

**THE CHAPLAIN. A JOURNAL FOR  
CHAPLAINS SERVING THE ARMED  
FORCES, VETERANS ADMINISTRATION  
AND CIVIL AIR PATROL. VOL.29,  
NO.3, FALL QUARTER, 1972**

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1610-1660

By William J. Hughes

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Army, Navy, Air Force

By John H. Urey,  
Quinn L. Hawley, and  
Robert B. Board

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Chaplain Circumcises Son  
in the Far East

By Victor M. Solomon

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Will the Real Hymnal Please Stand Up?

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The Command Chaplain

By Meredith P. Smith

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VETERANS ADMINISTRATION AND CIVIL AIR PATROL

Vol. 29, No. 3

Fall Quarter, 1972

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## From the Editors

**N**EARLY three thousand civilian clergymen are officially enrolled in the Reserve and National Guard chaplaincies of the Armed Forces. In this issue we recognize these men by presenting three companion essays on the present situation and outlook for the Reserve programs in the Army, Navy and Air Force.

**WE ALSO** are pleased to devote extended space to an annotated feature on the English chaplaincy in the days of Cromwell. Chaplains will be interested to note the early precedents cited by the author for some of the more developed elements and programs of modern chaplaincies.

**IT WAS** gratifying to read the news release issued by the American Baptist Convention concerning the denomination's resumption of ecclesiastical endorsement of chaplain candidates for the United States Navy on June 27. The complete text of the denomination's announcement to its own constituency and to the general public is as follows:

The American Baptist Convention will immediately resume endorsement of Chaplains for the United States Navy. The majority of concerns of the American Baptist Convention have been resolved and a more sensitive working relationship has been established between this denomination and the United States Navy. We are appreciative of the fine spirit and cooperation of the Under-Secretary of the Navy, Mr. Frank Sanders, and of Navy Chief of Chaplains, Admiral Frank Garrett.

They have assured us that the Navy in the future will refer all moral cases to the religious body involved, in concert with established procedures and communications, to avoid repetition of events which ultimately led to the court-martial of Cmdr. Andrew Jensen.

Further, the Jurisdictional question which has not been fully answered is being studied by the parties involved to clarify the meaning of Military Code Section 10 which relates to ecclesiastical endorsement of personnel for the military chaplaincy.



Regarding Chaplain Jensen, we are pleased to announce that these events have taken place:

1. Cmdr. Jensen has secured an excellent assignment. His choice was to enter Princeton Theological Seminary for post-graduate studies. Mr. Jensen's permanent military dossier will not carry reference to the Court-Martial.

2. We have been assured that he will be given every consideration for promotion consistent with established standards among his peers.

3. Because there evidently is no legislation which permits restitution by court action, we are pursuing with several congressmen the possibility of introducing a private bill in Congress.

Significantly, the basic issues of the relationship of the military to the religious institutions are being clarified.

There remains, however, our continued concern for the military judicial process within the armed services. The investigative procedures, in particular, must be scrutinized to rule out possibility of recurrence of the kind of irregularities which we felt in the Jensen case. There, an objective assessment of the evidence secured should have led to dismissal of charges.

The American Baptist Convention expresses gratitude to its colleagues on the ecumenical General Commission on Chaplains and Armed Forces Personnel for their support and continued interest over the past months. A statement will be issued by that body relative to this matter of ecclesiastical endorsement on June 30; we will make that statement available to you at that time.

**WE REPORTED** in our previous issue on the membership and instructions of the Special Commission authorized on March 15 by the General Commission on Chaplains to investigate certain aspects of the Jensen case. As alluded to in the above statement by the American Baptists, the Special Commission completed its study for the General Commission on Chaplains at the end of June. A report by letter was submitted to the General Commission by the Special Commission's chairman on July 5. It reads as follows:

Dear Colleague:

You will recall that at the conclusion of the March Meeting, the General Commission authorized a Special Commission to look closely at certain criticism in the court-martial of Navy Chaplain Andrew F. Jensen. We would like to take this means of giving you a summary of the deliberations and findings of the Special Commission.

In response to the specific instructions from the General Commission and in the light of our findings we recommend that the denominations related to the General Commission continue to grant ecclesiastical endorsement for qualified applicants for the Navy Chaplaincy.

Early in May the Special Commission engaged in helpful and informative discussion with appropriate representatives of the United States Navy and the American Baptist Convention. The concerns of the case were carefully reviewed with both. Chaplain Jensen has received an assignment to Post-Graduate studies at Princeton Seminary. Assurance was given by the Navy that he would not be at a disadvantage in further opportunities for promotion. Restitution of money spent for civilian counsel is a more difficult, unresolved problem which, we understand, his denomination will continue to pursue.

This case has a direct bearing on the long overdue clarification of the definition of ecclesiastical endorsement and the denominational supervisory responsibilities this entails. The General Counsel of the Department of Defense and the Armed Forces Chaplain Board are working on this at present. We expect to have further word on this subject by our October meeting. It is of interest to note that the Military Ordinariate is no longer granting new endorsements for Regular Chaplains in the Armed Forces until such clarification of endorsement has been accomplished.

If you have personal questions concerning the work of the Special Commission, please feel free to be in touch with its members.

Sincerely,

Dr. John M. Crowell  
Bishop H. Ellis Finger, Jr.  
Bishop Clarence E. Hobgood  
Dr. Paul O. Madsen  
Dr. Hugh M. Miller, Chairman

**T**HE UNITED STATES Court of Appeals for the District of Columbia Circuit handed down its long-awaited decision in *Anderson v. Laird*, compulsory chapel attendance case, on June 30.

Chief Judge Bazelon and Circuit Judge Leventhal concurred in reversing the decision of the District Court which had upheld the practice of mandatory chapel attendance at the three military academies. Circuit Judge MacKinnon dissented, holding that the present system of

required chapel attendance for cadets and midshipmen is minimal and permissible exposure to religion for future officers of the Armed Forces.

The opinions by the three judges run to 69 pages, and as a whole they constitute some very helpful commentary on religious liberty and church-state issues in American life.

Judge Leventhal states that "Constitutional doctrine will not support an infringement of religious liberty except on a showing of unquestioned and imperative necessity." And Chief Judge Bazelon observes that, "It is the history of, and the Supreme Court's applications of, the Establishment Clause which makes necessary the holding that no possible showing could validate enforced church attendance."

At this writing there is no indication as to whether the case will go to the United States Supreme Court on a writ of certiorari. In any event, chaplains ought to familiarize themselves with the major arguments in the case and with their implications for religious programs in governmental institutions.

**C**HAPLAINS who have had tours in Vietnam know firsthand the plight of children there. Half of the entire population of 18,000,000 is under 15; there are said to be 700,000 orphans. Chaplains have sparked countless projects on their behalf. They will welcome Senate passage on 17 July of a bill (S. 3390) for "the establishment, expansion, and improvement of day care centers, orphanages, hostels, school feeding programs, health and welfare programs and training related to these . . ." and for easing "the adoption by United States citizens of South Vietnamese children who are orphaned or abandoned . . ." An FY 73 funding of \$5,000,000 is included. Speedy House passage is hoped for. The specified aid is to be furnished "to the maximum extent practicable under the auspices of and by international agencies of U.S. voluntary agencies."

The General Commission publicly supported Senator Williams' original bill (reported in the Summer CHAPLAIN). Mr. Swanson attended the Foreign Relations Committee hearing on it and distributed copies of the May LINK with a lead article, "Nam's Children Need Help."