sex and nascent transgender policy issues, and a military culture that is increasingly wary of religious expression in the public square. Some of these problems can be attributed to aggressive individuals going beyond policy, sometimes on both sides of the equation. Chaplains enjoy robust legal protections for their faith-based ministry, but may experience repercussions if they exercise them. The 2013 Supreme Court overturning of the Defense of Marriage Act means that commands will continue

⁹⁸ US Department of the Army, *Religious Support: Army Chaplain Corps Activities*, 1.

⁹⁹ Only a few voices, such as the MRFF and certain liberal lobbies, have argued that soldiers publicly living out their faith encroach on civil realm authority or neutrality.

to honor the career sacrifices of same-sex military and their spouses, and provide equal marriage benefits. Leaders with a biblical view of marriage will need to find ways to ensure command support without violating their own faith. Plans for integrating transgender individuals into the military will challenge those with biblical concepts of moral identity grounded in the physiological, gendered gifts of God. Citizens will need to engage political representatives to preclude transgender soldiers from sharing open showers irrespective of genitalia. Chaplains will need to press forward with the healing word of the gospel for those who suffer. The problem of an increasingly secularist culture will continue—inside and outside the military—but in the profession of life-and-death ground combat, soldiers generally seek a word of grace over political correctness. Troops have an instinctual connection with the Christ, who shows that greater love has no one than this, than to lay down his life for a friend (John 15:13).

The moral challenges I have highlighted will undoubtedly cause some laity and clergy to say no to military service. That will be as it is and, perhaps, here discretion is the better part of valor. Not all are cut out for military service with its warrior ethos and pluralistic setting. Moral challenges will be present for Christian soldiers and the chaplains who serve them. Indeed, there will be friction wherever the word is brought to bear in the world. The servant is not above the Master (John 15:20). We are baptized into his cross, for our own purification and as the testimony of his body to the world.

But why would we *not* encourage our members to serve as soldiers, and our clergy to serve as chaplains? Our legal protections align well with the Lutheran confessional principles of not mixing the powers of the spiritual and civil realms, and of enabling doctrine and sacramental practice to be kept pure. No one can meet the requirements of the profession of arms better than soldiers with strong faith and fortitude. Christian soldiers are baptized into the righteousness of Christ to stand with firm confidence before God, and to serve with sacrificial love in vocation. Who could be better prepared to meet the demands of justice within the warfighter, the spiritual strife of moral injury, the cost of killing accrued in the conscience, and the historic requirements of battlefield empowerment? And what an honor for the chaplain to walk with those called by God to serve in the valley of the shadow, to bind up their moral and spiritual wounds, to minister the sword of the Spirit and the sacrificial gifts of Christ.

From the warrior perspective, there is only one choice: bring your best to the fight, or surrender the battle to the weaker. If you do not send the best to serve as a

soldier or chaplain, those military positions will of necessity be filled, but by others less spiritually formed for the fight.¹⁰⁰

And if culture or even civil authority extracts a personal cost for such service, we must consider it little compared to the 6,600 of the Theban Legion, or to the countless other Christian soldiers who served in pagan armies to protect neighbor and honor civil authority, fulfilling all military duties up to the point of sacrificing to false gods, which they would not do, for they did not love their lives unto the death (cf. Rev 12:11).

It turns out “moral warrior” is not a contradiction in terms. It is a description of our life in Christ. The epic Epiphany battle hymn applies:

From God the Father, virgin born
To us the only Son came down;
By death the font to consecrate,
The faithful to regenerate.
Lord, once You came to earth's domain
And, we believe, shall come again;
Be with us on the battlefield,
From ev'ry harm Your people shield.¹⁰¹

¹⁰⁰ This is what I call the “Scott Simpson Argument.” Scott E. Simpson is a graduate of the US Military Academy (West Point), an LCMS clergyman, and a US Army chaplain. He currently serves as Theater Security Cooperation Chaplain, US Army Central. The Simpson Argument summarizes the more comprehensive Simpson Rule, composed of three assumptions, the Rule itself, and second and third order effects. The Rule establishes the duty to serve out of love for the neighbor. Clergy must be rigorously educated, pastorally shaped, and physically fit.

¹⁰¹ “From God the Father, Virgin-Born,” in Commission on Worship of The Lutheran Church—Missouri Synod, *Lutheran Service Book* (St. Louis: Concordia Publishing House, 2006), 401:1, 5. The text of this hymn is in the public domain.