IN HIS OWN WORDS:
JOHN WITHERSPOON ON THE CLERGY IN POLITICS

Letter on the Clergy in Politics

The 1777 Georgia state constitution included a provision that “No clergyman of any denomination shall be a member of the General Assembly.” John Witherspoon wrote the following letter commenting upon that statement.

Sir,

In your paper of Saturday last, you have given us the new Constitution of Georgia, in which I find the following resolution, “No clergyman of any denomination shall be a member of the General Assembly.” I would be very well satisfied that some of the gentlemen who have made that an essential article of this constitution, or who have inserted and approve it in other constitutions, would be pleased to explain a little the principles, as well as to ascertain the meaning of it.

Perhaps we understand pretty generally, what is meant by a clergyman, viz. [namely] a person regularly called and set apart to the ministry of the gospel, and authorized to preach and administer the sacraments of the Christian religion. Now suffer me to ask this question: Before any man among us was ordained a minister, was he not a citizen of the United States, and if being in Georgia, a citizen of the state of Georgia? Had he not then a right to be elected a member of the assembly, if qualified in point of property? How then has he lost, or why is he deprived of this right? Is it by offence or disqualification? Is it a sin against the public to become a minister? Does it merit that the person, who is guilty of it should be immediately deprived of one of his most important rights as a citizen? Is not this inflicting a penalty which always supposes an offence? Is a minister then disqualified for the office of a senator or representative? Does this calling and profession render him stupid or ignorant? I am inclined to form a very high opinion of the natural understanding of the freemen and freeholders of the state of Georgia, as well as of their improvement and culture by education, and yet I am not able to conceive, but that some of those equally qualified, may enter into the clerical order: and then it must not be unfitness, but some other reason that produces the exclusion.

Perhaps it may be thought that they are excluded from civil authority, that they may be more fully and constantly employed in their spiritual functions. If this had been the ground of it, how much more properly would it have appeared, as an order of an ecclesiastical body with respect to their own members. In that case I should not only have forgiven but approved and justified it; but in the way in which it now stands, it is evidently a punishment by loss of privilege, inflicted on those, who go into the office of the ministry; for which, perhaps, the gentlemen of Georgia may have good reasons, though I have not been able to discover them.

But besides the uncertainty of the principle on which this resolution is founded, there seems to me much uncertainty as to the meaning of it. How are we to determine who is or is not a clergyman? Is he only a clergyman who has received ordination from those who have derived the right by an uninterrupted succession from the apostles? Or is he also a clergyman, who is set apart by the imposition of hands of a body of other clergymen, by joint authority? Or is he also a clergyman who is set a part [sic] by the church members of his own society, without any imposition of hands at all? Or is he also a clergyman who has exhorted in a Methodist society, or spoken in a Quaker meeting, or any other religious assembly met for public worship? There are still greater difficulties.

John Witherspoon
behind: Is the clerical character indelible? There are some who have been ordained who occasionally perform some clerical functions, but have no pastoral charge at all. There are some who finding public speaking injurious to health, or from other reasons easily conceived, have resigned their pastoral charge, and wholly discontinued all acts and exercises of that kind; and there are some, particularly in New England, who having exercised the clerical office some time, and finding it less suitable to their talents than they apprehended, have voluntarily relinquished it, and taken to some other profession... Do these all continue clergymen, or do they cease to be clergymen, and by that cessation return to, or recover the honorable privileges of laymen?

I cannot help thinking that these difficulties are very considerable, and may occasion much litigation, if the article of the constitution stands in the loose, ambiguous form in which it now appears; and therefore I would recommend the following alterations, which I think will make every thing definite and unexceptionable.

“No clergyman, of any denomination, shall be capable of being elected a member of the Senate or House of Representatives, because [here insert the grounds of offensive disqualification, which I have not been able to discover] 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 clerical 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 offence 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.”