1989

The Problem of Dirty Hands

Leslie C. Griffin

University of Nevada, Las Vegas – William S. Boyd School of Law

Follow this and additional works at: https://scholars.law.unlv.edu/facpub

Part of the Election Law Commons, Law and Philosophy Commons, and the Religion Law Commons

Recommended Citation

https://scholars.law.unlv.edu/facpub/1132

This Article is brought to you by the Scholarly Commons @ UNLV Law, an institutional repository administered by the Wiener-Rogers Law Library at the William S. Boyd School of Law. For more information, please contact david.mcclure@unlv.edu.
THE PROBLEM OF DIRTY HANDS

Leslie Griffin

ABSTRACT

This essay examines what Sartre called the problem of "dirty hands" as it applies to two issues in contemporary Catholic discussions of political morality. Beginning with Michael Walzer's work on dirty hands, the essay next identifies four approaches to this problem characteristic of Christian ethics. These four categories are then applied to analysis of two issues: conflicts of conscience that may confront Catholic politicians as a result of the responsibilities of public office and the church's exclusion of clergy and religious from holding public office.

In his play, Dirty Hands, Jean-Paul Sartre juxtaposes two men with conflicting views of political life. Hoederer, the party's chief, desires power to help him attain his party's goals and will use any available means to attain his ends. The man who plans to assassinate him, Hugo, is sickened by what he perceives as treachery in Hoederer's actions, for Hugo views Hoederer's double-dealing tactics as a compromise of the purity of the party's position. Their discussion throughout Sartre's play is instructive about the nature of political morality, but one statement by Hoederer to Hugo is particularly illuminating:

How you cling to your purity, young man! How afraid you are to soil your hands! All right, stay pure! What good will it do? Why did you join us? Purity is an idea for a yogi or a monk. You intellectuals and bourgeois anarchists use it as a pretext for doing nothing. To do nothing, to remain motionless, arms at your sides, wearing kid gloves. Well, I have dirty hands. Right up to the elbows. I've plunged them in filth and blood.

And he leaves Hugo with the question that continues to plague philosophers, theologians and politicians—the so-called problem of dirty hands—"Do you think you can govern innocently?" (Sartre, 1949:222–25).

While Hugo and Hoederer may not be helpful exemplars of political choice in the current North American context, contemporary discussions about political morality in the United States demonstrate that Hoederer's question remains problematical. For the situations which the politician confronts daily—the deployment of military or police force, or the di-
semination or withholding of information to the public, for example—provoke serious questions about the possibility of moral action by the politician. A further complication is added when politicians subscribe to religious beliefs which influence their moral outlooks and their political choices.

In recent years, the problematical relationship among political, religious and moral commitments has been quite evident in the controversies surrounding certain prominent Roman Catholic politicians. Two major issues have confronted those interested in the relationship between Roman Catholicism and political morality. The first of these involves the consciences of Catholic politicians (like Mario Cuomo and Geraldine Ferraro) who seek to combine Catholic faith with public office. The second of these concerns the exclusion of Roman Catholic clergy (like Robert Drinan) and religious from political office.

My argument in this essay is that contemporary Catholic discussions of these two subjects can profit from a careful analysis of what philosophers and theologians, in response to Sartre’s play, have entitled the “problem of dirty hands.” My focus here will be on discussions of political morality in Christian ethics. In particular, after a brief discussion of Michael Walzer’s work on dirty hands, I will identify four approaches to the problem of dirty hands characteristic of Christian ethics. I will argue that careful reflection on the differences in these approaches can shed some light on current Roman Catholic discussions of the morality of individual politicians and on the exclusion of priests and religious from political office and can provide some clear guidelines for a Roman Catholic political ethic.

MICHAEL WALZER AND THE PROBLEM OF DIRTY HANDS

In his article, “Political Action: The Problem of Dirty Hands,” Michael Walzer (1978) (in response to an ongoing discussion among R. B. Brandt, R. M. Hare, and Thomas Nagel) identifies three possible resolutions of the problem of dirty hands, one of which he supports. As the basis for his interpretation of this problem, Walzer proposes three understandings of rules and moral actions. Walzer rejects the first two as inadequate and supports the third.

The first view of moral rules is that they do not exist. Persons must overcome their personal inhibitions toward certain types of action, but there are no actions which are outlawed. The morality of every action is determined by its circumstances and consequences. The decision-maker can make mistakes, but cannot commit crimes. Walzer rejects this understanding of morality; humans are, he says, situated in a social context in their decision-making, which provides them with rules: “Moral life is a
The Problem of Dirty Hands 33

social phenomenon, and it is constituted at least in part by rules, the knowing of which . . . we share with our fellows” (Walzer, 1978:107).

Walzer parts company as well with those who argue the second position, that moral rules are summary rules, helpful guidelines about past experience, which can be overridden in cases (of one’s own choosing) to which they do not apply. The fact that persons defend themselves when they break the rules, Walzer says, shows that rules have some prior status.

The insistence on this prior status leads Walzer to propose a third understanding of rules, i.e., that when humans break rules they know they have done something wrong, even if their action was the best thing to do under the circumstances. In other words, humans experience guilt. Rules, then, are important, and guilt serves a useful purpose in preventing persons from breaking the rules too easily. Guilt also shows that persons are “good,” in that they regret having to undertake certain actions. Walzer’s belief in rules and in the guilt attached to breaking rules causes him to support the idea of dirty hands (that is, that the politician cannot remain innocent, cannot “keep her hands clean”).

Walzer links his analysis of moral rules to certain philosophical and theological predecessors. He identifies three strands of thinking about the problem of dirty hands: neoclassical, Protestant and Catholic. The first category is represented by Machiavelli. Machiavelli had moral standards, states Walzer, because he recognized that some actions are good and some bad. The goal of Machiavelli’s leader, however, is to “learn how not to be good,” and how to work for the best pragmatic results. Efficiency outweighs morality. The problem with this neoclassical view, according to Walzer, is that the Machiavellian hero has no “inwardness,” that is, no state of anguish or guilt about his behavior. Humans think that such a politician should show signs of guilt, says Walzer.

In Walzer’s second category, represented by Max Weber’s tragic hero, the politician is indeed in anguish. Weber’s politician is a suffering servant who is doomed by his political vocation. He must choose politics over love. He knows that he is damned, that God cannot justify his acts. Nevertheless, he must act as a politician. The problem with this Protestant category, states Walzer, is that Weber’s suffering servant is either a masochist or a hypocrite. His punishment and his guilt remain too individual, too self-inflicted. Walzer thinks citizens want the politician to be responsible to some kind of social punishment; he also believes that we do not want to be governed by a politician who has lost her soul.

Walzer thinks the third category is the most effective of the three in dealing with the problem of dirty hands. The representative of this Catholic position is Albert Camus. Camus’ “just assassins” undertake their crime, but they are prepared to be punished for their actions. Walzer finds this a satisfactory condition for their action, for it requires an appropriate
punishment to fit the crime which has taken place. The Machiavellian has no one to control him; the Weberian has only herself. But in the third model society exists to punish the politician. Once she has undergone the penalty, her hands are clean again. Punishment is enforced to guard politicians against breaking the rules too easily. "They override the rules without ever being certain that they have found the best way to the results they hope to achieve, and we don’t want them to do that too quickly or too often. So it is important that the moral stakes be very high—which is to say, that the rules be rightly valued" (Walzer, 1978:120). 2

Part of Walzer’s acceptance of the concept of dirty hands is based on his belief that political action is different from behavior in the private sector for three reasons. The first of these is that the politician acts in the name of others (the citizens whom she governs) but that she also acts on her own behalf. The tension between these responsibilities makes political decision-making difficult and complex. Second, politicians are subject to the pleasures of ruling. The third characteristic is that politicians have the potential to enforce their decisions and even to use violence, if they so wish.

Illustrative of Walzer’s opinions about political morality is a test case he constructs. Should a politician committed to establishing peace and order use torture to find out the location of bombs planted by a rebel leader? Torture, in Walzer’s view, is the right decision, but “When he ordered the prisoner tortured, he committed a moral crime and he accepted a moral burden. Now he is a guilty man.” But guilt is the only sign “that he is not too good for politics and that he is good enough. Here is the moral politician: it is by his dirty hands that we know him. If he were a moral man and nothing else, his hands would not be dirty; if he were a politician and nothing else, he would pretend that they were clean” (Walzer, 1978:105).

In his suggestive conclusion, Walzer asserts that “we might see to it that fewer lies were told if we contrived to deny power and glory to the greatest liars—except, of course, in the case of those lucky few whose extraordinary achievements make us forget the lies they told” (Walzer, 1978:120).

In a later book, Just and Unjust Wars, Walzer adverts to his earlier treatment of dirty hands when he identifies the “supreme emergency” criteria of his just war theory. Walzer argues (1977:254) that supreme emergencies “bring us under the rule of necessity (and necessity knows no rules).” In supreme emergencies, the decision-maker might be required to override the important principle of non-combatant immunity. But in doing so one must “accept the burdens of criminality” (1977:260), “acknowledge that one has also been forced to kill the innocent” (1977:261), and admit
that this “is a kind of blasphemy against our deepest moral commitments” (1977:263).

In the last chapter of this book, Walzer explores the morality of the men and women—the military and political leaders—who violate non-combatant immunity out of necessity. And Walzer argues—as he did in his dirty hands article—both that we want to have leaders who will do what is necessary and that we cannot ignore the horrors of what they do:

The deliberate killing of the innocent is murder. Sometimes, in conditions of extremity . . . commanders must commit murder or they must order others to commit it. And then they are murderers, though in a good cause. In domestic society, and particularly in the context of revolutionary politics, we say of such people that they have dirty hands. I have argued elsewhere that men and women with dirty hands, though it may be the case that they have acted well and done what their office required, must nonetheless bear a burden of responsibility and guilt. (Walzer, 1977:323)

As an instance of such guilt, Walzer describes the case of Arthur Harris, commander of the British Bomber Command in England in the Second World War, who was not honored by his country after the war. Even though Harris’ bombing was necessary, Walzer agrees that it is important not to offer him public praise or recognition: “a nation fighting a just war, when it is desperate and survival itself is at risk, must use unscrupulous or morally ignorant soldiers; and as soon as their usefulness is past, it must disown them” (1977:325).

Leaders, Walzer argues, cannot ask their citizens to be proud of such tactics. Supreme emergency, then, provides an apt illustration of Michael Walzer’s understanding of the dirty hands of the politician.

While Walzer’s categories present a helpful analysis of the problem of dirty hands and remind us of the importance of the discussion of rules to questions of political morality, it seems to me that his “Protestant” and “Catholic” categories do not fairly represent the theological responses characteristic of Protestantism and Catholicism. Nor are his categories sufficient for Christians struggling with issues of personal conscience and public morality. I think that one can identify four, not two, characteristic approaches to the morality of politicians in the Christian tradition. Each includes a distinctive description of the moral life and of moral norms. I entitle the four positions moral purity, moral anguish, dual morality, and common morality.3

These four positions represent different ways of thinking about the morality of the politician. To illustrate the moral reasoning characteristic of these four approaches, I have chosen certain authors I find representative of these types of argument. At times, in my treatment of these writers,
I have limited my analysis to only one of their works. I recognize that other writings might place an author in a different location, and some writers could be described as representative of more than one category. My aim, however, is not to place authors in models, but to illuminate different arguments, different ideas, or different ways of speaking about the morality of the politician.

Such a project inevitably encounters the limitations of any attempt to link specific authors to specific types of argument. Nonetheless, I do think that the categories themselves can be helpful to a general discussion of the morality of the politician in Christian ethics. And, in particular, in this article I will argue that they shed light on contemporary Roman Catholic discussions about politics and ethics.

**MORAL PURITY**

My first model can be understood as offering primarily a *deontological* approach to ethics. This *deontological* argument rules out certain activities as *inappropriate* for the politician. In doing so, it argues that there is *one* morality available to all Christians, and there is no separate morality applicable to politicians only. This one morality which rules out certain activities for all Christians may be *ineffective or effective*, but it argues that *efficacy* is not what should determine one’s moral choices. To use the terminology of Walzer, the moral purity model argues that one should, as a Christian, keep one’s hands clean.5

The moral reasoning of this category is the type illustrated in Augustine's (1975) prohibition against lying in his treatises “On Lying” and “Against Lying,” (but certainly not demonstrated in all of Augustine’s moral arguments, e.g., on just war). For Augustine, lying is always wrong, no matter what circumstances surround it. Although he admits that there are times when other duties *seem* to overrule the necessity of telling the truth, he refuses to accept the force of these arguments. He stands firm in his belief that lying cannot be permitted. Some lies are more serious than others, but they are all wrong. Augustine would not care if beneficial political activities were aided by the lie, for his concern is for the eternal welfare of the soul of the individual who chooses to lie. For Augustine, no temporal benefit can justify an activity which can, by its very nature, harm one's immortal soul.6

One of the clearest contemporary formulations of this first model's perspective on Christian ethics is found in John Howard Yoder's (1964) espousal of pacifism, of an ethic of non-resistance.7 At the heart of Yoder’s ethic is what one could refer to as a *deontological* model (although he himself would resist that language, or at least say that such language was
not a sufficient description of his position), for it is fundamentally rooted in obedience and in absolute fidelity to Jesus Christ. Followers of Jesus Christ should learn about their ethic by looking to the behavior of Jesus himself; for Christian ethics must “be rooted in revelation, not alone in speculation, nor in a self-interpreting ‘situation’” (Yoder, 1972:239; see also Yoder, 1984:116).

Focusing on this life of Jesus Christ provides Yoder with (at least) an ethic of non-resistance. Yoder establishes a negative norm against violent resistance grounded in the example of Jesus Christ. Jesus faced in his life the temptation of using violent means to bring about political change. But he rejected them, as should his followers. Yoder argues, “If Christ is who the texts say he is, no one gathering around him can affirm a mandate to kill or to oppress” (Yoder, 1984:118; cf. Yoder, 1972:98–100; 1964:44).

Because of his insistence on obedience to Jesus Christ, Yoder rejects a so-called “ethics of responsibility” which argues for greater participation in politics for Christians, including possible use of violence. Such ethics arose in Christianity during the Constantinian era, he argues, and possess two major characteristics. First, they strive for universality; second, they are concerned with consequences or with effectiveness. These dual concerns distort the true Christian ethic, according to Yoder. For in making the ethic applicable to all persons, one loses the specific content of Christian ethics which obligates all Christians to obedience. And, in accepting effectiveness as a goal, Christians allow themselves to compromise with evil, to accept “lesser evils” in a way that Jesus did not. The cross, after all, does not testify to an ethic of efficacy.

This should not lead one to conclude that Yoder concedes that his own ethic is ineffective. Rather, he argues in a number of his writings that his ethic of obedience could be effective. But that is not why Christians choose obedience. They choose it because they wish to be faithful to Jesus Christ.

Two final points merit our attention for the problem of dirty hands. First, Yoder insists (n.d.: 31–33) that his own description of a Christian social ethic (and the sectarian tradition in general) has been caricatured as an ethic of irresponsibility and as one which advocates total withdrawal from society. But Yoder never, in fact, advocates that Christians be totally removed from society or from politics. For example, Christian participation in the nation’s policing forces could be accepted, or some active involvement in the legislative and elective processes, if the legislator could avoid being an “agent of power” (Yoder, 1964:27), could be permitted. But here again, participation is limited—or better bounded—by obedience to Jesus Christ. It is Jesus who provides the model for this type of involvement, for he avoided both extremes of political activity. He neither withdrew from political responsibility nor allied himself with the con-
servative order; he avoided “both quietism and establishment responsibility” (Yoder, 1972:98).

Second, Yoder argues that Christian ethics has focused too narrowly on the morality of the ruler or of the politician; Christian social ethics has become an analysis of what people in power should do. Yoder argues that this is the wrong paradigm for Christian ethics. Christian social ethics should not require us to imagine ourselves in the place of the politician, to envision what she or he should do, and then to vote accordingly. Christian social ethics must not undertake a “What would you do if you were Henry Kissinger?” (Yoder 1984:162; see also Yoder, 1984:138; 1972:157) process. For the place of the Christian is with the oppressed. And so the paradigm for the Christian is to place herself with the powerless and the poor. The Christian ethic should be one not of dominion, but of service and servanthood.

Too much focus on the politician’s dirty or clean hands, therefore, will shift Christian attention from the community and the community’s calling to be ever critical of the state, of political life, and of political institutions.

MORAL ANGUISH

The second response to the dilemma of dirty hands, which I call the “moral anguish” model, differs from the first model in a number of ways. It argues that there are two moralities, one for the private individual and one for the politician (or more precisely, one morality and one immorality). It urges as well that action undertaken in the political arena should be responsible, i.e., effective (and suggests that backers of the first model are irresponsible, so concerned with moral purity that they accomplish nothing). Its approach to ethics in the sphere of politics is consequentialist. To be responsible, the politician must do what is necessary to bring about the best ends, but these actions are frequently immoral. Nonetheless, the politician must undertake these immoral actions, but she is guilty (i.e., her hands are dirty) when she does so. And politicians must be willing to pay the price—whether through internal guilt or external punishment—for these transgressions.  

As Walzer notes, Max Weber’s essay, “Politics as a Vocation,” presents a striking example of the arguments of this category. Weber describes the conflict between the realm of the saint and the realm of the politician, and he contrasts an ethic of ultimate ends with an ethic of responsibility. In the ethic of ultimate ends, Weber believes one is concerned only with the purity of her own morals. Weber supports an ethic of responsibility for the politician, who must choose “morally dubious means or at least dangerous ones,” all the while “facing the possibility or even the probability
of evil ramifications” (Weber, 1958:121). For all those who engage in politics must recognize that they open themselves to the influence of “diabolic forces.”

He who seeks the salvation of the soul, of his own and of others, should not seek it along the avenue of politics, for the quite different tasks of politics can only be solved by violence. The genius or demon of politics lives in an inner tension with the god of love, as well as with the Christian God as expressed by the church. This tension can at any time lead to an irreconcilable conflict (Weber, 1958:126).

Weber commends Machiavelli’s agent who chooses the welfare of his city over the welfare of his own soul. The choice to be immoral in public life is a tragic, but necessary, one, for in making it the individual loses all hope of salvation. Politics is a vocation, but the politician is not called by God. Instead, Weber’s hero chooses his own fate. He chooses politics and turns away from love.11

One theologian whose work illustrates this type of approach to ethics is Dietrich Bonhoeffer—at least the post-Cost of Discipleship Bonhoeffer, the Bonhoeffer of the conspiracy to assassinate Hitler (for a different view of Bonhoeffer’s decision, see Goldberg, 1986:3–4). Bonhoeffer’s focus here is not, strictly speaking, the problem of dirty hands, since he is concerned with the actions of those plotting to overthrow a government rather than with the actions of politicians themselves. Nonetheless, his description of Christian ethics can help us to comprehend the vision of Christian ethics representative of the second model.12

Bonhoeffer centers his ethic on Jesus Christ and on the need for the Christian to listen to the divine command of God through Jesus Christ. But Bonhoeffer does not understand obedience to Jesus Christ as centered in the adherence of the individual to certain moral norms. In fact, the claim of Jesus Christ upon us “comes to us from without” (Bonhoeffer, 1955:218; see also Rasmussen, 1972) and does not allow Christians to set up a system of moral absolutes.

Instead, Bonhoeffer urges Christians to pursue an ethic of responsibility, a responsibility in which humans act in freedom and in which “obligation assumes the form of deputyship and of correspondence with reality” (Bonhoeffer, 1955:227). Responsibility and deputyship mean that Christians cannot think of themselves as isolated individuals, but must be concerned with the well-being of others, as Jesus was. Bonhoeffer also urges (1955:227) that Christian responsibility cannot be “a matter of principle, but it arises with the given situation.” Thus the Christian cannot be concerned with the development of systems of ethics, cannot concern herself with the pursuit of the “absolute good” but with the “relatively better” (Bonhoeffer, 1955:227). Not deontological norms or moral abso-
lutes, therefore, but instead a “contextualist ethic” (see Burtness, 1985, for discussion of this ethic).

While Bonhoeffer allows for certain givens—the existence of the divine mandates, e.g., or the “generally accepted moral principles of the life of the state” which “no statesman can disregard . . . with impunity” (Bonhoeffer, 1955:237)—he also believes that extraordinary situations can arise. These kinds of cases cannot be settled by appeals to law but depend upon the free responsibility of the statesman to settle them—perhaps by breaking the law. For example, Bonhoeffer vehemently rejects Kant’s absolute prohibition against lying, presenting instead a shifting, relative, contextual notion of what truth itself means (Bonhoeffer, 1955:363–72; cf. Burtness, 1985:126–63).

Above all, the free and responsible agent is one who is willing to “accept guilt” (Bonhoeffer, 1955:240), i.e., one who does not worry about “being good,” but focuses on loving the neighbor. As Jesus took the guilt of others upon himself, so must his followers. Bonhoeffer (1955:241) opposes the person who “sets his own personal innocence above his responsibility for men; . . . real innocence shows itself precisely in a man’s entering into the fellowship of guilt for the sake of other men.” This is the attitude Bonhoeffer describes in his Letters and Papers from Prison. In “After Ten Years,” Bonhoeffer warns both against an ethic of duty and an ethic of virtuousness. He opposes an ethic of duty because “no one who confines himself to the limits of duty ever goes so far as to venture . . . to act in the only way that makes it possible to score a direct hit on evil and defeat it.” He opposes as well those who “flee from public altercation into the sanctuary of private virtuousness. But anyone who does this must shut his mouth and his eyes to the injustice around him. Only at the cost of self-deception can he keep himself pure from the contamination arising from responsible action” (Bonhoeffer, 1971:5).

The descriptions of Bonhoeffer’s actions by his biographers and by students of his thought illustrate this understanding of the Christian moral life. For example, Eberhard Bethge describes Bonhoeffer’s rejection of pacifism: continued commitment to pacifism would endanger his co-conspirators, and martyrdom for pacifism was a refusal to be involved with fellow Germans. Bethge argues that Bonhoeffer decided that it was “no longer a matter of keeping one’s reputation clean as a Christian, a pastor and an individual, but of sacrificing everything, even one’s reputation as a Christian” (Bethge, 1975:123). In Larry Rasmussen’s analysis of Letters and Papers from Prison, he states that for Bonhoeffer, “While the man of private virtue refuses to dirty his hands in the public arena, injustice will roll on.” And it is a process of dirtying one’s hands, for “if in the process he becomes a martyr he will not be a saintly martyr but a guilty one” (Rasmussen, 1972:66, 52, my emphasis).

Too much focus on personal obedience to Jesus Christ, therefore, will
shift Christian attention from its responsibility to the world and will allow the continuation of unjust political institutions.

**DUAL MORALITY**

The third model is similar to the second. Yet there are still differences significant enough, I think, to warrant distinguishing between them. The third response to the dilemma of dirty hands, like the second, is primarily consequentialist in its moral reasoning. It asserts as well that the public realm is subject, by its very nature, to moral regulations different from those of the private sphere. Therefore, there are two moralities, one for private life, and one for political life. Moral choice in the public sphere is to be directed toward the pursuit of effective consequences. What distinguishes it from model two is that it fails to emphasize the guilt of the politician because of its emphasis on a second or different morality. The politician's hands are dirty, but she is nonetheless not guilty. Adherents of the third model wonder how the individual can be required to do something for which she will be judged guilty. They ask as well how the individual can be punished, either internally or externally, for something required by life in the political realm.

Walzer's discussion of Machiavelli provides some guidance about the parameters of this category, but also some instructive differences about the limits which prevent this theological category from being strictly Machiavellian. In The Prince and the Discourses, Niccolo Machiavelli rejects the belief that the ruler must obey moral laws. Instead, he teaches that the good ruler is a man of virtu—of strength, courage and cunning. Machiavelli's prince is a ruler who governs with practical efficiency. His goal is not to follow moral rules, but to provide for the best interests of his state. One must be careful to recognize that Machiavelli does not abolish the idea of morality. He still believes in a moral code for the individual, that there are actions which are evil. But he does not believe that the ruler should be good.

...[T]here is such a difference between the way we really live and the way we ought to live that the man who neglects the real to study the ideal will learn how to accomplish his ruin, not his salvation. Any man who tries to be good all the time is bound to come to ruin among the great number who are not good. Hence a prince who wants to keep his post must learn how not to be good, and use that knowledge, or refrain from using it, as necessity requires. (Machiavelli, 1977:44–45, my emphasis)

Machiavelli does not believe that the moral code should be violated by the ruler on a whim or for the sake of cruelty. For Machiavelli, being immoral or cruel does not prove that one is a good ruler. Instead, immoral
actions are tools which the ruler is entitled to use without reproach if efficiency requires them and if good results verify their effectiveness. Machiavelli’s prince is never judged by the morality or immorality of his actions, but by the effectiveness of his results. The shrewd ruler would recognize that frequent cruel actions can jeopardize the stability of his government by undermining his popularity.

Thus, the ruler’s success depends on whether cruelty is used well or badly. Cruelty can be described as well used (if it’s permissible to say good words about something which is evil in itself) when it is performed all at once, for reasons of self-preservation; and when the acts are not repeated after that, but rather are turned as much as possible to the advantage of the subjects. Cruelty is badly used, when it is infrequent at first, but increases with time instead of diminishing. (Machiavelli, 1977:27; see also Shklar, 1984:30–35, for an analysis of Machiavelli, Montaigne and Montesquieu)

What distinguishes Machiavelli from the theological proponents of a dual morality, I think, is the latter’s attempt to place some limits on the sphere of public morality and on the goal of effectiveness. Martin Luther’s writings illustrate in some ways this attempt and point as well to the difference I see between categories two and three. In A Short History of Ethics, Alasdair MacIntyre describes both Luther and Machiavelli as influential figures who contributed to the development of the “realm of secular power as having its own norms and justifications.” MacIntyre (1966:127, 123–24) goes so far as to describe Machiavelli as the “Luther of secular power,” arguing that Luther “bifurcated morality; there are on the one hand the absolutely unquestionable commandments, which are, so far as human reasons and desires are concerned, arbitrary and contextless, and on the other hand, there are the self-justifying rules of the political and economic order.”

Luther does sound “Machiavellian” with his insistence on two moralities, and does sound “Bonhoefferian”; his emphasis on human sinfulness may remind readers of category two. But I think that his acceptance of different standards for the public official and for the individual Christian, and his description of a two kingdoms theory place him in my theological model three. Martin Luther describes the world as divided into two kingdoms, both created by God and both good. One is the secular realm, and one is the spiritual realm. A different rule applies to each kingdom. The spiritual world is ruled by the Sermon on the Mount, while the secular world is ruled by the Mosaic Law. For Luther, the principles of the gospel do not have a social significance. But this does not mean that Christians should avoid participation in the secular world. Luther believes that the state is a necessary component of human life in which Christians must participate. At times, the function of the state requires actions that are not
acceptable to individual morality. The state does not and cannot act out of individual motives of love. For Luther, however, its official activities in pursuit of power can be justified (see Luther, 1961a).

Luther argues (1961b:94), “... [O]ne must distinguish among men. For men can be classified either as public or private individuals.” Public officials have a necessary function to judge and to punish evil men. Their deeds, even the killing of other humans, are justified because the public official acts as God's servant. In contrast, private individuals who desire vengeance must do so through the public representative of God.

And yet, the Christian politician is not left without limits, cannot be left uninfluenced by the claims of individual morality. Luther urges the prince to service of the people, rather than domination. “In such manner should a prince in his heart empty himself of his power and authority and take unto himself the needs of his subjects, dealing with them as though they were his own needs. For this is what Christ did to us; and these are the proper works of Christian love” (Althaus, 1972:122). The importance of the influence of Christian love is evident as well in Luther's insistence on the need for ministers to preach to rulers about the word of God, reminding rulers that they must “subject themselves to the word of God” (Althaus, 1972:147). For “the political office is limited not by the inherent independence of the ecclesiastical office but by the authority of the word of God” (Althaus, 1972:148). And the word of God, once again, always serves to remind the ruler that he should be of service.

A contemporary representative of this model’s separation between private and public spheres of morality is Reinhold Niebuhr, especially the Niebuhr of Moral Man and Immoral Society. In the opening paragraph of the book’s introduction, Niebuhr claims: “... [A] sharp distinction must be drawn between the moral and social behavior of individuals and of social groups ... This distinction justifies and necessitates political policies which a purely individualistic ethic must always find embarrassing” (Niebuhr, 1932:xi). Niebuhr bases his argument on the differences between individuals and groups. Individuals are capable of sacrificing their own interests in order to work unselfishly for the welfare of other people. They can make conscious decisions to proceed altruistically and to control their inclinations to do otherwise. In contrast, individuals working within groups are confronted by the phenomenon of collective egoism. The group, unlike the individual, cannot guide and control its impulses and its selfish desires. The group, in order to reconcile the conflicting interests of the individuals who inhabit it, works for its own interests.

It may be possible, though it is never easy, to establish just relations between individuals within a group purely by moral and rational suasion and accommodation. In intergroup relations this is practically an impossibility. The
relations between groups must therefore always be predominantly political rather than ethical, that is, they will be determined by the proportion of power which each group possesses at least as much as by any rational and moral appraisal of the comparative needs and claims of each group. The coercive factors, in distinction to the more purely moral and rational factors, in political relations can never be sharply differentiated and defined. (Niebuhr, 1932:xxii)

Niebuhr asserts the importance of two separate realms because of his perception of the realities of power. It is power which controls the secular and political world. It is those who have power who are able to abuse the rights of others and to commit injustices. Niebuhr believes that the only way in which this type of power can be thwarted is through the use of power.

Because of the realities of power and of group relationships, the individual who represents the collectivity is also allowed to determine his actions by standards other than those used by the individual in a non-public role. The politician is “the incarnation of a raison d’état” (Niebuhr, 1978:10). Niebuhr provides two criteria for the politician’s moral decision-making. First, do the proposed methods do justice to every human moral capacity? Second, do they take account of human limitations? Niebuhr opposes the idea of moral absolutes in the realm of political action. He considers no social policy, not even the use of violence, as intrinsically evil. Instead, it is the consequences of the action which matter, and which must be carefully weighed and measured.

The realm of politics is a twilight zone where ethical and technical issues meet. A political policy cannot be intrinsically evil if it can be proved to be an efficacious instrument for the achievement of a morally approved end. Neither can it be said to be wholly good merely because it seems to make for ultimately good consequences. Immediate consequences must be weighed against the ultimate consequences . . . whether the ultimate good, which is hoped to be accomplished by this immediate destruction, justifies the sacrifice is a question which depends upon many considerations for its answer. (Niebuhr, 1932:171; see also, on Gandhi, Niebuhr, 1932: 240–56)

Niebuhr insists on a relationship between public and individual morality, although that relationship is frequently ambiguous. At one point, he argues that individual morality must be retained for its important influence on group morality. He claims that the two moralities are not mutually exclusive. The public official needs to have moral insights and to develop a moral outlook on her behavior, and the best source of this outlook is an individual morality. If the individual is to cultivate her own moral discipline while working in groups, some fusion between the two moralities is necessary.
At the same time, however, Niebuhr insists that parts of the two ethics are irreconcilable. The two moralities do have a different focus, and individual morality must at times be disregarded.

From the perspective of society, the highest moral ideal is justice. From the perspective of the individual the highest ideal is unselfishness. Society must strive for justice even if it is forced to use means, such as self-assertion, resistance, coercion and perhaps resentment, which cannot gain the moral sanction of the most sensitive moral spirit. (Niebuhr, 1932:257)

Niebuhr claims that every attempt to transfer individual disinterestedness to group activities has failed. Because of this, a strong sense of religious idealism is not applicable to the realistic world of politics. Religious and political morality can never be equated, and the attempt to harmonize the morality of the two spheres destroys the effectiveness of both.

Whenever religious idealism brings forth its purest fruits and places the strongest check upon selfish desire it results in policies which, from the political perspective, are quite impossible. There is, in other words, no possibility of harmonising the two strategists [sic] designed to bring the strongest inner and the most effective social restraint upon egoistic impulse. It would therefore seem better to accept a frank dualism in morals than to attempt a harmony between the two methods which threatens the effectiveness of both. (Niebuhr, 1932:271, my emphasis)

Thus, although Niebuhr makes an effort to link public and private morality, his overall emphasis is on the dualism of the two worlds.

How does this ethic relate to Christianity, and what prevents it from being entirely a “Machiavellian” ethic? Niebuhr retains, first of all, a concern for the influence of individual morality upon social morality. What is significant for Niebuhr as well is his retention of love as well as justice in his ethic. While all humans can hope to achieve in this world is justice, the importance of love is never denied. Love remains as an “impossible possibility” offering the chance of limitation on certain human actions. What remains frequently unclear in Niebuhr’s writings, of course, is how these bounds are known, and how they are established (see Niebuhr, 1976:232–37).

A passage from Richard Fox’s biography of Reinhold Niebuhr illustrates this difference between the theological model of Martin Luther and Reinhold Niebuhr and the neoclassical model of Michael Walzer. Fox describes Niebuhr’s opposition to the 1962 senate campaign of Edward Kennedy and to John Kennedy’s “sexual capers” while president. Fox argues that Niebuhr was opposed to these activities because

there were firm—if ill-defined—limits to Niebuhr’s realism. The responsible statesman did have to dirty his hands in the pursuit of justice. But without
personal probity a politician lost sight of justice, which was the social correlate of individual fair-dealing. Kennedy’s cynicism was Machiavellian, not Niebuhrian. Niebuhr frequently had to insist that his secular admirers were turning his realism into a world-weary manipulativeness that verged on moral nihilism. (Fox, 1985:277, my emphasis)

When Hans Morgenthau, according to Fox, doubted that “one could be both ‘a successful politician and a good Christian,’ ” Niebuhr corrected him:

The Christian politician was the one who engaged in the statesmanlike compromises that a sinful world demanded, but who relentlessly subjected his actions to the test of the standard of justice. The Christian leader made use of the world’s methods but did not resign himself to the world’s ways. He cultivated an uneasy conscience—not merely a matter of breast-beating but of real self-criticism. His career was a perennial struggle, personal and political, to bring justice to bear in human relations. Politics was therefore not Morgenthau’s realm of “amorality,” but a sphere of “moral ambiguity.” (Fox, 1985:277; see also Frankel, 1978; Olafson, 1973)

Moral ambiguity and a dual morality—and yet not, I think, the moral anguish illustrated in the second category.

**COMMON MORALITY**

My fourth and final category is the common morality position. The fourth model argues that there is one morality for the private citizen and for the politician. It can, like the first model, include a deontological argument that prohibits certain actions as intrinsically evil. Unlike the first model, however, it allows for the possibility of compromise with evil. It admits that there are times in which the public official must undertake seemingly evil actions—killing, punishment, torture, lying, the use of violence—but so must the private individual. It argues that the politician can be both moral and effective, but that there are limits to the goal of efficacy. We have seen that there could be such limits in category three, but the common morality position establishes these limits more precisely. And because this model offers an ethical system which can respond to the moral dilemmas of both the private citizen and the public official, it argues that the politician’s hands can remain clean.

One philosopher who responds explicitly to Walzer’s argument is Alan Donagan, who in his *The Theory of Morality* rejects the concept of dirty hands as inconsistent with “common morality”—“the part of common morality according to the Hebrew-Christian tradition which does not depend on any theistic belief” (Donagan, 1977:29).14 Donagan believes
that if separate moral rules exist for politicians, common morality has
failed, and he argues against “the proposition that the political goods that
matter, liberty, prosperity, and peace, can only be procured by courses of
action which involve grave violations of common morality, if not in the use
of power, then in its acquisition” (Donagan, 1977:184). Donagan rejects as
well a consequentialist approach to the problem. He reminds his readers
that the fact the good has resulted from evil actions does not mean that it
could not also have resulted from good actions. “That good has come
about through crime does not show that it could only have come about
through crime” (Donagan, 1977:185). Donagan also believes that histo-
rians and philosophers have concentrated on the good results of crime
while neglecting all the long-range evil results.

No philosophy of history has produced any evidence worth the name either
that, in the long run, any great political good could only have come about
through barbarous or oppressive means, or that the barbarous and op-
pressive actions without which some political goods would not have come
about have not also brought about compensating evils. (Donagan, 1977:185)

As an example of his reasoning, Donagan argues that the evidence does
not support a conclusion for torture in the case Walzer considers. The
agent must first consider all other available options, such as an intensive
search for the explosives. Even if finally the torture becomes expedient,
Donagan claims that common morality can respond to this situation by
asking if the prisoner satisfies the conditions for immunity to violence.
Common morality can assert that this prisoner has violated his right to
immunity from torture because he has endangered the lives of others. The
morality which responds to private individuals can resolve this case; a
separate public morality is unnecessary. “And so the problem of dirty
hands dissolves. It arises from a twofold sentimentalization: of politics,
imagining it as an arena in which moral heroes take hard (that is, immoral)
decisions for the good of us all; and of common morality, ignoring the
conditions it places on the immunities it proclaims” (Donagan, 1977:189;
see also Howard, 1977; and see Little, 1978, for an argument against
Niebuhr’s two moralities).

In the Christian tradition, an illustration of the arguments of the fourth
model can be found in twentieth century Roman Catholic discussions of
moral theology. Some sense of the argument proposed by this tradition
can be gained from John XXIII’s description of political life in Pacem in
Terris.

The same moral law which governs relations between individual human
beings serves also to regulate the relations of political communities with one
another.
This will be readily understood when one reflects that the individual representatives of political communities cannot put aside their personal dignity while they are acting in the name and interest of their countries; and that they cannot therefore violate the very law of their being, which is the moral law.

It would be absurd, moreover, even to imagine that men could surrender their own human attributes, or be compelled to do so, by the fact of their appointment to public office. On the contrary, they have been given that noble assignment precisely because the wealth of their human endowments has earned them their reputation as outstanding members of the body politic.

Furthermore, authority is a necessary requirement of the moral order in human society. It may not therefore be used against that order; the very instant such an attempt were made, it would cease to be authority.

. . . a fundamental factor of the common good is acknowledgement of the moral order and respect for its prescriptions (Gremillion, 1976:218–19, my emphasis).

In this document, John XXIII does not provide the full argument which explains Roman Catholic understandings of political morality. But it is worth noting that *Pacem in Terris* is heavily dependent upon a natural law method, an approach highly favored in traditional Roman Catholic moral theology.

Among the tools which permit John XXIII to argue as he does, and which persuade the Roman Catholic tradition of moral theology to allow individuals some moral compromise with evil, are two principles central to the tradition, the principle of double effect and the principle of cooperation. What these principles provide, in general, is a way of distinguishing between intrinsic evil (evil which can never be directly done, under any circumstances) and nonmoral or premoral or ontic evil (evil which can be allowed, if certain conditions are met) (for a discussion of these terms, see Curran and McCormick, 1979). The moral argumentation of this category thus allows—as the first category does—for absolute prohibitions in Christian ethics—but it defines them differently, drawing the line in a different place.

While I cannot rehearse at this point all of the arguments about contemporary formulations and reformulations of the principles of double effect and cooperation based on new ways of understanding the concepts of intrinsic evil and proportionate reason, the classical statements of the principles are in themselves still helpful to our problem of dirty hands. What the principle of double effect argues is that sometimes human actions have two effects, one good and one evil. The causation of the evil
effect need not prohibit the moral agent from undertaking that action, providing certain conditions be met:

1. The action, considered by itself and independently of its effects, must not be morally evil.
2. The evil effects must not be the means of producing the good effect.
3. The evil effect is sincerely not intended, but merely tolerated.
4. There must be a proportionate reason for performing the action, in spite of its evil consequences. (Kelly, 1958:13–14)

Closely related to the principle of double effect, and receiving less attention in the discussion of moral principles in contemporary Roman Catholic moral theology, is the principle most pertinent to our discussion, the principle of cooperation. Cooperation means “concurrence with another person in an act that is morally wrong” (Healy, 1956:101). The tradition distinguishes between “formal” and “material” cooperation with evil. Formal cooperation occurs when one

1. acts with another in performing an external act that is morally wrong in itself, or
2. performs a morally indifferent act, but does so with the intention of helping another in a morally wrong action, and with the approval of the other’s action. (Healy, 1956:102)

One could never, of course, undertake an action that was intrinsically evil.

On the other hand, material cooperation is “that in which, without approving another’s wrongdoing, one helps him perform his evil action by an act which is not of its nature morally wrong” (Healy, 1956:103); it is “concurrence in the external action of another but not in the evil intention with which it is done” (Slater, 1908:203). Material cooperation is permitted when one has a proportionate reason for so acting. For example, one could cooperate in a burglary, if the robber holds a gun to her head. The reason for this is that “charity does not impose an obligation when the cost or burden is out of proportion to the good that will result” (Healy, 1942:45); “charity does not bind with grave inconvenience” (Connell, 1953:93).

Decisions about whether an action is permitted, once it is defined as material rather than formal cooperation, depend upon the discernment of what “proportionate reason” means. The discussion of material cooperation establishes criteria which could help one to decide if the cooperation were permitted. For example, it matters if the individual’s action would be very proximate, less proximate, or remote relative to the evil deed. If the first, only very grave reasons would allow for cooperation; if the second,
grave reasons would suffice; if the third, slight reasons would be sufficient. The analysis is affected as well by the responsibilities accorded to one’s station in life.

This division of levels of cooperation and the difficulty of discerning which actions fell into which categories led Henry Davis to observe (1946:342), “Great varieties of opinion therefore, on any given case except the most obvious, are inevitable, and there is no more difficult question than this in the whole range of Moral Theology.”

Most of the explication of the meaning of formal and material cooperation occurs in case analysis; the conditions of cooperation are usually illustrated with examples. Many of these center on medical ethical questions of cooperation with “evil” procedures and employees’ participation in actions commanded by an employer (usually the servant commanded to undertake an “evil” action). But a number of the manuals do note that, in the political sphere, Catholic public officials could cooperate in the enforcement of unjust laws, or could compromise with opponents in indiferent political matters, to bring about a good election or a good law. It is the principle of cooperation which helps explain, for example, “how a legislator can vote for a law which Catholic ethics might consider permissive of an immoral action; how public authorities can execute such a law” (Dailey, 1970: 165). In undertaking these actions, guided by formal and material cooperation, of course, politicians are always acting morally, with clean hands.

Elements for such a “clean hands” approach to political morality can be found as well in the writings of the Catholic whose reflections on the United States political system so greatly influenced Roman Catholic political theory. John Courtney Murray, too, depends on the natural law approach favored by Donagan, John XXIII, and the Roman Catholic tradition of moral theology, proclaiming indeed the “eternal return of natural law” (Murray, 1960:295).

In an essay on morality and foreign policy, Murray argues that the problem with discussions about a moral foreign policy is that there is no agreement about what morality is. Murray rejects two theories of morality which he sees as characteristic of the American (and Protestant) debate and which are reminiscent of the models discussed above. The older morality was voluntarist, scriptural, individualistic, subjectivist, it offered absolute precepts and was based on a morality of intention. Its promotion of “Christian perfection as a social standard,” Murray argues (1960:277), left it with “no resources for discriminating moral judgment” on political questions. The new morality which has replaced and rejected it is situational, pragmatist, consequentialist; above all it sees moral life as ambiguous; it “teaches that to act is to sin, to accept responsibility is to incur guilt” (Murray, 1960:277–78).
Both moralities, according to Murray, pose three problems. First, they allow for a gulf between individual and collective morality. Second, they recognize that nations act out of self-interest, but condemn self-interest as immoral. Third (and most important for the problem of dirty hands), neither morality deals effectively with power.

For Murray, the problem with American moral thought is that it views power as evil. Because of this, Americans have not wanted to make use of instruments of power (their “hands,” for Murray). They have wanted to act with “clean” hands, but actually with no hands, since if power is always evil, any use of it involves the nation in guilt.

We have never wanted to have such hands, much less to get them dirty by handling any history save our own. . . . Now we have become suddenly conscious of our hands—that they are sinewy beyond comparison; that they are sunk in the affairs of the world; that they are getting dirty beyond the wrists.

At least we feel them to be dirty, and the feeling is one of guilt (Murray, 1960:281).

Possibilities for a morality of power are further weakened by those who argue that “to refuse to use power is to be ‘irresponsible,’ and therefore to be more guilty yet” (Murray, 1960:282).

Murray rejects this moral language. He employs the analogy of a surgeon (an interesting choice, given the Roman Catholic tradition's heavy emphasis on medical questions to describe formal and material cooperation) to make his point. In the midst of surgery, a surgeon does not speak of paradox, irony, dilemma, or above all, of ambiguity, even if aspects of the surgery could be viewed as such. Instead, Murray argues that “complicated situations, surgical or moral, are merely complicated. It is for the statesman, as for the surgeon, to master the complications and minister as best he can to the health of the body, politic or physical” (Murray, 1960:284).

Murray rejects, therefore, the language of ambiguity, turning instead to the natural law tradition, the “tradition of reason” (Murray, 1960:285). That tradition can span the gap between individual and collective morality; it can evaluate self-interest (in certain forms) as morally appropriate; and it can discern moral uses of power. It does so by teleological reasoning which distinguishes between force and violence, for “force is morally neutral in itself” (Murray, 1960:288). Murray admits (1960:288) that the “casuistry is endlessly difficult,” but the tradition of reason can nonetheless resolve such problems.

Clean hands are possible in the fourth category, therefore, for guilt does not attach to persons who undertake actions with proportionate reason, which permit some evil but which are not evil in themselves.
What are the implications of the existence of these models for Christian ethics, and specifically for the contemporary discussion of political morality in Roman Catholic moral theology? The most obvious point to make about them is that they remind us of the significant differences in ethical arguments proposed by different Christian writers and serve again to highlight the difficulty of finding points of agreement in Christian ethics. While some Christians hope that common ground in Christian ethics can be found in ethical practice, if not in ethical theory, the categories of response to the problem of dirty hands do not provide immediate hope of agreement in the sphere of action, for they differ not only in method, but in conclusions on substantive issues. The most striking of these, of course, is the contrast between the first model's absolute prohibition of violence and the allowance of violence by the other three. But even in their joint acceptance of the use of violence, the differences among the last three models could still result in different practices. To Niebuhr, for example (as for Walzer) it matters if the politician possesses some kind of "inwardness," some type of personal morality—some commitment to the impossible ideal of love. For that might provide some restriction on her actions as a public official, restrictions which the second category might not provide. Again, recent debates among American Catholics about the morality of deterrence policy and of first use of nuclear weapons demonstrate that a stance which ultimately offers an absolute prohibition—against direct killing of the innocent—may differ significantly from an ethic which is primarily consequentialist in approach.

Let me step back for a moment from these broader questions about Christian ethics to a more specific discussion of the implications of these models for Roman Catholic political morality. It seems to me, for example, that Roman Catholic politicians reckoning with abortion (the political issue receiving the most sustained debate in recent years by Roman Catholic politicians), but also with nuclear policy and questions of economic justice, need to reflect seriously on the distinctions between the moral anguish and common morality positions, and between the dual morality and the common morality positions. The common morality model rejects arguments that there is a split between private and public morality, that the politician is obliged by her office to do something immoral; in other words, it rejects the concept of dirty hands. It is difficult from within that position, therefore, to countenance language by Catholic politicians which suggests that their personal convictions contradict their public positions. Nor is it helpful when such politicians use language suggesting that they are obligated by their professional lives to undertake immoral actions which their personal consciences abhor (e.g., Cuomo, 1984; see

The common morality position, however, does not obligate politicians to vote for legislation with which they disagree, even on these difficult issues. Part of that is due to the fact that politicians need to exercise “prudential judgment” as legislators, a point well made by Mario Cuomo and others. But part of that “prudential judgment” requires a more detailed analysis of the classical principle of cooperation with evil. Part of the argument of that principle, of course, is the reminder that politicians are not necessarily guilty when they vote for a law with which they disagree. Backing that principle as well is an argument that both public and private individuals undertake processes of prudential judgment when they confront difficult problems in personal as well as professional life. The principles of cooperation and double effect are accessible to private individuals as well as public representatives, and thus there cannot be two moralities.

How can further reflection on cooperation with evil aid current discussions of political morality? First, for example, a major stumbling block in using the principle of cooperation to allow for votes supporting funding of abortion appears to be that direct abortion is defined as intrinsically evil. (In 1959, a different issue provoked a similar concern, when a Catholic moral theologian asked what type of cooperation would be involved if a Catholic president signed laws permitting contraceptive programs; see Connery, 1959:353–54.) But there is at present a great deal of questioning of the concept of intrinsic evil by Christian ethicists. That debate needs to be reflected in contemporary discussions and definitions of the difference between formal and material cooperation with evil.

Second, for example, when the moral manuals present cases of material cooperation with evil (usually the nurse participating in a surgical procedure), they frequently suggest the need for the person to express some disapproval of the action being undertaken, even if she does eventually cooperate with the procedure. Here the “I’m personally opposed to abortion but” language of a number of Catholic politicians could be subject to a more positive interpretation. That is, such language might not be illustrative of a dual morality, but might express the fact that certain political actions are undertaken as forms of material cooperation. Here also can be valued the conviction of some Catholic politicians (even those who vote for abortion funding) that they should work to remove the social conditions which make unwanted pregnancy possible and abortion desirable. There is a positive moral interpretation, therefore, which can be placed on the language of personal opposition to the evils with which one is allowed to cooperate.

However, if thoughtful Catholic politicians do continue to find in their experience that their private and public consciences contradict one an-
other, it may be that the “common morality” position so defended by Donagan and Murray, and so basic to the Roman Catholic tradition of moral theology, may not correspond to the reality of the public official’s life. If common morality—the natural law approach—fails, then Roman Catholics face a profound question about their understanding of Christian ethics. They would need to ask themselves: do we need to remain moral, to keep our private consciences intact, by accepting the arguments of model one about political involvement? Or should we move to affirm the reality of what Dietrich Bonhoeffer or Reinhold Niebuhr stated about political life? The move toward another model could result not only in a new attitude toward Christian political morality but in different political practices as well. Ethicists need to learn at this point from the moral experience of politicians themselves.

There is a second topic in contemporary Roman Catholic political ethics for which these categories possess interesting implications. That is, there are members of the Roman Catholic community who are prohibited from becoming politicians, namely, priests and members of religious communities. There are many reasons for this, and I cannot do full justice to the arguments surrounding this exclusion here. But the prohibition is interesting in relationship to the models which I have sketched. It would be easy, for example, to understand why priests and religious should not participate in the political life according to models two and three, for politics is a “dirty” business to the Niebuhrs and the Bonhoeffers of the tradition. On the fourth model, priests and members of religious communities might need to cooperate with evil but could remain moral agents in their cooperation. However, even this is not permitted to them; they are regulated instead, it seems, by the framework of the first model. This is not surprising, since there is in the Catholic tradition a history of talking about two moralities, or at least two different callings in life, one of them guided by the counsels of perfection. There is precedent, for example, in thinking about the clerical life as sectarian within a church tradition. But that precedent should force Catholics to ask themselves how the perspectives of models one and four can be held together, with consistency. It should lead them to consider anew—and with serious attention—the claims of model one about political morality.

We should remember, however, that while there are variations within the sectarian model itself, in theory it can allow for some participation in the political realm, if that participation can be regulated by the demands of obedience to Jesus Christ. What needs to be made clearer are the reasons why that level of participation should differ for clergy and for laity, since in Catholicism all participation in the political realm must be guided by fidelity to moral principles.

There may be all kinds of legitimate reasons for the exclusion of priests
and members of religious communities from elective political office, reasons which we cannot examine here. There could be, for example, very practical reasons based on the shortage of priests and religious and the need to confine their activity to ecclesiastical functions. There are as well arguments from the counsels of perfection, arguments about the holiness of the lifestyle of priests and religious, or about the spiritual witness which they offer to church and world. Questions of competence and of church unity are significant as well.

But the various answers to the problem of dirty hands, I think, force Catholics to be more precise about the morality of clergy and religious. What is it about the morality of religious life and of political life which brings the two into conflict? Does participation in political life, for example, violate the counsels of perfection? Is there a conflict between the duties of holiness and the duties of morality? Can one perhaps be a moral politician, but not a holy one? And if so, was Max Weber right to contrast the politician and the saint? If there are, in fact, two moralities within Catholic political ethics, what does that say about the validity of a natural law foundation for Christian ethics?

At the heart of the Catholic tradition is an argument that persons in general—and politicians specifically—should not dirty their hands. But the contemporary descriptions by Catholic politicians of their political activity, and the exclusion of certain Catholics from elective political office, demonstrate that other models of analysis—models from other segments of the Christian tradition—are present in their arguments as well. Further clarity, therefore, about the morality of politics, and about the relationship between holiness and morality, is necessary before Catholics, in union with other Christians and with philosophers and politicians in general, can answer the question, “Can politicians be moral?”

NOTES

1. Walzer (1978), Nagel (1972), Brandt (1972), and Hare (1972) discuss whether or not a person could face a situation in which she must choose between two courses of action, both of which are wrong. That same question is implicit in the discussion of my categories. For further treatment of this “conflict of duties” question, see Kant, 1964; Gowans, 1987.

2. Walzer’s concern is similar to Bernard Williams’ discussion of reluctance among politicians. Sometimes politicians must undertake actions that are morally disagreeable, but Williams argues that “. . . only those who are reluctant or disinclined to do the morally disagreeable when it is really necessary have much chance of not doing it when it is not necessary” (1978:64).

3. For an informative philosophical analysis of attitudes toward politics which differs from Walzer’s, see Langan, 1985:127:48.
It is important to note that Walzer et al.’s discussion of political morality is dependent on their assessment of moral rules. Christian ethicists discussing political morality should pay attention to the debate about rules and Christian love provoked by Fletcher, 1966, and discussed in, e.g., Ramsey, 1967, and Outka, 1972. One could attempt to link my own categories with those of pure-act agapism, summary rule agapism, pure rule agapism, and combinations of rule and act agapism. There are, e.g., some similarities between moral purity and pure rule; moral anguish and pure act; dual morality and summary rule; and common morality and combination. It would not be helpful, I think, to try to push the two categories together, and an attempt to do so would only confirm the weakness of typologies. What is important is to recognize that some understanding of the status of moral norms is central to each category.

4. While some persons, including Hoederer, use the term “moral purity” in a pejorative sense, it should not be so interpreted here. The same caution applies to the use of the word “sectarian” to describe this position; “sectarian,” as John Howard Yoder rightly notes, should be interpreted in its “non-pejorative technical sense” (1984:6).

5. The image of clean and dirty hands is a problematical one for the Christian discussion of political morality. The acceptance of some degree of human sinfulness in all four models makes it inexact to speak of totally “clean” hands. While it would be interesting to note the relationship between conceptions of sinfulness and the morality proposed in each of these models, I will not be able to focus on that topic in this article. And I will continue to employ the clean/dirty hands, using it to express not the sinfulness which attaches to human actions, but the moral guilt which attaches to the agent undertaking the activity. Gustafson, (1978), provides a helpful analysis of the different attitudes toward sin which characterize the Christian tradition. He demonstrates as well how the Roman Catholic tradition, even with a concept of sinfulness, can allow for 1) moral guilt and moral innocence; and 2) the possibility of a morally good choice, even when the agent is confronted with her sinfulness (1978:7–10). The existence of differences of opinion among Christians about the relationship of sinfulness and moral guilt is crucial to my categories.

6. The same absolute prohibition against lying is offered by Immanuel Kant, who, in a now infamous example, affirms that persons should not lie, even if the murderer standing on your doorstep asks if his victim is in your house, and you know that the victim is upstairs (Kant, 1978:285–90). Dietrich Bonhoeffer (one exemplar of my second model) responds specifically to Kant’s treatment of the lying case.

7. Yoder provides as well a very helpful analysis of the different outlooks toward the state in the Christian tradition.

8. One should not let this description of Yoder’s ethic camouflage the positive requirements of Christian life that he discusses throughout his work. See Yoder, 1984:118; 1972:98–100; 1964:44.

9. In his book, What Would You Do? (i.e., what would you do if someone attacked a member of your family), he describes a situation of physical attack in which it is possible that the ethic of non-resistance could bring about the best consequences. See Yoder, 1985.
10. Here, unlike Walzer, I combine internal guilt and external sanctions in one category. One of the reasons for this is that Walzer and I have different understandings of the Catholic position.

11. Shklar calls into question the Machiavellian approach and the Weberian approach, arguing that the “simple choice that Weber inherited from Machiavelli between a mere two rules, immoral politics and moral privacy, does not make much sense in a liberal democratic state. . . . His [Weber’s] were the politics of the great gesture, and they still appeal to those engaged intellectuals who like to think of ‘dirty hands’ as a peculiarly shaking, personal, and spectacular crisis. This is a fantasy quite appropriate to the imaginary world, in which these people see themselves in full technicolor. Stark choices and great decisions are actually very rare in politics” (Shklar, 1984:243).

But Shklar’s analysis shows as well the difficulties of the dirty hands categories, for while Shklar insists that one cannot completely separate out public from private morality—for “what we look for both in public officials and in our friends is character”—she argues that “as social actors, we all have unclean hands some of the time” (Shklar, 1984:243).

12. I am indebted to Drew Christiansen S.J. for the choice of Bonhoeffer as a representative of this model.

Another possible choice for this category might be Emil Brunner, who at times echoes the morality/immorality language of this category. At times, Brunner argues, the Christian must go against her conscience: “If the Christian’s ‘official duty’ causes pain and perplexity to his conscience, it must simply be endured. The Divine Command is terribly distorted when difficulties of conscience created by the ‘official order’ are evaded by setting up a double morality” (Brunner, 1937:222, 460–63).

13. It is this same understanding of morality which is behind his criticism of both orthodoxy and liberalism (Niebuhr, 1935). Niebuhr criticizes Christian orthodoxy for its willingness to accept too much from the ruler or from the government; Christian history has often accepted evil rulers as part of God’s punishment. But he criticizes Christian liberalism as well, for its “sentimental illusions,” its “gay and easy confidence” and its “perfectionism.” The resolution of the problem lies somewhere in between—in Christian realism. This realism does not negate the importance of individual morality, however.

14. It is from Donagan that I take the name of this fourth model. He responds as well to Brandt, Hare and Nagel. While Donagan’s is not an explicitly Christian argument, he depends upon the Judaeo-Christian tradition (and specifically upon St. Thomas Aquinas and Immanuel Kant) as part of the background to his writing.

15. A number of different terms are used to indicate levels of material cooperation, including also immediate and mediate, positive and negative, etc. Treatments of these categories can be found in the works cited above; cf. Dailey, 1970:163–66; Davis, 1946:341–52; Koch, 1924:39–46; McHugh and Callan, 1958:615–41.

16. Dailey, 1970:165. For further examples of cooperation in political activity, see McHugh & Callan, 1958:627 (on compromise with opponents) and Koch, 1924:43 (on cooperation with unjust laws). For an excellent contemporary analysis of formal and material cooperation, see McCormick, 1984.

17. I treat these themes in detail in “The Integration of Spiritual and Temporal:
Roman Catholic Church-State Theory” (Griffin, 1987). See also Kolbenschlag, 1985 and 1986.

REFERENCES

Althaus, Paul

Bethge, Eberhard

Bonhoeffer, Dietrich

Brandt, R. B.

Brunner, Emil

Burtness, James

Connell, Francis J.

Connery, John

Cuomo, Mario

Curran, Charles E. and Richard A. McCormick
1979 Readings in Moral Theology, No. 1. New York: Paulist Press.

Dailey, Robert H.

Davis, Henry

Donagan, Alan
Fletcher, Joseph  

Fox, Richard  

Frankel, Charles  

Goldberg, Michael  

Gowans, Christopher W. (ed)  

Gremillion, Joseph (ed.)  

Griffin, Leslie  

Gustafson, James  

Hare, R. M.  

Healy, Edwin  
1956  *Medical Ethics*. Chicago: Loyola University Press.

Howard, W. Kenneth  

Kant, Immanuel  

Kelly, Gerald  

Koch, Antony  

Kolbenschlag, Madonna (ed.)  

Langan, John

Little, David

Luther, Martin

Machiavelli, Niccolo

MacIntyre, Alasdair

McBrien, Richard P.

McCormick, Richard A.

McHugh, John A. and Charles J. Callan

Murray, John Courtney

Nagel, Thomas

Niebuhr, H. Richard

Niebuhr, Reinhold
Olafson, Frederick

Outka, Gene

Ramsey, Paul

Rasmussen, Larry L.

Sartre, Jean Paul

Schaff, Philip (ed.)

Shklar, Judith N.

Slater, Thomas

Walzer, Michael

Weber, Max

Williams, Bernard

Yoder, John Howard