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MAY CLERGY SEEK ELECTIVE OFFICE?

Paul J. Weithman*

INTRODUCTION

For well over a decade, scholars in religious ethics, political philosophy, and the law have been debating the proper role of religion in American public life and political discussion. And for well over a decade, Kent Greenawalt has been among the most important contributors to that debate. His articles and books on the subject combine his religious belief and philosophical acuity with a lawyer's sensitivity to circumstances peculiar to the case at hand. Some contributors to the debate defend morally obligatory restraints on religious political discourse, the general observance of which would require significant changes in existing practice. They do so in the name of liberal democratic theory. Professor Greenawalt has argued in reply that the obligations, which bind citizens of a nation like the United States, cannot be determined by theory alone. He concluded a recent article by writing,

What I am driving at is that cultural factors peculiar to individual societies will largely determine whether constraints of reason will seem required by fairness and stability. These factors will also largely determine what the appropriate constraints are. We should be suspicious of the idea that analysis of the conditions of liberal democracy in general will yield any fairly precise line between constitutional essentials and ordinary issues and will also yield some subtle demarcation of how far comprehensive views can figure in the development of positions based on public reasons.

. . . . .

I believe the subject of public reason needs to be addressed retail, rather than wholesale.¹

I welcome Professor Greenawalt's skepticism about the reach of a political theory which prescinds from details about the societies it ad-

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* Department of Philosophy, University of Notre Dame. I am very grateful to Kent Greenawalt and Mark Murphy for penetrating comments on an earlier draft.

dresses. I, too, doubt that it can arrive at many interesting obligations on citizens in actual liberal democracies by analyzing what he calls the "conditions of liberal democracy in general." This Essay concerns an obligation sometimes said to bind citizens involved in religious ministry: the obligation to refrain from seeking public office. This is an obligation Professor Greenawalt himself endorses. He says "people should choose between being fully active ministers and being public officials or political candidates." I shall refer to this as "Greenawalt's Principle." Professor Greenawalt thinks that the question to which his principle is an answer is one that is best addressed retail rather than wholesale, and so he does not think his principle can be grounded exclusively on the "conditions of liberal democracy in general." Rather, his view seems to be that, while his principle does express an obligation, this can be established only by appealing both to the general conditions of liberal democracy and to facts about the history or politics of a society like the United States. Moreover, he seems to think that other cultural factors can bring about the fact that a given cleric is not bound by the obligation his principle expresses. I agree with Professor Greenawalt that it is necessary to look at facts about the history and politics of a given liberal democracy to determine whether this obligation binds those of its citizens who are members of the clergy. I disagree with him about what is established by taking account of those facts.

Professor Greenawalt does not defend his principle at any length. Even so, it is worth asking what arguments could support the principle since moral restrictions on the political candidacies of clerics have been widely accepted in some form. I believe these restrictions derive their appeal from two intuitions. One is that clerical candidates, if successful, would threaten the separation of church and state. I agree that the separation of church and state is a condition of liberal democracy. I argue, however, that this condition, when conjoined with the relevant empirical claims, implies obligations on only some clergy. The obligations they imply do not include the ones expressed by Greenawalt's Principle. The other intuition is that, because of the power and reputation clerics enjoy, their attempt to secure political office threatens the liberty and equality that ought to characterize democratic processes. Empirical claims about the status of clerics thus promise to ground Greenawalt's Principle if they can be coupled with the right philosophical claims about liberty and equality. Other facts

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2 Id.
4 Greenawalt, supra note 1, at 1317.
about American politics, however, can be exploited to show that the most promising philosophical claims with which to conjoin them cannot ground any obligations at all. I conclude that there is no obligation binding on clergy generally to refrain from seeking elective office.

I

Let me begin with some clarification of Greenawalt's Principle. As I mentioned above, Greenawalt endorses the moral principle:

(G1) People should choose between being fully active ministers and being public officials or political candidates.

I want to examine the grounds of the principle by looking at an equivalent reformulation:

(G2) Citizens who are engaged in fully active ministry should not serve as public officials or run as candidates for political office.

This principle stands in need of some clarification, for it leaves open what "fully active ministry" is and which public offices it forbids fully active ministers to hold.

Even those who find (G2) very plausible may feel more confident applying it to some offices than to others. They may feel fairly certain that ministers should not run for elective office or accept appointment to positions like United States Senate seats that are usually filled by election. They may be far less sure that fully active ministers ought not hold executive and policy positions in regulatory agencies or in government departments concerned with labor relations or the provision of human services. This suggests that (G2) can be given a number of interpretations which seem more or less plausible, depending upon how the phrase "serve as public officials" is read. If my speculations are correct, then taking the phrase in the way that makes (G2) most plausible yields,

(G2.1) Citizens who are engaged in fully active ministry should not hold elective office or run as candidates for political office.

Greek Orthodox bishops who shepherd dioceses, ministers and rabbis who lead congregations, religious brothers whose vocation is full-time high school teaching, and nuns who run soup kitchens, hospitals, and shelters for battered women, all are fully active in religious ministry. Yet our first reaction, I believe, is that these ministries are relevantly different. It is one thing for a Roman Catholic brother engaged in high school teaching to run for school board and quite another for a Roman Catholic bishop to do so. It is one thing for a nun who works full-time in an AIDS hospice to stand for United States
Congress and quite another for the pastor of a large congregation to do the same. How these differences are to be accounted for is less important for the moment than the fact that we recognize them. This recognition bears on the proper interpretation of (G2) and (G2.1). Our reaction to cases suggests that, however we interpret "fully active ministry," these principles must imply that citizens who hold positions in an ecclesiastical hierarchy are engaged in it for the purposes of (G2) and (G2.1). It is less obvious how to capture the other cases. I assume that any denomination whose ministers are affected by these principles is one that conducts communal religious services. I suggest that the relevant differences can be captured by distinguishing those who regularly preach or preside at such services from those who do not but are engaged in other ministries.

My suggestion about how to read the phrase "fully active ministry" yields,

(G2.2) Citizens who hold positions in an ecclesiastical hierarchy or who regularly preach or preside at communal religious services should not hold elective office or run as candidates for political office.

If we call those who regularly preach or preside at communal religious services "active clergy," then (G2.2) is equivalent to

(G2.3) Citizens who hold positions in an ecclesiastical hierarchy or are active members of the clergy should not hold elective office or run as candidates for political office.

On reflection we may, of course, come to believe that the same prohibition applies to citizens engaged in other forms of religious ministry. That does not imply that the grounds of the prohibition are the same in all cases; delving into the grounds of this prohibition may be the first step in unearthing the difference. Even if there are no differences to be uncovered, examining this prohibition may be the best way to bring to light the foundation it shares with one in which we initially have less confidence.

Finally, I want to restrict the scope of the prohibition to the citizens of what might be called "mature democracies." These I understand as multi-party democracies with free elections, written or unwritten constitutions, an established political culture in which the practices of democracy are reasonably well-understood, and a populace sufficiently educated to allow widespread political participation and the free flow of information between government and citizens. This restriction, like the other qualifications of (G2), answers to distinctions I think we are inclined to draw and differences in judgment we are inclined to render. Thus, I believe we think it would be utterly
inappropriate for John Cardinal O'Connor to run for the presidency of the United States or the governorship of New York. On the other hand, even if we think that Jean-Bertrand Aristide should not have run for the presidency of Haiti in the early 1990's, I believe we should feel less confident of the judgment or believe that it rests on different considerations. If this is false, then, as with other qualifications of (G2) so with this, nothing is lost. At worst, the restriction to mature democracies yields a principle examination that will shed light on the grounds for the general moral restriction of which results when qualifications that turn out to be needless are removed. Thus, the moral principle with which I shall be concerned in what follows is,

\[(G2.4) \text{Citizens of mature democracies who hold positions in an ecclesiastical hierarchy or are active members of the clergy should not hold elective office or run as candidates for political office.}\]

Let us see whether this principle is implied by "conditions of liberal democracy in general"\(^5\) or by those conditions conjoined with empirical claims about American politics.

II

Some political philosophers claim that the separation of church and state is a condition of liberal democracy. This is not immediately obvious, however, in part because it is unclear what sort of condition separation might be. What is obvious is that church-state separation is not a sufficient condition. Furthermore, most western European nations have constitutional provisions and political practices which violate any plausible understanding of church-state separation. Denmark, Finland, Greece, the United Kingdom, and Norway have established churches. In Germany, Protestantism, Catholicism, and Judaism are recognized as official religions and receive support funded by a "church tax." In the Netherlands, religious schools receive state support and educate the majority of Dutch children.\(^6\) Yet all these nations are liberal and democratic.\(^7\) Indeed, by some measures,\(^8\) they are more so than the United States, which goes to extravagant lengths to ensure that church and state are separate. So, church-

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5 Id.
8 Uncoerced voter turnout is an example of this.
state separation cannot be a necessary condition of liberal democracy either.

Though I cannot argue the point here, I believe the separation of church and state is best seen as a contributing condition of liberal democracy. Its presence contributes to the liberal democratic character of a society, but its absence does not make liberal democracy impossible. If this is correct and if church-state separation requires that clergy not seek elective office, then it seems that (G2.4) can be established by appealing only to a general condition of liberal democracy. It is hard to see how separation could be violated when clergy run for office. The violation must occur—if at all—when they hold it. If church-state separation justifies (G2.4)'s prohibition on clerics' running for office, the prohibition must be justified by the danger that they will do so successfully.

Does the separation of church and state imply (G2.4), either on its own or in conjunction with empirical claims about particular liberal democracies like the United States? Some scholars have argued that it does. Moreover, the Tennessee Constitution once included a clause barring clergy from holding certain state offices. The ostensible justification for the clause seems to have been church-state separation. Father Robert Drinan, a Jesuit, ran for and won a congressional seat from Massachusetts in 1970. A poll conducted by The Boston Globe in the spring of that year found that thirty percent of the people in his district thought it inappropriate for a priest to run for office. Most non-Catholics who expressed this opinion cited separationist grounds as their reason for holding it.

Suppose that we understand the separation of church and state to apply to ecclesiastical and governmental institutions. Then, it is not clear how separation could imply an obligation on active clergy to comply with (G2.4). It will not do to argue that clerical participation in elective politics threatens the arrangements in which institutional separation consists. Clerics who run for office are not necessarily committed to a confessional state, to the establishment of religion, to

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10 The clause was ruled unconstitutional by the United States Supreme Court in *McDaniel v. Paty*, 435 U.S. 618 (1978).
11 See Thomas M. Gannon, *Reverend Father Congressman*, Am., Nov. 21, 1970, at 424, 425. The same poll found that Catholics were more likely to think Father Drinan's candidacy inappropriate than the general population of the district. Catholics seem not, however, to have cited concerns about church-state separation as their reason for thinking Father Drinan should not have run. See id.
12 See id.
overturning those court decisions that spell out the requirements of institutional separation, or to replacing the judges who made them with appointees who will reverse them. Institutional separation may ground a moral prohibition on the political participation of citizens, including clergy, who are committed to these measures. It cannot ground a prohibition which applies to all, and only, clergy as (G2.4) does.

Nor will it do to argue for (G2.4) on the grounds that liberal democracy requires institutional separation and that clerical participation in politics would be divisive in societies antecedently committed to it. This is because divisiveness is not a brute fact. The resentment, anger, or distrust some would feel at clerics running for office are presumably responses to reasons. We can always ask whether citizens who object to clerics running for office have good reasons to do so and whether those reasons are appropriately connected to institutional separation. If not, then the divisiveness of clerical participation does not provide the right sort of grounds for (G2.4). If so, then citizens are upset at clerical participation in politics because they rightly recognize that clergy ought not participate. In that case, it is not their upset but the underlying reason to which their upset is a response that grounds (G2.4).

The phrase “the separation of church and state” does not refer only to institutional separation. It has become a catch-all term for a wide variety of constitutional, statutory, and customary arrangements between government and religion. If the use of a single term to denote them all is appropriate, then there must be a moral principle or family of moral principles about liberal democracy that provides the underlying rationale for institutional separation and the other arrangements. Perhaps the claim that (G2.4) is implied by church-state separation is shorthand for the claim that (G2.4) is required by these principles.

Suppose one of these principles requires that citizens be able to decide fundamental religious matters free of governmental pressure or coercion. It is surely not the case that all clerical candidacies are contrary to this principle since some clerics could hold office without threatening this freedom at all. It is therefore hard to see how such a principle could provide grounds for (G2.4). However, it could be that church-state separation does not provide citizens the appropriate level of religious freedom unless citizens not only are free to decide these matters, but also know or have good reason to believe that they are free to do so. The principles justifying church-state separation may therefore include a principle requiring that public officials take reasonable steps to ensure that citizens have grounds for this belief. The
defender of (G2.4) might claim that the presence of clerics or members of an ecclesiastical hierarchy in public office undermines the grounds of citizens’ beliefs or provides compelling reasons for believing the opposite.

Surely this is a point at which empirical claims are relevant. As a matter of fact, some clerics probably could hold office without undermining citizens’ belief that government leaves them free to decide religious questions for themselves. At most, there are some clerics or some denominations whose reputations could lead reasonable citizens to believe that violations of (G2.4) would curtail religious freedom. Why not conclude that only these clerics are obligated not to seek elective office? It might be said in reply that (G2.4) expresses a prima facie obligation. In the case of clerics who enjoy their fellow citizens’ trust, the fact of trust blocks the force of the blanket prohibition expressed by (G2.4). But why draw that conclusion? Why not maintain instead that if clerics who are not trusted are indeed obliged—prima or ultima facie—not to run for office, it is the fact that they are distrusted and not their clerical role which imposes this obligation upon them?

Perhaps (G2.4) can be defended by appealing, not to concerns about the freedom to decide fundamental religious matters, but to concerns about adequate political representation. In a representative liberal democracy like the United States, elected representatives must arrive at political decisions on the right basis, and the fact that they do so must be public knowledge. Exactly what is the right basis is difficult to say. The person who defends (G2.4) on separationist grounds need not surmount all the difficulties. She need only say enough to show that clerical office-holders cannot function adequately as representatives and that their inability to do so implies that their holding office violates church-state separation.

At minimum, she might say, adequate representation requires that an office-holder be known to arrive at her position on an important political question only after duly considering the views held by suitably large numbers of her reasonable constituents and by deliberating with other representatives who do the same. But this is something citizens cannot be sure that clerics and ecclesiastical hierarchs will do. Religious organizations regularly take positions on moral, social, and political issues like abortion and assisted suicide. These positions may, in some sense, be religious if they are premised on religious claims. They are not, however, theological positions. Because clerics and hierarchs hold official positions in religious organizations, there is a reasonable presumption that they accept orthodox positions on these non-theological issues. Moreover, because of their roles, clergy
and hierarchs like bishops might reasonably be thought to have special duties of fidelity more demanding than those of ordinary believers. They might be thought under role-specific duties to advance orthodox views in public and to hold them uncompromisingly, perhaps to strengthen their congregants' commitment to orthodoxy. Therefore, citizens may reasonably presume that clerical office-holders will feel duty bound publicly to endorse religiously orthodox positions on important issues, to hold those positions uncompromisingly regardless of what their constituents think and, in this way, to represent their religions while holding public office. Not only does this violate the minimal conditions of adequate representation, but, it might be concluded, it does so in a way that violates principles which support church-state separation.

Given the fidelity with which many politicians support legislation favored by their most generous campaign contributors, caviling at the religious fidelity of the clergy might be dismissed as mere churlishness. On the other hand, the fact that many people came to what is now the United States to be free of the established churches of Europe is salient in our collective memory. The reservations Americans consequently have about according churches political power may make them especially suspicious of legislators' obeisance to religious organizations. This, in turn, may make it especially important to guarantee that adequate representation is not undermined by churches, their clergy, and their high officials and that citizens have reason to believe that this is so. This can best be done if (G2.4) is honored.

It is, however, hard to see how the need for public trust in adequate representation could ground a moral prohibition on all clerical candidacies. Whether a given cleric would in fact be duty bound to give inadequate representation depends upon her denomination. Whether citizens have good reason to believe that a cleric would be an inadequate representative depends upon what they have good reason to believe about her denomination. As a matter of sociological fact, the candidacy of a cleric from a hierarchical church which requires a high level of obedience may well elicit some distrust. For example, the vast majority of those who thought Father Robert Drinan's candidacy threatened the separation of church and state specifically singled out the structure of the Catholic Church as a reason for thinking it would. On the other hand, the candidacy of a preacher in an unaf-

13 See id. at 425.
filiated store-front church or a minister of a denomination with few if any distinctive theological beliefs will probably not engender it.

American citizens often have only fragmentary knowledge of other denominations. Even so, I assume that they typically have enough background knowledge to draw distinctions which are not based on prejudice or that they can learn to do so fairly readily. Moreover, I assume that clerics have some background knowledge about what others know of their denominations and of how their political candidacies would be received. This knowledge could be supplemented in the course of a political campaign. The presence of this mutual background knowledge and citizens' ability to increase and act upon it are among the empirical facts that must be taken into account in evaluating separationist arguments for (G2.4). In light of these facts, a moral prohibition on clergy to refrain from seeking elective office applies, at most, to clergy in some denominations. Conjoining separationist considerations with the relevant empirical claims, therefore, does not yield an argument for (G2.4).

It may not even imply a selective ban on clerical candidacies. It seems at least as plausible that clergy about whom it is reasonable for citizens to have doubts are not required to refrain from running for office but are under a quite different obligation instead. Perhaps they are obligated to try dispelling those doubts by publicly explaining why they can serve as adequate representatives despite their role-specific duties. They might do so by publicly explaining how they understand the separation doctrine and how they intend to honor it, as Catholic layman John Kennedy did so famously when running for the Presidency in 1960. This is exactly what Father Drinan was prepared to do. In suggesting that this is the obligation clerical candidates are under, I again assume the availability of relevant mutual knowledge. I assume, that is, that clerics know roughly what other citizens know of them and their religion and can judge when such public argument is necessary and whether it would have the intended effects. Father Drinan decided that a detailed public argument comparable to John Kennedy's was unnecessary. There is evidence that, as his candidacy progressed, his clerical status ceased to be an issue among those who initially doubted its propriety.

How citizens are obligated to comport themselves in politics depends upon what they know about one another and upon how that knowledge can be supplemented by what goes on in the public forum.

15 See Gannon, supra note 11, at 425.
One of the insights of “deliberative democracy” is that the public forum is not merely a locus of self-interested bargaining.\textsuperscript{16} It is also one in which information is exchanged and prepolitical preferences and beliefs are transformed. An equally important fact less often stressed by deliberative democrats is this: What happens in the public forum often occasions activity and debate in civil society. This can transform citizens’ political views. Thus, I assume that attitudes toward Father Drinan’s candidacy were changed, in part, because of the journalistic coverage they received. In the United States, interactions in civil society provide citizens with some background knowledge about American religion. That background knowledge can be enlarged by debate in and about a well-conducted political campaign. The broadened base of evidence that results could lead citizens to believe that many clergy could represent them adequately. Therefore, facts about the character of that background knowledge and the possibilities inherent in political dialogue broadly construed, when conjoined with the principles underlying the separation doctrine, seem to imply different obligations than the one expressed by (G2.4).

III

Theories of liberal democracy prize both the equality and the freedom of citizens. Contemporary philosophers, following Rawls, often attempt to specify their ideal forms. Let us suppose, controversially, that ideal forms of equality and freedom are both compatible and unique. According citizens the ideal forms of equality and freedom is, these philosophers might say, an ideal condition of liberal democracy: it is a condition a liberal democracy must meet if it is to be ideally liberal and democratic. Is (G2.4) required by the ideal conditions of liberal democracy? Note that ideal conditions of liberal democracy are not necessary conditions. This is because “liberal” and “democratic” are degree concepts. Societies can be more or less liberal, and more or less democratic, as the liberty and equality their citizens enjoy approximate the ideal more or less closely. A society’s failure to realize the ideal does not entail that it is not liberal or democratic at all. Perhaps (G2.4) is required by the ideal conditions of liberal democracy in this sense: its episodic or general violation lessens the degree to which a society realizes the forms of equality and freedom that would characterize an ideal liberal democracy.

If (G2.4) is required by the ideal conditions of liberal democracy, is it therefore required by the “conditions of liberal democracy in gen-

eral”?17 Recall that Greenawalt introduced the phrase, “conditions of liberal democracy in general,” to distinguish his view of public reason from that of Rawls. Rawls, he implies, tries to derive his view of public reason from those conditions. The conditions from which Rawls derives his view are ideal conditions; he argues that when citizens fail to honor the guidelines of public reason, they compromise the forms of mutual trust, respect, and civic friendship that would characterize an ideal liberal democracy. Moreover, Rawls thinks that the guidelines of public reason express moral requirements. So the suggestion that (G2.4) expresses a requirement which follows from the ideal conditions of liberal democracy precisely parallels Rawls’ claim that the guidelines of public reason express moral requirements which follow from the ideal conditions of liberal democracy. That this ideal, rather than necessary or sufficient conditions of liberal democracy, is what Greenawalt means by the phrase “conditions of liberal democracy in general”18 is therefore confirmed by the context in which he introduced the phrase in the first place. The argument that (G2.4) follows from the ideal conditions of liberal democracy is just the sort of argument Greenawalt invited us to consider when he introduced it.

It is not at all clear how moral ideals or ideal conditions can entail or impose moral requirements. Ideals are generally associated with the supererogatory. While it may be good to live up to them, doing so or bringing about their realization is not usually thought a requirement. I shall return to this matter below. For now I will set it aside to discuss whether there is a form of equality or liberty which would characterize an ideal liberal democracy and against which clerical candidacies would offend. I begin with equality.

IV

The equality on which (G2.4) bears is political equality, rather than economic equality or equality of opportunity tout court. One important form of political equality in a representative democracy is what might be called “representative equality,” the equality citizens enjoy when all are properly represented by those they elect. I have already argued that clerical office-holders would not necessarily be unable to represent their constituents adequately. Another important form of political equality is equality with respect to seeking and winning political office. It might be thought that clerics enjoy an advantage in running for office because voters will think them more honest, more likely to commit themselves to the common good rather than

17 Greenawalt, supra note 1, at 1317.
18 Id.
their ambitions, and possessed of a moral expertise that helps them more accurately to determine what they ought to do. Even if opposing candidates could, in principle, convince voters that they had these desirable qualities in equal measure, it might be more difficult for them to convey this than it is for their clerical adversaries. The need to expend campaign resources overcoming the initial disadvantage of running against a cleric itself constitutes an advantage for clerical candidates. Describing professional politicians in Massachusetts who watched Father Drinan’s congressional campaign, one journalist wrote,

After years of handshaking at dreary party affairs, after years of handing out pocket calendars and matchbooks in an effort to get their names before the public, they resented the relative ease with which [Father] Drinan, because of his priesthood, became not only well-known locally, but a national figure as well.\(^{19}\)

Perhaps the fact that clerical candidates enjoy such political advantages in the United States implies (G2.4) when coupled with the right philosophical claims about political equality.

I am not sure that all clerical candidates would enjoy any such advantage, though no doubt some, like Father Drinan, would.\(^{20}\) Even if they would, the advantages they would enjoy with some voters could well be counterbalanced by the disadvantages they would suffer with others. But even if clerics would enjoy a net advantage, any argument for (G2.4) which appeals to this threatens to prove too much. (G2.4) prohibits only active clergy from seeking and holding elective office. The advantages active clerics are said to enjoy would presumably accrue to many inactive clerics as well, especially those who leave active ministry just to run for office. Since someone who leaves active ministry to run will not be seen as having lost the qualities that are supposed to confer an advantage, an argument about clerical advantage threatens to prove that inactive clerics should not seek elective office either. Such an argument also has the odd implication that active clergy may run for office provided they are known to have behaved.

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19 Gannon, \textit{supra} note 11, at 425.

20 According to Gannon,

One voter told a Drinan volunteer that on primary election day he had gone into the polling booth still undecided about whom to vote for and finally settled on [Father] Drinan simply because he was a priest. The volunteer’s interpretation was that “people associate a priest with a real concern about humanity.”

\textit{Id.} Gannon continues by stating, “For the present, however, there seems to be considerable truth in the assertion of one Drinan worker that ‘if [Father] Drinan hadn’t been a priest, his candidacy would never have gotten off the ground.’” \textit{Id.} at 426.
disreputably enough to squander the advantage their station _ex hypo-
thesis_ confers. Rather than dwell on these difficulties, however, I
shall assume in what follows that active clerics do enjoy an advantage.
I want to see if there is a defensible ideal of political equality against
which supposed clerical advantages would offend.

According to the simplest ideal of political equality, an ideal de-
mocracy is one in which every citizen has an equal chance to secure
political office. On this view:

(E1) Ideal political equality is realized only if candidates' chances
of securing elective office are equal.

Understood as a claim about formal political equality, (E1) seems cor-
rect. No sane citizen who is of age, who is not a convicted felon, and
who has not exceeded reasonable term limits ought to face legal barri-
ers to running for political office. Understood as a more substantive
claim about equality, however, (E1) is clearly too strong. We do not
want more and less qualified candidates to have the same chance of
winning elections; the same goes for those who have popular and un-
popular positions on the issues. Furthermore, this view of political
equality has the unwelcome consequence that candidates ought not
campaign for office, since campaigns are conducted precisely to con-
vey the information that is supposed to make some candidates' chances better than others. The only ways to guarantee equality of
the sort (E1) demands would be to have office-holders chosen by lot
or to have voters cast ballots in the absence of the very information
campaigns are supposed to impart. Indeed, the lack of information
would have to extend to the names of the candidates, since the ethnic-
ity of a candidate's name could confer some advantage. The sort of
political equality (E1) requires cannot be the kind we want.

21 John Witherspoon, the only clergyman to sign the Declaration of Indepen-
dence, was once involved in a debate about whether to ban clerics from holding state
office in New Jersey. According to Chief Justice Berger's opinion in _McDaniel_, With-
spoon proposed a satirical amendment to the measure under discussion. The amend-
ment read,

Provided always, and it is the true intent and meaning of this part of the
constitution, that if at any time he shall be completely deprived of the cler-
ical character by those by whom he was invested with it, as by deposition for
cursing and swearing, drunkenness or uncleanness, he shall then be fully
restored to all the privileges of a free citizen; his offense [of being a clergy-
man] shall no more be remembered against him; but he may be chosen
either to the Senate or House of Representatives, and shall be treated with
all the respect due to his brethren, the other members of Assembly.

AND STATE IN THE UNITED STATES_ 624-25 (1950)).
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These difficulties with (E1) only underline what we knew all along, that there are some characteristics of candidates that may, and others that ought not to, affect the outcome of elections, where "outcome" is understood to include the final distribution of votes as well as the winner. Of those that ought not influence the outcome, some should not affect it because, if they did, political equality would be violated. The right account of political equality will provide some way of locating these.

It might be thought that they include all characteristics that are irrelevant to candidates' qualifications for office, so one might think,

(E2) Ideal political equality is realized only if the outcome of elections is not affected by the unequal distribution of characteristics irrelevant to candidates' qualifications for office.

If being a cleric is an irrelevant characteristic which confers an advantage, then clerical candidacies offend against the ideal conditions of political equality expressed by (E2). Why (E2), then, instead of

(E2') Ideal political equality is realized only if the outcomes of elections depend solely upon voters' informed assessments of candidates' qualifications?

(E2') implies that political equality is violated in the case of random voting. Whatever the problems with random voting, they are not problems about political equality, so (E2') must be too strong.

If being a cleric is an accurate indicator that someone has the characteristics of trustworthiness and so on which I mentioned earlier, then being a cleric is not irrelevant since the characteristics of which it is an indicator are not irrelevant. Someone who appeals to (E2) to support (G2.4) might make one or both of two claims in reply. He could maintain that being a cleric is not an accurate indicator that someone has those traits or that she is more likely to have them than are her political opponents. Or he could maintain that the forms of those traits that a cleric possesses are irrelevant to public office. He may well make the latter claim about clerics' moral expertise. The moral knowledge clerics possess \textit{ex hypothesi} does not, he might maintain, confer any insight into the political questions faced by someone in elective office. The problem with this reply is that even if clerics are mistakenly thought to possess the relevant sort of moral expertise by virtue of their occupation, mistakes of this kind do not compromise political equality. Political equality is not compromised when similar mistakes are made—as they surely would be—about candidates who are scoutmasters, social workers, nurses, or actors who have played clerics on television.
The real problem with this argument for (G2.4) lies with (E2), which is too strong. Holding popular views is not obviously a qualification for elective office, yet there is no violation of political equality when an election turns on the unequal distribution of popular views among the candidates. Choosing the candidate whose political views best accord with those of the majority is, after all, the reason for elections. Membership in a political party is not a qualification for office either, yet political equality is not violated when candidates attract votes simply because some members of the electorate want to increase their party's representation in a legislative body. Nor is political equality violated when the outcome of elections is affected by the obviously irrelevant fact that some candidates are more photogenic than others, or have better teeth, or have ethnic last names. These may be bad reasons to vote for someone, but their unsuitability as reasons is not explained by reference to political equality.

The proponent of (G2.4) might reply by distinguishing irrelevant characteristics that confer unfair advantages from those that do not. She might insist, Rawlsian intuitions notwithstanding, that this distinction cuts across the distinction between assets the distributions of which are and are not arbitrary from a moral point of view. Thus, it is not unfair, she might say, that some candidates have to have their teeth straightened or their noses bobbed while others are naturally appealing. On the other hand, she might continue, it is unfair that some candidates have to work hard to win the trust that clerics are given automatically. And so she might look for finer-grained principles of political equality which capture her intuitions about fairness. The principles would, of course, have to distinguish the unfair advantage enjoyed by clerics from the unexceptionable one enjoyed by scoutmasters and nurses. Even if she could find such a principle, however, it is doubtful that it could do the moral work expected of it.

Political equality is arguably compromised by the ease with which celebrities can capitalize on their media exposure to secure public office. Moreover, we live in a society in which many people accord celebrities moral authority and take their political and moral pronouncements very seriously. Since part of the advantage clerical candidates are thought to enjoy is the presumption of moral authority, the threat celebrity candidacies pose to political equality shares an important feature with the threat clerical candidacies are said to pose. But even if political equality is compromised when celebrities can exploit their name recognition and credibility in political campaigns, that does not ground an obligation on them to refrain from seeking elective office. If itgrounds any obligation at all, it grounds one on voters to ignore the glamour of celebrity, reject the specious presump-
tion of moral authority, and cast their ballots for the right reasons. Similarly, if the ideal of political equality implies that the outcomes of elections ought not be affected by the fact that one of the candidates is a cleric, why does that ground an obligation on clerics to refrain from running? Why doesn’t it instead ground an obligation on voters to ignore the fact that some candidate is an active member of the clergy? Thus, claims about political equality are no more capable of grounding (G2.4) than they are of grounding similar prohibitions on professional entertainers like Clint Eastwood and Sonny Bono or former professional athletes like Jim Bunning, Bill Bradley, and Alan Page,\(^\text{22}\) all of whom have successfully sought elective office. Unless we are prepared to endorse the latter, as I presume we are not, we should not endorse the former either.

Note what function is served in this argument by the appeal to prevailing political circumstance. It is not to remedy the weaknesses in an argument that appeals only to an ideal condition of liberal democracy, to blunt the force of a prima facie obligation expressed by (G2.4), to narrow the class to whom the obligation applies, or to suggest a different obligation which applies to them. Rather, the point is that empirical claims show there is no premise about ideal political equality on which to base an argument about who may or may not exploit reputation and moral authority to run for office. This is because a principle about some characteristic which \textit{ex hypothesi} should not affect electoral outcomes seems less plausibly to support an obligation on those possessed of it not to run than one on voters not to take account of it. Whatever its power as a political ideal, political equality cannot ground an argument against clerical candidacies.

V

There is one source of glaring inequality in American politics that I have so far failed to mention: access to money. This might be thought a crucial omission. It might be thought that analysis of how access to money compromises political equality in America would bring to light useful generalizations about how political equality can be compromised, generalizations which would shed light on the problem at hand.

I believe such an analysis would be useful, but not for the reasons this line of thought suggests. This is because the role of money in American politics poses a number of ethical problems, only some of which are related to political equality. One is that money buys the

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\(^{22}\) Or for the trivia buffs, Wilmer “Vinegar Bend” Mizell could be added to this list.
influence needed to procure legislation which protects the monied. This is not objectionable simply because the middle class and the poor lack countervailing influence. It is also objectionable because such protections often unjustly disadvantage those who lack such influence. The availability of influence to the monied is therefore problematic, in part, because it offends against justice. Even the close causal connection between electability and access to money poses problems which are only partly explained by the value of equality. Another important piece of the explanation is that there are some things money ought not to be able to buy, and political authority is among them. As there is something tawdry about the commodification of sexual intimacy, so there is something unseemly about the American commodification of political office.

A defense of this conclusion would have to show that there are non-equalitarian features of financial and political power such that a democracy is morally defective if citizens are able to affect the outcomes of elections by exercising that power. I cannot provide such a defense here. What matters for present purposes is a possibility this line of argument suggests. There may be other kinds of power than financial which are such that a democracy is morally defective if citizens are able to affect the outcomes of elections by exercising them. And it may be that the kind of power held by those with clerical authority is one of them.

What are the features of clerical power that would account for such a defect? And what would the defect be? Perhaps the idea is this: the influence clerics have over those who acknowledge their religious and moral authority compromises autonomy. So those whose votes are influenced by a candidate's clerical status do not act autonomously when they vote. But votes in a democratic election should be cast autonomously. A democratic process in which the outcomes of elections are affected by a candidate's clerical status might, therefore, be thought morally defective because its outcomes are not determined by citizens acting autonomously.

Suppose we understand the second premise of this argument as a claim about ideal elections and the moral defect alleged in the conclusion as a departure from democratic ideals. We then have an argument that elections the outcomes of which are affected by the clerical status of one of the candidates offend against the ideal conditions of liberal democracy. If we suppose that autonomy is one of the forms of freedom appropriate to a liberal democracy, then we have an argument that these elections offend against conditions of an appropriate ideal of freedom. What we do not yet have is an argument that all clerical candidacies offend against these conditions. We would have
that if we supposed that whenever clerics are candidates, their clerical status will affect the outcome of the elections in which they are running. Even if we make that supposition, however, we do not have an argument of the sort for which we are looking. To draw the parallel between clerical and financial power, we were seeking an argument that clerical candidacies offend against the ideal of autonomy because clerics gain political power through their exercise of the power their religious authority confers. To make an argument of this sort, it is not enough to suppose, as I suggested a moment ago, that the clerical status of a candidate will inevitably affect the outcome of an election. We need to make the stronger claim that it will inevitably affect the outcome because the candidate will exercise her religious authority. Finally, to capture the idea that this is what offends against autonomy, we need to alter the first premise. That premise must say that the influence clerics have over those who acknowledge their religious authority compromises autonomy when that influence is due to the cleric’s exercise of religious authority. These changes give us an argument which runs parallel to the one I imagined about financial power. It purports to establish that clerical candidacies offend against the “conditions of liberal democracy in general” by offending against the conditions for realizing an appropriate ideal of freedom.

What is there to be said in favor of the argument that results? If the claim that clerical candidates will always exercise their authority means that they will always explicitly invoke it, then that claim is certainly false. Perhaps the claim should not be interpreted so strongly. Call utterances about campaign issues or about whom to vote for “political utterances.” Then the claim may concern the perlocutionary force of clerical political utterances—that these will be taken as religiously authoritative even when clerical authority is not invoked. Taking the claim this way preserves the parallel between clerical and financial power since it takes the claim as one about the conditions under which clerical power is exercised. Even so, the claim is too strong, since we can readily imagine congregants who distinguish the religious from the moral and political and who think that clerical authority terminates at the outer bounds of the former. We can also imagine those who distinguish the religious and moral from the political and who do not think clerical authority extends to the latter. So perhaps the claim is weaker still—for every clerical candidate, there is someone who will take her political utterances as religiously authoritative. If a voter’s taking them so undermines or compromises his autonomy, then the argument that clerical candidacies violate the ideal

23 Greenawalt, supra note 1, at 1317.
conditions of liberal democracy may go through. Whether this weak claim is true is, of course, an empirical matter; I am prepared to grant it for the sake of argument. Let us see whether there are conditions of liberal democracy that, when conjoined with it, imply (G2.4).

It will not do to reply to the argument from autonomy, as I did to the argument from political equality, that even if the premises are true, they ground an obligation on voters to cast their ballots for the right reasons rather than one on potential candidates to refrain from running. It may be a voter's ability properly to cast her ballot for the right reasons that is said to be compromised by clerical authority. To see this, consider a citizen who thinks she should vote for the candidate with the best positions on the issues, who thinks that a clerical candidate's utterances on the issues are religiously authoritative, who concludes that he has the best positions, and who votes for him as a result. Someone who finds this objectionable may claim that the citizen should vote for the candidate whose policies are best, quite apart from her beliefs about religious authority. But if the religious authority this voter attaches to clerical political utterances really does compromise her autonomy, she is hardly free to disregard it. To see whether it does compromise autonomy, and thus violates an ideal condition of liberal democracy, it is necessary to determine whether there is some ideal of autonomy that clerical candidacies threaten.

The autonomy central to debates in medical ethics is clearly not the issue here. Patients are said to enjoy autonomy of this sort just in cases where their treatment is governed by the uncoerced choices they actually make when their cognitive functioning and access to relevant information surpass some threshold. Those who argue that clerical candidacies compromise citizen autonomy presumably do not mean that anyone is coerced, rendered irrational, or deprived of information by a clerical candidacy, nor do they think that clerical candidates prevent people from acting on their choices. Rather, they think that something is wrong with the choices citizens make when threshold conditions are satisfied. Two other ways of thinking about autonomy promise to explain what that might be. According to one, voluntary actions express autonomy only if the reasons for those actions do not fall into an antecedently specified class. The other specifies a different class of reasons and claims that voluntary actions express autonomy only if the reasons for action do fall into the specified class.

Those who think of autonomy in the first of these ways must explain why actions performed for reasons in the specified class are ipso facto heteronomous. Some philosophers think that actions express autonomy only if they are connected in some way with our capacity for critical reflection on our actions. Actions done for some sorts of rea-
sons are incompatible with the exercise of this capacity and so do not express our autonomy. Applied to someone who votes for a clerical candidate because he regards her political pronouncement as religiously authoritative, the idea would be this: To regard a person as authoritative with respect to some matter is to accord her pronouncements reason-giving force. Some religious believers think that if they are to regard clerics as authorities at all, then they must regard certain clerical pronouncements, including political pronouncements, as ultima facie reasons. But taking the political utterances of a clerical candidate as ultima facie reasons to vote for her or favor her positions is, it might be said, incompatible with arriving at reasons for one's vote on the basis of critical reflection. It is therefore incompatible with autonomous voting.

Taking clerical political pronouncements as ultima facie reasons is compatible with arriving at reasons for voting via critical reflection in the case of votes which are overdetermined. But perhaps we can rule out overdetermination as a real possibility. Some philosophers think that authoritative reasons substitute for other reasons that require an agent to perform the action the authority commends. When the authoritative reasons are ultima facie, it may be said, the substitution effect makes overdetermination impossible by taking the other determining reasons out of play. Of course, determining how exactly this substitution works would require further examination. Suppose an overdetermined action is one for which an agent had sufficient reasons on which he did not act but on which he would have acted in the absence of his actual reasons for action. Then the fact that he did not act on those reasons because others substituted for them is beside the point. Even if overdetermination can be ruled out, however, it is not clear that taking clerical political utterances as ultima facie renders the votes that result heteronomous. The agent may once have made a critically reflective choice to subject himself to religious authority. Why shouldn't the actions he subsequently performs on the basis of religiously authoritative pronouncements express his autonomy precisely because they result from that single critically reflective choice?

Perhaps the connection between an autonomous act and the agent's critical reflection must be tighter. The claim that an act expresses an agent's autonomy only if it actually results from a critically reflective choice is too strong, at least for present purposes. It, to-

25 As opposed to more than one set of reasons which are both sufficient and occurrent.
gether with the claim that ideal autonomy is realized only when all voters cast their votes autonomously, implies,

(A1) Ideal political autonomy is realized only if this outcome of elections is not affected by votes which did not actually follow from voters’ critically reflective choices about whom to vote for.

Since this implies that habitual votes compromise autonomy, it implies that autonomy is compromised when voters cast habitual votes for Democrats and Republicans. I assume that the causal connection between the presence of Democrats on a ballot and habitual Democratic votes is at least as tight as that between the presence of clerical candidates on the ballot and the casting of heteronomous votes for them. I assume as well that the same holds, mutatis mutandis, for Republicans. So if (A1) grounds a restriction on clerical candidacies, it grounds one on Democratic and Republican candidates as well.

Alternatively, it may be said that an act expresses autonomy only if the agent can show how her action could have resulted from critical reflection in which she took account of the relevant reasons. A vote expresses autonomy, on this view, only if the voter can show how she could have arrived at her vote by reflecting critically on the issues at hand. Thus,

(A2) Ideal political autonomy is realized only if the outcomes of elections are not affected by votes which voters are unable to show they could have cast on the basis of informed, critical reflection.

(A2) weakens the conditions of ideal autonomy considerably. Even so, it is not clear that autonomy is compromised when citizens vote for a clerical candidate because she has made what they regard as a religiously authoritative utterance on the issues. Their voting for this reason is not incompatible with their being able to identify reasons the candidate might have had for thinking his position a good one and for explaining how she could have arrived at those reasons for favoring the candidate herself. It may, of course, be that she thinks the cleric has access to knowledge which is beyond her, that she cannot identify good reasons for her vote beyond the cleric’s political utterances, and that this is why she deferred to him in the first place. But if her vote fails to express autonomy, so too do the votes of those who defer to candidates possessed of other sorts of expertise. Suppose some of Daniel Patrick Moynihan’s constituents voted for him because they thought his positions on urban policy the right ones. And suppose they thought so because they believed his pronouncements on urban policy enjoyed an authority grounded on his expertise as an urban sociologist. Even if their votes therefore fail to express their
autonomy, it is surely not the case that Moynihan violated a moral obligation by campaigning for them.

The second way of understanding autonomy begins with the class of reasons which must be acted upon if an action is to express the agent's autonomy. Acting for one of these reasons expresses autonomy because these are reasons that agents give or would give themselves. Thus, votes would express citizens' autonomy only if they are cast for reasons citizens give or would give themselves. Typically, discussions focus on the latter condition. The reasons, it is usually thought, citizens would give themselves are Rawlsian "public reasons," singled out by a public political conception of justice. On this view, a vote expresses a citizen's autonomy only if it is cast for a public reason. Thus,

\[(A3)\] Ideal political autonomy is realized only if the outcomes of elections are not affected by votes that citizens did not cast for public reasons.

Some impose the weaker condition:

\[(A4)\] Ideal political autonomy is realized only if the outcomes of elections are not affected by votes which citizens cannot show they could have cast for public reasons.

Religiously authoritative pronouncements do not, it is said, provide public reasons. Votes cast for clerical candidates solely because their pronouncements are authoritative therefore compromise ideal political autonomy.

I am prepared to grant (A3) and (A4) for the sake of argument and to grant that autonomy so understood is an important good. Even if these claims are true, however, it is unclear how they could be exploited for a sound argument for (G2.4). To see this, suppose that no one votes for a clerical candidate for non-public reasons and suppose this is because no clerics run for office. Still, this state of affairs satisfies only a necessary condition of ideal autonomy. Citizens could vote for candidates for other nonpublic reasons than the religiously authoritative character of their political utterances. They could vote for a candidate because she promises to promote their group's or region's economic interests, because she plays to their racist or xenophobic or class-based insecurities, because she promises to advance their narrow religious agenda, or because she promises to further their nationalist ambitions. Thus, even if compliance with (G2.4) brings it about that one condition of ideal autonomy is satisfied, that ideal could still be compromised by the candidacies of others. The state of contemporary politics gives us good reason to believe that candidates will campaign on the basis of nonpublic reasons and that this
will lead citizens to vote for nonpublic reasons as surely as clerical candidacies would. Given that ideal conditions will be violated anyway, why should clerics refrain from seeking elective office, particularly if their policies have at least as much to recommend them as those of other candidates?

I am not suggesting that clerics disregard an obligation because others are going to do so as well. Instead, I am suggesting that the principles specifying what agents are obligated or permitted to do must be sensitive to the ways in which others will bring it about that conditions are nonideal. Under nonideal conditions, I am suggesting that agents are obligated or permitted to perform actions which respond to the nonideal actions of others. They may be obligated or permitted to perform them even if those actions are not the ones they would perform under ideal conditions. The fact, if it is a fact, that (G2.4) would be honored in ideal conditions does not imply that it expresses an obligation under nonideal ones.

Can (A4) be used to establish that (G2.4) expresses a prima facie obligation, an obligation the force of which is blocked by the nonideal conduct of others? If we are prima facie obligated to refrain from performing acts of some type, then there must be some feature of acts of that type in virtue of which there is a presumption that performing them is wrong. Acts of that type must, that is, have some wrong-making feature. The natural way to employ (A4) to establish that clergy are prima facie obligated not to seek elective office is to claim that it points to the wrong-making feature of their doing so: the fact that their doing so prevents realization of ideal autonomy.

Clerical candidacies, as such, have this wrong-making feature only if they inevitably cause some citizens to cast votes which they cannot show they could have cast for public reasons. Earlier, I assumed for the sake of argument that they do have this effect. But why assume it except for the sake of argument? Surely there is nothing in the nature of clerical candidacies or religious belief that entails it. Denying the assumption does not imply that, when clerical candidacies do not have this effect, the reason-giving force of their wrong-making feature is blocked. Rather, the assumption is necessary to establish that clerical candidacies as such have the relevant wrong-making feature in the first place. On a somewhat more realistic view of the matter, some clerical candidacies have this wrong-making feature, and others do not. But then (A4) has not grounded an argument that (G2.4) expresses a prima facie obligation. At most, it leads to the quite different conclusion that clergy are prima facie obligated to refrain from
seeking elective office on those occasions when their doing so will cause some voters to cast ballots they cannot properly justify. Someone trying to salvage a prima facie prohibition might argue that there are some denominations in which this is especially likely. Clerics of that religion, it might be said, are at least prima facie obligated not to run for office. But on an even more realistic view of the matter, clerical candidacies will have this wrong-making feature only in the absence of remedial conduct by the candidates. Clerics can urge their followers to look closely at the issues and to think for themselves. This, I suggest, is what they are obligated to do when they run; they are not obligated to refrain from running in the first place.

Even if we drop the problematic assumption and concentrate only on cases in which clerical candidacies have this effect, there is a serious difficulty with the claim that (A4) singles out a wrong-making feature. Impeding or failing to promote an ideal state of affairs is not always wrong, even prima facie. For example, it may be that in an ideal university, no professor's teaching would ever cause a student to have erroneous beliefs. It surely does not follow that my use of simplifying heuristics is a wrong-making feature of my teaching, not even when it induces mistaken beliefs in the minds of some of my students. Similarly, it may be that in an ideal liberal democracy, no citizen running for office would ever bring it about that citizens cast votes they cannot justify by appealing to public reasons. It does not follow that bringing this about is a wrong-making feature of clerical candidacies. If that does not follow, then (A4) does not imply that (G2.4) expresses even a prima facie obligation.

The reason it does not is that the obligations of citizenship, like those of the professoriate, are role-specific. The move from claims about what an ideal citizen would do to claims about what actual citizens are obligated to do is not uncommon in contemporary political philosophy. The problem with this move is that an account of the duties associated with a given role cannot simply be read off an account of what ideal incumbents of that role would do. This is not because nonideal conditions obtain in the actual world. If it were, then there would be room to argue that promoting ideals like that expressed by (A4) is a prima facie obligation the binding force of which is blocked by circumstance. Rather, it is because the ethics of

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26 Or perhaps they must refrain when they have good reason to believe this.
27 I am grateful to Phil Quinn, Nicholas Wolterstorff, and various members of the Notre Dame Ethics Group for helpful conversations about the points in this paragraph and the next.
roles and the ethics of ideals are different, albeit overlapping, parts of morality. Their difference casts doubt on the possibility of using the ideal conditions of liberal democracy to establish (G2.4).

VI

I have argued that neither Greenawalt's "conditions of liberal democracy in general,"29 nor those conditions conjoined with historical and political facts about the United States, establish general prohibitions on clergy seeking elective office. I want to close by considering whether there is another argument for (G2.4).

Thomas Aquinas argued on two grounds that it would be morally wrong for clerics and bishops to engage in warfare.30 The great disquietude induced by fighting, he said, poses an impediment to "the contemplation of divine things, praise of God and prayer for the people which belong to the duties of clerics."31 Furthermore, he believed that when Catholic priests say Mass, they reenact the passion in which Christ allowed His own blood to be shed. Aquinas thought that priests should be ready to pour out their own blood for Christ "that they might imitate in deed what they perform in ministry."32 But he maintained that shedding the blood of others in battle would be "incongruous" with reenacting Christ's sacrifice of self and therefore with the defining element of a Catholic priest's ministry.33 Since he thought that no one ought to do what is incongruous with his office, he concluded that clerics may not participate in warfare. Whether the incongruity would be symbolic or the result of defilement of some kind Aquinas does not say. What matters for present purposes is that he thinks the character of a particular religious ritual grounds a requirement on those authorized to perform it to refrain from a certain nonministerial activity: shedding the blood of another in warfare. Aquinas's two lines of argument are highly suggestive. Perhaps considerations of distraction and ritual character could be used to establish that clergy generally ought not perform certain activities, and perhaps those activities include the ones singled out by (G2.4).

The phenomenon of distraction could be exploited to yield the crucial premise in an argument from conflicting duties. Conscientiously discharging the duties of elective office can make extraordi-

29 Greenawalt, supra note 1, at 1317.
30 See THOMAS AQUINAS, SUMMA THEOLOGIAE IIa-IIae, Q. 40, art. 2 (Biblioteca de Autores Christianos, 3d ed. 1962) (written between 1269 and 1272).
31 Id.
32 Id.
33 See id.
nary demands on one's time and attention. Counseling, preparing homilies, and the administration required of most clergy are also extremely time-consuming if done conscientiously. It may be that those who are engaged in the relevant "fully active" ministries are morally obligated not to hold elective office because they would be morally obligated to discharge the responsibilities of their religious and elective offices conscientiously and because doing both simultaneously may be impossible. Furthermore, suppose Aquinas is correct that the duties of the clergy include praise, prayer, and contemplation. These latter three arguably require the habitual direction of attention to God and things spiritual. This orientation of thought may seem incompatible—as a matter of psychological fact—with the demands political office makes on the attention of a conscientious incumbent. Immersion in the quotidian business of public life would arguably distract clerics in politics from the prayer, praise, and contemplation in which they are ex hypothesi required to engage.

One problem with these arguments is that it is not impossible to execute both sets of responsibilities in question. There are many elective offices at the municipal and county levels that are not full-time jobs; in some states, state legislators pursue private careers which they regard as their primary occupations. Furthermore, the argument that a cleric would not have time to serve conscientiously in public office is premised on his commitment to the time-consuming administrative duties of serving a congregation. If it is permissible for a cleric to spend time arranging work schedules, overseeing building maintenance, and attending to finances, these cannot be unduly distracting. But this consequence undercuts the argument that public matters would be unduly distracting, since it is hard to see why mundane affairs of one sort distract unduly from the spiritual life while mundane affairs of the other do not. Still another problem with the distraction arguments is that even the duty to discharge both sets of responsibilities and the impossibility of discharging both simultaneously would not establish (G2.4). The principle forbids clergy to hold or to run for political office. The obligation conscientiously to shoulder the burdens of office is plainly irrelevant to the second half of the prohibition and no comparable obligation applies to campaigning. Indeed, it is morally permissible for candidates to campaign as desultorily as they like. It is, therefore, possible for someone to function conscientiously as a cleric while running for office, provided she takes time away from campaigning when necessary to fulfill her pastoral responsibilities. Doing so would not entail a violation of duty comparable to that committed by half-heartedly fulfilling the demands of office once elected.
Of course, it is thoroughly uninteresting to show that arguments for (G2.4) fail because it is possible for clergy to assume undemanding elective offices and because they can run for them half-heartedly. The prohibition derives its significance from its implications for clergy who would hold governorships, congressional seats, senatorial seats, and the presidency and who would run for public offices with enthusiasm. The question which this prohibition answers is an interesting one only when it is understood as a question about whether clergy may seek important political offices and may do what politicians ordinarily do to secure them. I therefore believe the last paragraph shows merely that arguments for the prohibition should not appeal to the conflicts of duty that result from the requirements of the two roles.

The morality of roles is sometimes discussed as if it consisted only in role-specific duties. In fact, the social practices in which roles are embedded typically provide incentives for incumbents to behave in ways that are not morally required, but that are normally associated with filling those roles. What these incentives are, how they acquire their reason-giving force, and what activities they encourage are all of moral significance. The social practice of politics provides politicians incentives and reasons to campaign vigorously and, in the United States, to spend a great deal of time raising money. These are among the activities normally associated with the politician's role even though incumbents of that role are not morally required to perform them. This suggests another way to argue for the prohibition. Arguments could focus on conflicts between the activities which define the cleric's role on the one hand and the normal activities of politicians and those who hold important political offices on the other. They could appeal to the facts that clerics who enter politics will be provided incentives to engage in the normal, albeit nonobligatory, activities of political life, that the incentives themselves are powerful, that they will ordinarily be thought to act on those incentives, and that those who act on them will engage in activities which distract them from the things with which they ought to be concerned.

An advantage of focusing on activities normally associated with politics is that it suggests how arguments from ritual character could gain some purchase. Recall that for Aquinas the character of a particular religious ritual, the Catholic liturgy, grounds a moral obligation on those authorized to perform it to refrain from a particular non-ministerial activity, shedding the blood of others in battle. Aquinas's argument for the obligation does not appeal to a conflict of duties, for
soldiers are not duty-bound to shed the blood of others.\footnote{To see this, note that no one would think a soldier blameworthy who happened not to shed blood on the battlefield because the opportunity never presented itself.} Rather, it appeals to an incongruity between the ritual character of the activity, authority to perform which defines the role of priesthood, and the activity normally associated with the role of soldier. A parallel argument for the prohibition at issue here would attempt to demonstrate an incongruity between the activities normally associated with holding and running for elective office on the one hand, and the ritual character of activities, the authority to perform activities which define the cleric's role on the other.\footnote{The parallel is not perfect because I am interested exclusively in restrictions on citizens who are fully active in ministry. Aquinas would argue, I believe, that the restrictions on bloodletting in battle bound all priests, whether active or not. I ignore this complication here.}

Framing these arguments would be a formidable task and I will not attempt it here. I want merely to sketch an understanding of the clerical role with which political activity might be thought incongruous. Perhaps the priest's role is partially defined by the activities of authoritatively expounding the word of God, explaining the precepts God wants human beings to obey, and doing so in a ritual setting in which congregants gather for worship. The character of the ritual setting, it might be said, is such that clerics can exercise their moral authority credibly only if they are seen to attach overriding importance to God's laws. This requires that their allegiance to God's law seem uncompromising, that their preeminent concern seem to be with the spiritual welfare of their people, and that they exhibit a purity of intention with which materialism is incompatible. The normal activities of politics might be thought incongruous with the clerical role because the resolution of political problems normally involves significant partisanship and compromise, and because campaign fundraising normally requires an intense concern with money. Neither might be deemed to fit with the concern for all their congregants and with the uncompromising moral integrity, purity of motives, and relative asceticism which clergy must exhibit in virtue of their ritual role.

Note that a sound argument of this kind would do both more and less than the earlier arguments which purported to establish (G2.4). It would do more because it would also show the basis of those intuitive judgments which suggested that clergy are relevantly different from citizens engaged in other religious ministries. It would exhibit the underlying rationale for the move from (G2.1) to (G2.2) and (G2.3), for clergy just are those who are authorized to perform and
preach at a worshipping community’s religious rituals. If it is the character of those rituals that grounds the duty of those performing them not to seek or hold public office, then the relevance of a distinction between those who perform them and those who do not is explained.

But such an argument would also do much less. The arguments for (G2.4) that I considered earlier purport to derive a prohibition on clerical candidacies from claims of liberal democratic theory, perhaps conjoined with publicly available facts about the society in question. Therefore, these arguments promise to establish (G2.4) as a principle that all in society can mutually acknowledge because all could affirm its grounds. Theological arguments of the kind I am now suggesting will inevitably proceed from claims internal to the various religious denominations whose clergy would be bound by the obligation not to seek office. This is because there is no conception of the clerical role that is accepted by all religions on the same theological grounds. If citizens acknowledge that all clergy are bound by this obligation, it is because they recognize that every denomination imposes this requirement on its clergy, each for its own reasons. Thus, (G2.4) would be, not a shared proposition of political morality, but a point at which diverse moral theologies are generally known to overlap.

Such an overlap is extremely unlikely. Some religions may see an incongruity between politics and the demands of the clerical role. Perhaps many do. If these religions can explain how incongruities ground obligations, then they may participate in the overlap. Clerics in these religions may be obligated to refrain from holding or running for elective political office. My own view is that the clergy of my faith play an important symbolic role in the life of the community that is rooted in the ritual character of the sacraments. Their ability to play it credibly would, I believe, be severely compromised if they engaged in or were thought to engage in the activities singled out by (G2.4). I am therefore inclined to agree with those who think that Catholic priests ought not run for or hold elective office in mature democracies. But (G2.4) expresses a moral prohibition on the political activity of any cleric of any religion. Religious pluralism makes it virtually impossible to isolate a set of activities that define the role of clergy generally, to specify their ritual character and draw out the requirements this character imposes on clergy. There are no doubt many religions whose understandings of religious ritual and the requirements of the clergy are quite different from the one I have suggested. If so, then there are many clerics for whom there is no incongruity between their religious roles and running for or holding elective office.