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MILITARY CHAPLAINCY SERVICE OF UKRAINE: ACHIEVEMENTS, CHALLENGES AND PROSPECTS

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SUMMARY

In the conditions of Russian aggression against Ukraine, the problem of creating a Military Chaplaincy Service in the Armed Forces of Ukraine and the Ministry of Internal Affairs of Ukraine has become urgent. The military chaplaincy service is designed to organize measures to meet the spiritual and religious needs of servicemen and employees of the Armed Forces of Ukraine, the National Guard of Ukraine, other military formations formed in accordance with the laws of Ukraine, the State Border Guard Service of Ukraine and their family members.

Keywords: Armed Forces of Ukraine, Ministry of Internal Affairs of Ukraine, military chaplaincy.

СЛУЖБА ВІЙСЬКОВОГО КАПЕЛАНСТВА УКРАЇНИ: ДОСЯГНЕННЯ, ВИКЛИКИ ТА ПЕРСПЕКТИВИ

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АНОТАЦІЯ

В умовах російської агресії проти України стала актуальною проблема створення Служби військового капеланства в Збройних силах України та Міністерстві внутрішніх справ України. Служба військового капеланства призначена для організації заходів щодо задоволення духовно-релігійних потреб військовослужбовців та працівників Збройних Сил України, Національної гвардії України, інших, утворених відповідно до законів України військових формувань, Державної прикордонної служби України і членів їхніх сімей.

Ключові слова: Збройні сили України, Міністерство внутрішніх справ України, військове капеланство.

The adoption by the Verkhovna Rada of Ukraine on November 30, 2021, of the Law of Ukraine "On the Military Chaplaincy Service" [1], which entered into force on March 19, 2022, was an important historical event in the revival and implementation of the Military Chaplaincy Service in the military and paramilitary units of Ukraine.

In accordance with the transitional provisions of the Law of Ukraine "On the Service of Military Chaplaincy" [2], amendments were made to the Law of Ukraine "On Social and Legal Protection of Military Personnel and Members of Their Families" [3], the Statute of the Internal Service of the Armed Forces of Ukraine (approved by the Law of Ukraine "On the Statute of the Internal Service of the Armed Forces of Ukraine") [4] and the Law of Ukraine "On Military Duty and Military Service" [5] on the implementation and operation of the military chaplaincy service. At the same time, in accordance with paragraph 3 of the transitional provisions of the Law of Ukraine "On the Military Chaplaincy Service" [6], the Cabinet of Ministers of Ukraine is obliged to ensure the adoption of regulations necessary for the implementation of this Law and the approval of regulations by ministries and other central executive bodies with this Law within six months from the date of publication of this Law.

Instead, as of today, the Armed Forces of Ukraine, the State Border Guard Service of Ukraine and the National Guard of Ukraine of the Ministry of Internal Affairs of Ukraine have not coordinated the previously adopted departmental regulations on the Military Chaplaincy Service with the requirements of the Law of Ukraine "On the Military Chaplaincy Service" [7] (in particular, in terms of the Regulations on the Service of Military Clergy (Chaplaincy Service) in the Armed Forces of Ukraine of 14.12.2016 [8], the Regulation on the Service of Military Clergy (Chaplaincy Service) in the State Border Guard Service of Ukraine of 10.10.2016 [9] and the Regulation on the Service of Military Clergy (Chaplaincy Service) in the National Guard of Ukraine of 24.03.2016 [10]).

On September 12, 2022, under No. 641/2022, the President of Ukraine signed a Decree "On Amendments to the Regulations on the Military Service of Citizens of Ukraine in the Armed Forces of Ukraine" [11], which regulated the issue of military service by

military chaplains, taking into account the provisions of the newly adopted Law of Ukraine "On the Military Chaplaincy Service" [12].

In pursuance of the above legislative acts, the Armed Forces of Ukraine, the State Border Guard Service of Ukraine, the National Guard of Ukraine and other military formations formed in accordance with the laws of Ukraine have gradually begun work on the deployment and staffing of the military chaplaincy service: military chaplaincy management centers have been established, changes are being made to staffing tables in terms of opening full-time officer positions of military chaplains and military chaplaincy assistants, and candidates for military chaplaincy positions are being selected.

According to the provisions of Article 4 of the Law of Ukraine "On the Military Chaplaincy Service" [13], the Military Chaplaincy Service is intended to organize measures to meet the spiritual and religious needs of military personnel and employees of the Armed Forces of Ukraine, the National Guard of Ukraine, other military formations formed in accordance with the laws of Ukraine, the State Border Guard Service of Ukraine and members of their families.

The military chaplaincy service is formed as a separate structure within the Armed Forces of Ukraine, the National Guard of Ukraine, other military formations formed in accordance with the laws of Ukraine, the State Border Guard Service of Ukraine, the type of which depends on the scope, nature and complexity of measures to meet spiritual and religious needs in their military command and control body, formation, military unit, military educational institution, institution or organization (hereinafter - military unit). In a military unit at the level of a separate battalion, the functions of the Military Chaplaincy Service may be performed by one military chaplain.

The relevant military chaplaincy services are directly subordinated to the Commander-in-Chief of the Armed Forces of Ukraine, the Commander of the National Guard of Ukraine, the heads of other military formations established in accordance with the laws of Ukraine, and the Head of the State Border Guard Service of Ukraine.

The maximum number of the Military Chaplaincy Service for the Armed Forces of Ukraine, the National Guard of Ukraine, other formations established in accordance with the laws of Ukraine and the State Border Guard Service of Ukraine may not be less than 0.15 percent of the maximum number of the Armed Forces of Ukraine, the National Guard of Ukraine, other military formations established in accordance with the laws of Ukraine and the State Border Guard Service of Ukraine.

The introduction of the Military Chaplaincy Service and the urgency of its deployment in the military and paramilitary formations of Ukraine has become especially important in the context of the large-scale Russian-Ukrainian war of 2014-2023, when Ukrainian servicemen and their families need pastoral care, spiritual and moral support, spiritual and patriotic education, and moral and psychological motivation more than ever. At the same time, we should talk about the implementation of a highly

qualified, responsible, disciplined, highly patriotic and highly spiritual military chaplaincy service with staffing by military chaplains on a full-time basis and with officers holding positions and the separation of the Military Chaplaincy Service into a separate and independent military unit. In fact, we are talking about the need to form a new kind of troops at the national level - the Spiritual Troops of Ukraine.

Along with the positive achievements in the process of implementing the above provisions and tasks defined by the legislation and the urgent needs to establish pastoral care in the military and paramilitary units of Ukraine, we have identified, in our opinion, a number of significant gaps and inconsistencies that can significantly weaken the quality of implementation, deployment and functioning of the Military Chaplaincy Service and slow down the process of its proper establishment in practice.

In our opinion, the following risks to the implementation of a full-fledged military chaplaincy service in Ukraine should be considered:

1. Lack of a national strategy for the vision of the Military Chaplaincy Service as a separate, independent, interagency, centralized and specialized new kind of the Spiritual Forces of Ukraine with self-sufficient and independent functions of management, pastoral, spiritual, educational, counterintelligence and combat tasks, manning, structure, personnel work, education, training and replacement of personnel, development strategy, financing, etc.
2. Management, organizational and personnel division of the Military Chaplaincy Service today between different military and paramilitary units: The Armed Forces of Ukraine (consisting of various branches of the armed forces), the State Border Guard Service of Ukraine and the National Guard of Ukraine of the Ministry of Internal Affairs of Ukraine, which does not contribute to the full, integral and comprehensive functioning of the Military Chaplaincy Service at the national level.
3. Lack of proper legislative support for the introduction of the Military Chaplaincy Service in the paramilitary units of special services, the penitentiary system and the police.
4. The lack of proper legislative regulation of the issue of interaction between the command of military and paramilitary units where the Military Chaplaincy Service is implemented and the management centers of churches and religious organizations, in particular in matters of personnel appointments and replacement of military chaplains.
5. Lack of legislative regulation and good practice regarding the consideration of personnel and qualification requirements for the appointment of military chaplains, in particular, taking into account the status of military and paramilitary units according to their ranks in the military administration system; available degrees of education, academic degrees and academic titles; work experience; duration of pastoral service and stay in the clergy, taking into account the available clergy rank (priest, archpriest, bishop); managerial skills; available civil servant ranks and their correlation with military ranks; available or absent military ranks, etc., not to mention the need to take into account the moral, psychological, ideological and political compliance of candidates for military chaplains when selecting and appointing them.

6. Non-compliance and ignoring by the command of military and paramilitary formations in Ukraine of the provisions of subparagraph 11) of paragraph 1 of Article 1 and paragraphs 2-3 of Article 4 of the Law of Ukraine "On the Military Chaplaincy Service" [14] in the formation of military chaplaincy service management centers (regional, troops, branches of service, etc.) from among the staff officers of the moral and psychological support service and other military units, and not from among military chaplains of the clergy. As a result, the functional and organizational content of the legislative concept and definition of "Military Chaplaincy Service" is a separate structure within the Armed Forces of Ukraine, the National Guard of Ukraine, other military formations formed in accordance with the laws of Ukraine and the State Border Guard Service of Ukraine, consisting of the governing bodies of the Military Chaplaincy Service, military chaplains and established to organize measures to meet the spiritual and religious needs of military personnel, employees and their families in peacetime and wartime"[15].

In our opinion, the most problematic issues and risks that have arisen today in the process of implementing the Military Chaplaincy Service in Ukraine and require urgent regulation and resolution are as follows:

1. The management centers of churches and religious organizations, which are practically excluded from effective recruitment and influence on the appointment of military chaplains directly at the level of military and paramilitary units due to inadequate coordination and interaction, should be more effectively and with guaranteed rights allowed to engage in personnel work on the selection, appointment, dismissal and transfer of military chaplains to vacant positions, as they continue to be spiritually proper clergy of a particular church structure.
2. For some unknown reason, the command staff of the centers of regional management of military and paramilitary units, military units, troops, branches of the Armed Forces of Ukraine, the State Border Guard Service of Ukraine and the National Guard of Ukraine of the Ministry of Internal Affairs of Ukraine, is staffed by career officers, usually former deputy police officers or representatives of the moral and psychological support service, rather than by officers from the mobilized or contingent military. For their part, career military officers who are not clergymen and, accordingly, military chaplains, cannot effectively perform the functions of managing the Military Chaplaincy Service, as they do not have proper education in theology, do not know and do not understand the essence of the pastoral activities of clergymen, and hence military chaplains; often many of them are not believers at all, have no knowledge of the history of the Church and do not understand the peculiarities of church building in Ukraine.
3. The transfer of the management of the Military Chaplaincy Service in the Armed Forces of Ukraine, the State Border Guard Service of Ukraine and the National Guard of Ukraine of the Ministry of Internal Affairs of Ukraine exclusively into the hands of

career офіцерів military personnel, including yesterday's deputy policemen and representatives of the moral and psychological support service and other military units, instead of forming the management of the Military Chaplaincy Service from among the clergy - military chaplains (priests, bishops), will not lead to a high-quality and full-fledged. On the contrary, it will lead to negative consequences and has already led to many cases: actual inhibition of the development of the Military Chaplaincy Service, dilution of its spiritual content, personnel decisions and the creation of conflict situations.

This is, in our opinion, an extremely negative practice today, which contradicts the provisions of subparagraph 11) of paragraph 1 of Article 1 and paragraphs 2-3 of Article 4 of the Law of Ukraine "On the Military Chaplaincy Service" [16] in terms of appointment and staffing of military chaplaincy service management centers (military units, regional military formations, troops, branches of the military, etc.) from among the career officers of former deputy policemen, today's moral and psychological support service and other military units, and not from among the directly mobilized, contractors or employees of military chaplains-priests, is a violation of the requirements of the above provisions of the Law [17], negatively affects the processes of implementation, deployment, proper formation and functioning and the formation of the Military Chaplaincy Service. And this, in turn, does not and will not allow the Military Chaplaincy Service to properly and fully fulfill the high tasks assigned to it by the Law.

Accordingly, the management centers (regional and higher) of the Military Chaplaincy Service in the Armed Forces of Ukraine, the State Border Guard Service of Ukraine and the National Guard of Ukraine of the Ministry of Internal Affairs of Ukraine, and later, subject to створення in the interagency Military Chaplaincy Service of Ukraine, should be headed and formed by representatives of the clergy from among those clergy who are ready to mobilize or enter into contracts for military service as military chaplains (or temporary employees).

The introduced Military Chaplaincy Service should definitely be united into a single, separate, centralized and independent management system, namely a separate state interagency paramilitary Military Chaplaincy Service of Ukraine (as an authorized special paramilitary central executive body), which should be entrusted with the tasks provided for by the Law of Ukraine "On Military Chaplaincy", envisaged by the Law of Ukraine "On the Military Chaplaincy Service" [14], in particular, issues of management, development strategy, recruitment, appointment, transfer, dismissal and maintenance of the reserve, organization of training and advanced training, methodology, pastoral activities and preaching the Word of Truth by military chaplains, assignment of primary, regular and extraordinary military ranks, financing, etc.

The respective Military Chaplaincy Service of Ukraine should be headed by a military chaplain in the spiritual rank of bishop from among the clergy of the Local Orthodox Church of Ukraine (as the historical and more numerous denomination) with the appointment of deputies on a confessional basis from among military chaplains, priests

or bishops, representatives of other churches and religious organizations whose charters are officially registered in Ukraine and which have the right to delegate their clergy to the military chaplaincy service. A similar principle of personnel appointments should be implemented in the appointment of commanders (chiefs, commanders) of regional centers for the management of lower-level military chaplaincy services with the appointment of officers from among military chaplains-priests to the relevant positions.

4. The Military Chaplaincy Service of Ukraine as an independent paramilitary Special Military Service should be directly subordinated to the Supreme Commander-in-Chief of the Armed Forces of Ukraine with the appropriate gradation of subordination of the structural units of the Military Chaplaincy Service of Ukraine to the Commander-in-Chief of the Armed Forces of Ukraine, the Commander of the National Guard of Ukraine, the heads of other military formations established in accordance with the laws of Ukraine, the Head of the State Border Guard Service of Ukraine.
5. The appointment of military chaplains without the creation of a single management, methodological and personnel center for military chaplaincy, at the discretion of hundreds and hundreds of individual commanders and commanders (who have different views, education, spiritual, cultural and moral level, understand or do not understand the basics of faith, church structure and the peculiarities of multid denominational church building in Ukraine, belong or do not belong to a particular religious denomination, etc.
6. Given the fact that military chaplains have not been trained in Ukraine before and an adequate qualitative and quantitative reserve of candidates for military chaplaincy positions has not been created, it would be advisable to introduce a transition period of up to 5-10 years (as vacant military chaplaincy positions are filled), During this period, part-time priests should also have the right to be accepted for the service of military chaplains, with special conditions and not necessarily with existing officer ranks, who should retain the right to simultaneously serve as priests in parishes or bishops in the dioceses they lead.

The need to separate and create an independent interdepartmental Military Chaplaincy Service of Ukraine follows from the content of Article 35 of the Constitution of Ukraine [15], Articles 1-6 of the Law of Ukraine "On the Military Chaplaincy Service" [16] and the political, legal, religious, spiritual, organizational and structural nature of the purpose of the Military Chaplaincy Service.

In the period before the creation of a separate independent interagency Military Chaplaincy Service of Ukraine with a phased decision on its creation, appointment of leadership and structuring, it is advisable to immediately replace the already appointed leaders and other officers from among the already appointed leaders and other officers from the military, moral and psychological support services for military personnel

from among military chaplains (priests and bishops) who have expressed a desire to mobilize or sign contracts for military chaplaincy.

It is clear that the above issues need to be comprehensively studied, discussed and taken into account in order to find the most optimal and correct solution to the problems of proper implementation of the provisions of the Law of Ukraine "On the Military Chaplaincy Service"[17]. The issue of the introduction and development of the Military Chaplaincy Service in Ukraine cannot be postponed until tomorrow, it needs urgent consideration, regulation and ordering.

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