### San Diego Law Review

Volume 56

Issue 4 Editors' Symposium: The Travails of Liberal Democracy

Article 10

12-10-2019

## The Unreasonableness of Catholic Integralism

Micah Schwartzman

Jocelyn Wilson

Follow this and additional works at: https://digital.sandiego.edu/sdlr



Part of the Jurisprudence Commons, and the Law and Philosophy Commons

#### **Recommended Citation**

Micah Schwartzman & Jocelyn Wilson, The Unreasonableness of Catholic Integralism, 56 SAN DIEGO L. Rev. 1039 (2019).

Available at: https://digital.sandiego.edu/sdlr/vol56/iss4/10

This Article is brought to you for free and open access by the Law School Journals at Digital USD. It has been accepted for inclusion in San Diego Law Review by an authorized editor of Digital USD. For more information, please contact digital@sandiego.edu.

# The Unreasonableness of Catholic Integralism

# MICAH SCHWARTZMAN\* JOCELYN WILSON\*\*

#### TABLE OF CONTENTS

I.	Introduction	1039
II.	CATHOLICISM, INTEGRALISM, AND ANTILIBERALISM	1043
	A. The Political Idea of Catholicism	1044
	B. Catholic Integralism	
	C. The Intra-Conservative Debate	1053
III.	WHY CATHOLIC INTEGRALISM IS UNREASONABLE	1056
	A. Liberal Reasonableness	
	B. Integralism's Unreasonableness	1061
IV.	CONCLUSION	

#### I. INTRODUCTION

In 1858, Pope Pius IX ordered the abduction of a six-year-old Jewish boy, Edgardo Mortara, from his family's residence in Bologna. Mortara had been secretly baptized some years earlier by a Catholic housemaid. When authorities with the Inquisition learned that a baptized child was being raised in a Jewish household, they had him forcibly separated from

<sup>\* © 2019</sup> Micah Schwartzman. Hardy Cross Dillard Professor of Law and Martha Lubin Karsh and Bruce A. Karsh Bicentennial Professor of Law, University of Virginia School of Law. For helpful comments, we thank Charles Barzun, Chad Flanders, Robert Goldstein, Andrew Koppelman, Daniel Layman, James Nelson, Richard Schragger, Dennis Sepper, Elizabeth Sepper, and Nelson Tebbe.

<sup>\*\* © 2019</sup> Jocelyn Wilson. J.D. Candidate 2021, University of Virginia School of Law.

his parents and taken to the Vatican, where he was raised under the pope's personal supervision. Despite desperate pleas from the Mortara family, along with widespread international protest, Pius IX refused to return the boy to his parents. The pope defended his decision on the grounds that canon law and the civil law of the Papal States required providing a baptized child with a Catholic upbringing, which Mortara would not have received from his Jewish family.<sup>1</sup>

For many Catholics, the case of Edgardo Mortara remains a source of shame and moral regret for the Church.<sup>2</sup> Catholic scholars have criticized Pius IX's decision for violating natural law, for abusing his civil authority as the head of the Papal States, and for acting on the basis of anti-Semitic prejudice.<sup>3</sup> Recently, however, some Catholic traditionalists have defended Pius IX's decision as required under canon law and civil law. In a controversial review of Mortara's memoirs, a Dominican priest and professor of theology, Romanus Cessario, wrote that the civil law upheld by Pius IX "was not unreasonable" and suggested that civil liberties, such as those that might have been asserted on behalf of Mortara's family, cannot "trump the requirements of faith."<sup>4</sup>

- 1. The facts recounted in the paragraph above have been described by many historians. See generally David I. Kertzer, The Kidnapping of Edgardo Mortara (1997); Elèna Mortara, Writing for Justice: Victor Séjour, the Kidnapping of Edgardo Mortara, and the Age of Transatlantic Emancipations (2015); Steven Lubet, Judicial Kidnapping, Then and Now: The Case of Edgardo Mortara, 93 Nw. U. L. Rev. 961 (1999) (book review).
- 2. See Anna Momigliano, Why Some Catholics Defend the Kidnapping of a Jewish Boy, ATLANTIC (Jan. 24, 2018), https://www.theatlantic.com/international/archive/2018/01/some-catholics-are-defending-the-kidnapping-of-a-jewish-boy/551240 [https://perma.cc/LM2K-DR7V] ("Today, the dominant Catholic attitude toward the Mortara case is one of regret . . . .").
- 3. See Kevin J. Madigan, We Cannot Accept This: A Response to Romanus Cessario's 'Non Possumus,' COMMONWEAL (Jan. 25, 2018), https://www.commonwealmagazine.org/ we-cannot-accept [https://perma.cc/VW5U-H6XS] ("That Pius IX chose to educate a Jew, and not an uncatechized baptized Catholic (of whom there were hundreds of thousands in Italy alone), practically proves that the pope was motivated by anti-Semitic feeling . . . . "); Robert T. Miller, The Mortara Case and the Limits of State Power: First Things Should Disavow Fr. Cessario's Defense of Pius IX in the Mortara Case, Pub. Discourse (Jan. 11, 2018), https://www.thepublicdiscourse.com/2018/01/20868 [https://perma.cc/4ZEQ-5FZ3] (describing Pius IX's decision as an "outrageous abuse of state power"); Michael Sean Winters, Fr. Cessario's Edgardo Mortara Essay Is Inexcusable, NAT'L CATH. REP. (Jan. 19, 2018), https://www.ncronline.org/news/people/distinctly-catholic/fir-cessariosedgardo-mortara-essay-inexcusable [https://perma.cc/ML5Q-XJMH] ("Only a failure to recognize the human dignity of our Jewish brothers and sisters can account for the crime then, or for . . . attempts to excuse it now.").
- 4. Romanus Cessario, *Non Possumus*, FIRST THINGS (Feb. 2018), https://www.firstthings.com/article/2018/02/non-possumus [https://perma.cc/e25g-bbf7]; *see also* Frater Asinus, *Debemus: In Defense of Fr. Cessario, Bl. Pius IX, and the Catholic Faith*, JOSIAS (Feb. 7, 2018), https://thejosias.com/2018/02/07/debemus-in-defense-of-fr-cessario-bl-pius-ix-and-the-catholic-faith [https://perma.cc/GSL5-3Q9W]; P.J. Smith, *On the Value of the Mortara*

This defense of Pius IX is part of a revival of Catholic integralism that has occurred in the last several years, <sup>5</sup> leading to sharp debates among religious conservatives about their participation in the project of liberal democracy. <sup>6</sup> Integralists argue that liberalism is a relentless and destructive ideology. <sup>7</sup> They claim that the only way to remedy its many failures is to recognize the authority of the Church and to transform the administrative state into one that promotes the common good as understood within Catholic doctrine. <sup>8</sup> They favor a confessional state, in which civic ends are subordinated to supernatural ones, as guided by an established Catholic Church—or, going even further, a social system in which church and state are so well integrated that it no longer makes sense to distinguish between them. <sup>9</sup>

These are radical views, and much of the response to them has focused on their plausibility as interpretations of Catholic doctrine<sup>10</sup> and on their

Case, SEMIDUPLEX (Jan. 9, 2018), https://semiduplex.com/2018/01/09/on-the-value-of-the-mortara-case [https://perma.cc/QNL4-YQ2V]; Adrian Vermeule, (@Vermeullarmine), TWITTER (Jan. 10, 2018, 6:07 AM), https://mobile.twitter.com/Vermeullarmine/status/951093226043269120 [https://perma.cc/6RJY-WGWK] ("Pius IX's actions were valid, so [discussion] seems to be about whether to say so publicly.").

- 5. See, e.g., Thomas Pink, In Defence of Catholic Integralism, PUB. DISCOURSE (Aug. 12, 2018), https://www.thepublicdiscourse.com/2018/08/39362 [https://perma.cc/Z59Q-LXD8]; Adrian Vermeule, A Christian Strategy, FIRST THINGS (Nov. 2017), https://www.firstthings.com/article/2017/11/a-christian-strategy [https://perma.cc/25XA-YWWZ]; Edmund Waldstein, An Integralist Manifesto, FIRST THINGS (Oct. 2017), https://www.firstthings.com/article/2017/10/an-integralist-manifesto [https://perma.cc/G3YC-NJVC].
  - 6. See infra Section II.C.
- 7. See Adrian Vermeule, Liturgy of Liberalism, FIRST THINGS (Jan. 2017), https://www.firstthings.com/article/2017/01/liturgy-of-liberalism [https://perma.cc/WV6Z-4R92]; cf. Patrick J. Deneen, Why Liberalism Failed (2018); Ryszard Legutko, The Demon in Democracy: Totalitarian Temptations in Free Societies (Teresa Adelson trans., 2016).
- 8. Adrian Vermeule, *Integration from Within*, AM. AFF. (Feb. 20, 2018), https://americanaffairsjournal.org/2018/02/integration-from-within/ [https://perma.cc/RHX2-9VGA] (reviewing PATRICK J. DENEEN, WHY LIBERALISM FAILED (2018)).
- 9. See Edmund Waldstein, What Is Integralism Today?, CHURCH LIFE J. (Oct. 31, 2018), https://churchlifejournal.nd.edu/articles/what-is-integralism-today [https://perma.cc/CWP9-AV32] ("[Catholic integralists] wish to establish something more like . . . the baroque confessional state. Or, perhaps even more radically, they wish to work towards something like High Medieval Christendom. In that arrangement . . . it makes no sense to distinguish Church and state as separate spheres at all; rather there was one single kingdom in which spiritual and temporal authorities cooperated.").
- 10. See, e.g., Massimo Faggioli, A Church Within the Church: Behind the New Integralism Is the Old Intransigentism, COMMONWEAL (Jan. 8, 2019), https://www.commonwealmagazine.org/church-within-church [https://perma.cc/ABX7-TQJB]; R.J. Snell, Some Catholic Thinkers Are Anti-liberal, but the Church Is Not, Mosaic (Mar. 19, 2018),

viability, or lack thereof, within the politics of Western liberal democracies.<sup>11</sup> To our knowledge, however, there has not been a considered response from within liberal political philosophy. In the midst of emerging authoritarianism around the world, and with some illiberal politicians and philosophers calling for ethnoreligious nationalist political programs, how should liberals respond? What should liberals say about the rise of religious antiliberalism in the form of Catholic integralism?<sup>12</sup>

In this symposium contribution, we argue that Catholic integralism is unreasonable. Our conception of reasonableness is defined in terms of substantive moral and epistemic commitments to respecting the freedom and equality of citizens who hold a wide—but not unlimited—range of religious, ethical, and philosophical conceptions of the good.<sup>13</sup> In arguing that Catholic integralism conflicts with this understanding of reasonableness, it might seem that we are begging the question against integralists. But our purpose here is not to engage integralists on their own terms. So far, the debate about integralism has been conducted mostly among Catholics and Christian conservatives. Our critique is external to Catholicism and not intended to persuade integralists by offering them arguments from within their own religious views. That might be a viable form of internal criticism, or "reasoning from conjecture," which entails arguing from within others' religious or philosophical doctrines to show that they have reasons to accept liberal principles. We leave that project to others. <sup>16</sup>

https://mosaicmagazine.com/response/uncategorized/2018/03/some-catholics-are-anti-liberal-but-the-church-is-not [https://perma.cc/K9N3-GM2U].

- 11. See, e.g., Rod Dreher, Integralism, Liberalism, or . . . What?, Am. Conservative (Jan. 11, 2018, 11:54 AM), https://www.theamericanconservative.com/dreher/integralism-liberalism-or-what [https://perma.cc/2FTH-S559]; Stephanie Slade, The New Theocrats Are Neither Conservative Nor Christian, Reason (June 3, 2019, 3:15 PM), https://reason.com/2019/06/03/the-new-theocrats-are-neither-conservative-nor-christian [https://perma.cc/3JV3-TNZX].
- 12. One of us has addressed aspects of this question elsewhere. *See generally* Richard Schragger & Micah Schwartzman, *Religious Antiliberalism and the First Amendment*, 103 MINN. L. REV. (forthcoming 2020) (discussing the normative, legal, and political implications of religious antiliberalism in the context of American church-state jurisprudence).
- 13. See John Rawls, Political Liberalism 49–50 (expanded ed. 1993); see also Jonathan Quong, Liberalism Without Perfection 36–39 (2011).
- 14. John Rawls, *The Idea of Public Reason Revisited*, 64 U. CHI. L. REV. 765, 783 (1997).
- 15. See generally Micah Schwartzman, The Ethics of Reasoning from Conjecture, 9 J. Moral Phil. 521 (2012). For examples of reasoning from conjecture, see Andrew March, Islam and Liberal Citizenship: The Search for an Overlapping Consensus (2009); Robert S. Taylor, Religious Conservatives and Safe Sex: Reconciliation by Nonpublic Reason, 3 Am. Pol. Thought 322 (2014).
- 16. It is an interesting question who, if anyone, should undertake such a project. *Compare* Matthew Clayton & David Stevens, *When God Commands Disobedience: Political Liberalism and Unreasonable Religions*, 20 RES PUBLICA 65 (2014) (arguing for a justificatory division

Our purpose here is to explain the sense in which integralists are unreasonable from a liberal perspective, which requires explicating and applying moral concepts that lie at the center of liberal political thought. Our conception of reasonableness is drawn from political liberalism. which takes some fundamental ideas to be constitutive of political morality in liberal democratic societies. 17 These include the ideas of society as a fair system of social cooperation in which citizens see each other as free and equal, and the idea of reasonable pluralism, which holds that in any free society, citizens acting in good faith will affirm a wide range of comprehensive religious, ethical, and philosophical views. A task of political and legal philosophy is to work out the implications of these ideas, which are implicit in our liberal democratic political culture. 18 We try to do that by rehearing what we take to be the main ideas of Catholic integralism and by showing how they conflict with a conception of reasonableness that requires cooperating on fair terms, including by respecting the freedom and equality of citizens, regardless of whether they affirm a particular religious view. We shall also return to the case of Mortara, which helps to clarify what is at stake in rejecting the moral values of such a conception.

#### II. CATHOLICISM, INTEGRALISM, AND ANTILIBERALISM

To understand the contours of contemporary Catholic integralism, it is necessary to provide some background in earlier antiliberal thought.<sup>19</sup> The usual narrative here would take us back at least as far as the papal encyclicals of the nineteenth century,<sup>20</sup> especially Pius IX's *Syllabus of Errors*, which denounced secularism, disestablishment of the Church, and free exercise

of labor in which religious citizens are delegated the responsibility of engaging those within their faith tradition who hold otherwise unreasonable views), with Baldwin Wong, Conjecture and the Division of Justificatory Labor: A Comment on Clayton and Stevens, 25 RES PUBLICA 119 (2019) (arguing that politicians and philosophers are permitted and perhaps required by a natural duty of justice to engage unreasonable citizens, even if they do not share their religious perspectives).

<sup>17.</sup> See infra Section III.A.

<sup>18.</sup> See Burton Dreben, On Rawls and Political Liberalism, in THE CAMBRIDGE COMPANION TO RAWLS 316, 323 (Samuel Freeman ed., 2003).

<sup>19.</sup> See generally Stephen Holmes, The Anatomy of Antiliberalism (1993).

<sup>20.</sup> See Pink, supra note 5; Gabriel Sanchez, Catholic Integralism and the Social Kinship of Christ, JOSIAS (Jan. 23, 2015), https://thejosias.com/2015/01/23/catholic-integralism-and-the-social-kingship-of-christ [https://perma.cc/92PM-FAEZ].

of religion, among other heresies of modernity.<sup>21</sup> But instead, we begin with Carl Schmitt, whose writing on Catholicism and whose critique of liberal democracy have been influential in the resurgence of integralist thought, especially for Adrian Vermeule, who has played a prominent role in making integralism part of our public discourse.<sup>22</sup> We then turn to contemporary integralism, sketching some of its central claims and arguments. Lastly, we note the increasing prominence of Schmittian and integralist views in recent debates among American religious conservatives.

#### A. The Political Idea of Catholicism

Schmitt might seem to be an unlikely source of inspiration for integralists given his identification with the Nazi Party in the early 1930s.<sup>23</sup> But Schmitt was raised as a Catholic,<sup>24</sup> and before he became a Nazi, he wrote admiringly and with some insight about the Church.<sup>25</sup> In an early work, *Roman Catholicism and Political Form*, Schmitt offered a political analysis of Catholicism and its antagonistic relationship with liberalism.<sup>26</sup> Schmitt's argument ranges widely, but we focus on a few main ideas that have helped to shape current integralist thinking, especially when coupled with Schmitt's later and better known work in *The Concept of the Political*.<sup>27</sup>

First, in *Roman Catholicism and Political Form*, Schmitt articulated what he called "the political idea of Catholicism." He noted that the Church had been accused of political opportunism by aligning itself with all types

<sup>21.</sup> Pope Bl. Pius IX, *The Syllabus of Errors*, PAPAL ENCYCLICALS ONLINE (Feb. 20, 2017), http://www.papalencyclicals.net/pius09/p9syll.htm [https://perma.cc/9DLD-KRPJ].

<sup>22.</sup> See Vermeule, supra note 5 (turning to Schmitt's work "for intellectual resources and political counsel"); Adrian Vermeule, The Ark of Tradition, U. BOOKMAN (Nov. 19, 2017), https://kirkcenter.org/reviews/the-ark-of-tradition [https://perma.cc/HD6K-WW59] (reviewing CARL SCHMITT, ROMAN CATHOLICISM AND POLITICAL FORM (G.L. Ulmen trans., 1996)).

<sup>23.</sup> See Lars Vinx, Carl Schmitt, STAN. ENCYCLOPEDIA PHIL. (Oct. 1, 2014), https://plato.stanford.edu/cgi-bin/encyclopedia/archinfo.cgi?entry=schmitt [https://perma.cc/XZ3M-G5E8].

<sup>24.</sup> See Reinhard Mehring, A "Catholic Layman of German Nationality and Citizenship"? Carl Schmitt and the Religiosity of Life, in The Oxford Handbook of Carl Schmitt 73, 77–78 (Jens Meierhenrich & Oliver Simons eds., 2016) (discussing Schmitt's complicated relationship with Catholicism).

<sup>25.</sup> See Jens Meierhenrich, Fearing the Disorder of Things: The Development of Carl Schmitt's Institutional Theory, 1919–1942, in OXFORD HANDBOOK OF CARL SCHMITT, supra note 24, at 171, 191 ("Schmitt's admiration for the institutionalism of the Catholic Church... knew few bounds at the time.").

<sup>26.</sup> See generally SCHMITT, supra note 22.

<sup>27.</sup> CARL SCHMITT, THE CONCEPT OF THE POLITICAL (George Schwab trans., Univ. of Chi. Press expanded ed. 2007) (1932).

<sup>28.</sup> SCHMITT, *supra* note 22, at 6.

of governments at different times and places.<sup>29</sup> The Church could be found supporting monarchies, democracies, socialist regimes and liberal governments, nationalist coalitions, and states with universalist or imperial ambitions.<sup>30</sup> As Schmitt put it, "With every change in the political situation, all principles appear to change save one: the power of Catholicism."<sup>31</sup>

Schmitt responded to this charge of opportunism by understanding the Church as what he called "a complex of opposites, a *complexio oppositorum*." The Church can take different and competing, even contradictory, political forms. It has a great capacity for adaptability and accommodation, which allows the Church "to have united within itself all forms of state and government." But if the Church can contain contradictions in political form, there remained a question about whether the Church is purely opportunistic or has some deeper political essence.

The answer Schmitt gave was that the Church is "eminently political" but not "in the sense of the manipulation and domination of fixed social and international power factors." Schmitt distinguished the mechanisms of political control, including economic and military power, from a concept of the political that is based on a claim of authority, which, in turn, is grounded in what he called "an ethos of belief." The Church can provide such an ethos because it represents "the Person of Christ Himself: God become man in historical reality." Schmitt's political idea of the Church was built on this assumption that the Church is Christ's representative and therefore imbued with a supreme authority. With this authority, the Church makes its focus "the normative guidance of human social life" and "represents the *civitas humana*," an ideal human society, regardless of the political order with which it is aligned.

<sup>29.</sup> *Id.* at 4–6.

<sup>30.</sup> *Id*.

<sup>31.</sup> Id. at 4.

<sup>32.</sup> *Id.* at 7.

<sup>33.</sup> *Id*.

<sup>34.</sup> Id. at 16.

<sup>35.</sup> Id. at 17.

<sup>36.</sup> *Id.* at 19.

<sup>37.</sup> *Id.* at 12, 19.

<sup>38.</sup> Id. at 18.

Second, as the representation of a "unique power and authority,"<sup>39</sup> the Church demands public recognition from the state.<sup>40</sup> There is a juridical, or legal, aspect to the Church, and its normative instruction for the ordering of social life must be expressed publicly and through law.<sup>41</sup> Schmitt was not clear, however, on the precise form of the relationship between church and state. At one point, he hypothesized an anarchical world of private ordering, entirely devoid of political agency, and claimed that, in such a world, "the Church would have a stupendous monopoly: its hierarchy would be nearer the political domination of the world than in the Middle Ages."<sup>42</sup> But Schmitt rejected this arrangement. Without further explanation, he wrote that "[a]ccording to its own theory and hypothetical structure, the Church would not wish for such a situation."<sup>43</sup> Instead, the Church seeks a partnership with the state in which the two entities form a "special community" as a "societas perfecta"—a true or perfect society.<sup>44</sup>

The political idea of Catholicism thus contemplates the coexistence of two distinct political entities. Church and state are not, however, meant to be entirely separate. The Church is an "equal partner with the state," acting cooperatively in the public sphere. Schmitt wrote that "[t]he juridical foundation of the Catholic Church" rests on its outward "form as a visible institution." The Church must be part of the public sphere. It cannot be privatized or excluded from participation in governing the social and political order.

Third, the Church's demand for public recognition conflicts with liberalism, which seeks to privatize religion.<sup>47</sup> According to Schmitt, liberalism imposes a kind of technical economic rationality on the realm of politics, wherein individual preferences are weighed and balanced to produce compromises satisfying various private interests.<sup>48</sup> Within "economic thinking," as Schmitt described it, religious claims are deemed to be "no less irrational than many senseless whims of fashion, which also demand satisfaction."<sup>49</sup> There is nothing unique or special about religious commitments, which are preferences that can be met like any other in the market. Schmitt

<sup>39.</sup> Id at 30.

<sup>40.</sup> *Id.* at 31 ("The Church commands recognition as the Bride of Christ; it represents Christ reigning, ruling and conquering.").

<sup>41.</sup> See id. at 12.

<sup>42.</sup> *Id.* at 25.

<sup>43.</sup> *Id*.

<sup>44.</sup> *Id*.

<sup>45.</sup> *Id.* at 30.

<sup>46.</sup> *Id.* at 29, 32.

<sup>47.</sup> *Id.* at 29 ("The juridical foundation of the Catholic Church on the public sphere contrasts with liberalism's foundation on the private sphere.").

<sup>48.</sup> See id. at 16.

<sup>49.</sup> Id. at 16.

derided this "economic-technical apparatus" and viewed this kind of rationality as in conflict with that of the Church.<sup>50</sup> Liberalism fails to comprehend the Church as the representative of supreme authority and so must be an adversary or enemy of Catholicism.<sup>51</sup>

So far, we have focused on three main ideas in Schmitt's political analysis of Catholicism: that the Church can adapt its political form as a *complexio oppositorum* because its essence is to represent transcendent authority; that such authority demands public recognition and equal partnership with the state; and that Catholicism conflicts with liberalism, which privatizes religion and rejects the public partnership that the Church commands.

For purposes of understanding contemporary integralism and other forms of religious antiliberalism, however, it is also important to note Schmitt's later refinement in his understanding of the concept of the political. In *Roman Catholicism and Political Form*, Schmitt was not entirely clear in defining the concept. He juxtaposed economic or technical rationality with a conception of political power based on authority and, perhaps more fundamentally, on an ideational or transcendent "ethos of belief." But in his later work, *The Concept of the Political*, Schmitt defined the political according to a specific criterion, namely, the distinction between friend and enemy. For Schmitt, the enemy is "existentially something different and alien" from the friend, such that "in the extreme case conflicts with him are possible." Those who constitute a political entity are "friends" in the sense that they are willing to kill their enemies, defined as those outside that entity. The political entails the "ever present possibility of combat," conflict, and war. 55

The friend-enemy distinction does not provide its own substantive content.<sup>56</sup> It can be based on moral, cultural, ethnic, racial, and religious grounds. An idea becomes political when a group of people is prepared to exercise coercive power and to engage in physical conflict over it.<sup>57</sup> Schmitt noted that religious communities can become political because "[t]he political

<sup>50.</sup> Id. at 15.

<sup>51.</sup> Id. at 38.

<sup>52.</sup> *Id.* at 17.

<sup>53.</sup> SCHMITT, *supra* note 27, at 26.

<sup>54.</sup> *Id.* at 27.

<sup>55.</sup> Id. at 32.

<sup>56.</sup> Id. at 26, 38.

<sup>57.</sup> *Id.* at 37.

can derive its energy from the most varied human endeavors" including "from the religious." 58

Schmitt's later concept of the political does not map neatly onto his earlier understanding of the political idea in his analysis of Catholicism. <sup>59</sup> But in both instances, liberalism functions as a foil. Liberalism attempts to avoid or suppress the friend-enemy distinction by limiting the power of the state and of the church. A liberal state does this by granting individual freedom in matters of ethics, morality, and religion, on one side, and by allowing competition, rather than combat, in economic markets, on the other. Schmitt denied that this strategy of ethical and economic privatization can be successful in escaping the friend-enemy distinction, which always reemerges. <sup>60</sup> This inevitable failure of liberalism in Schmitt's view suggests a possible route to reconciling his later concept of the political with his earlier political idea of Catholicism. To the extent liberalism privatizes religion, and thereby denies the Church's demands for public recognition, it makes an enemy of the Church. And where the friend-enemy relation holds, coercion and conflict are an ever present possibility.

#### B. Catholic Integralism

In one form or another, all of the main ideas we have identified in Schmitt's work are reproduced or reconfigured in contemporary expressions of Catholic integralism. That is partly because Schmitt's philosophical reconstruction of Catholicism as a political idea reflects nineteenth century integralist commitments, which are being carried forward, and partly because integralists and other religious antiliberals have relied directly on his work. In particular,

<sup>58.</sup> *Id.* at 38.

There is disagreement among scholars as to whether Schmitt abandoned his Catholic conception of the political in his later work, The Concept of the Political. Heinrich Meier argues that Schmitt embraced a Catholic political theology throughout his works. See generally Heinrich Meier, The Lesson of Carl Schmitt: Four Chapters on the DISTINCTION BETWEEN POLITICAL THEOLOGY AND POLITICAL PHILOSOPHY (Marcus Brainard trans., Univ. of Chi. Press 1998) (1994). But this view has elicited criticism, both for failing to account for important historical context, including Schmitt's excommunication from the Catholic Church prior to writing The Concept of the Political, and for disregarding clear shifts in the nature of Schmitt's argument. See John P. McCormick, Political Theory and Political Theology: The Second Wave of Carl Schmitt in English, 26 Pol. Theory 830, 836 (1998). As McCormick argues, persuasively in our view, "Schmitt no longer appeals to any theological resources [in the Concept of the Political]," and the core criterion of the political, the friend-enemy distinction, "is theorized as completely autonomous from all other distinctions, including theological ones." *Id.* at 836–37. Of course, as suggested above, it is open to contemporary integralists to synthesize Schmitt's concepts of the political. We return to this point in Section II.C.

<sup>60.</sup> See SCHMITT, supra note 27, at 70–71.

Adrian Vermeule has drawn explicitly on Schmitt's writings in updating arguments for integralism and advancing a political conception of the Church.

For Vermeule, as for Schmitt, liberalism is the historical and perpetual enemy of Catholicism.<sup>61</sup> While pretending to maintain neutrality between conceptions of the good, the liberal state "attempts to privatize thick commitments and to either quarantine comprehensive substantive views about the proper ends of politics, or transform them into reasonable 'preferences.'"<sup>62</sup> The liberal state rejects recognition of the Church's unique authority to imbue a society with a higher purpose. Liberalism instead is a relentlessly aggressive and destructive force that purports to liberate us from irrationality and superstition but, in actuality, undermines the traditional forms of social order—familiar gender roles, stable marriages, extended families, religious communities, and so on—that enable us to make sense of our lives.<sup>63</sup>

The integralist narrative of liberalism's aggression against traditional institutions, including and especially the Church, takes one of two directions. In the first, again following Schmitt, liberalism is self-destructive. It systematically eliminates the traditional sources of moral and social legitimation for a political society. When the social order has been eviscerated, all that remains is a mass of disaffected economic consumers, who will revolt against the political system that has hollowed out their lives. Vermeule anticipates that "[t]he sheer plasticity and restless liberationism of the regime exceed the populace's appetite for freedom, and a kind of rebellion against the principles of the regime itself will occur." The prospect of political revolution might then open the way for Catholic integralism, which preserves the sources of traditional meaning and provides the spiritual authority to fill the vacuum created by liberalism.

<sup>61.</sup> Vermeule, *supra* note 5 ("The Church's role as liberalism's principal target and antagonist is also structurally embedded.").

<sup>62.</sup> Vermeule, *supra* note 22.

<sup>63.</sup> Vermeule, *supra* note 5.

<sup>64.</sup> See id.

<sup>65.</sup> See SCHMITT, supra note 22, at 27–28; see also DENEEN, supra note 7, at 18–19.

<sup>66.</sup> Vermeule, *supra* note 22.

<sup>67.</sup> See Adrian Vermeule, "According to the Truth," JOSIAS (July 19, 2018), https://thejosias.com/2018/07/19/according-to-truth [https://perma.cc/B9LL-QXJN] ("The hunger for the real might then make people so desperate, so sick of the essential falsity of liberalism, that the become willing to gamble that the Truth ... will prevail ...."); see also Gladden Pappin, Toward a Party of the State, AM. AFF. (Feb. 20, 2019), https://americanaffairsjournal.org/2019/02/toward-a-party-of-the-state [https://perma.cc/2M3V-CR5J].

From an integralist perspective, this parrative is the optimistic version. wherein liberalism's collapse leads to the creation of an integrated society. But Vermeule sometimes offers a different account, in which liberalism does not destroy itself but rather fulfills its own inner logic by becoming totalizing in its repressiveness and demand for social conformity. 68 In this story, liberalism functions as a comprehensive and substantive worldview. It has rituals and sacraments, which take the form of public shaming of those who express or harbor illiberal or traditional religious views.<sup>69</sup> And liberalism is said to have a "basic liturgy" in the "Festival of Reason," a reference by Vermeule to anticlerical ceremonies associated with the "dechristianization" campaign of the French Revolution. This idea—that liberalism has sacraments, rituals, and a liturgy, which are reenacted through "new iterations and celebrations of the Festival"<sup>71</sup>—is generally consistent with a broader antiliberal critique that describes liberalism as a religion, often as a form of "modern paganism," as in the work of T.S. Eliot<sup>72</sup> and, more recently, Steven D. Smith, R.R. Reno, and others.<sup>73</sup>

Whether liberalism eventually self-destructs or whether it persists as a relentless oppressive force, integralists face a practical question about how to respond politically. Some religious conservatives have argued that religious citizens ought to withdraw from liberal society and establish local or communal enclaves, which might help to insulate them against the vices of contemporary social and political culture. Others argue for the reclamation of a liberalism that might, in turn, be compatible with the flourishing of traditional religion. To

<sup>68.</sup> Vermeule, *supra* note 5 ("A different view, and my own, is that liberal intolerance represents not the self-undermining of liberalism, but the fulfillment of its essential nature.").

<sup>69.</sup> See Vermeule, supra note 7; see also Adrian Vermeule, All Politics is Ultimately Theological, CHURCH LIFE J. (July 26, 2019), https://churchlifejournal.nd.edu/articles/all-human-conflict-is-ultimately-theological [https://perma.cc/HX3Q-P8KU].

<sup>70.</sup> Vermeule, *supra* note 5; *cf.* MONA OZOUF, FESTIVALS AND THE FRENCH REVOLUTION 97–99 (Alan Sheridan trans., 1988) (discussing the "Festival of Reason").

<sup>71.</sup> Vermeule, *supra* note 7.

<sup>72.</sup> See T. S. ELIOT, CHRISTIANITY & CULTURE: THE IDEA OF A CHRISTIAN SOCIETY AND NOTES TOWARDS THE DEFINITION OF CULTURE 6 (1948). For criticism of Eliot's distinction between Christianity and paganism, including its overt anti-Semitism, see Richard Schragger & Micah Schwartzman, Jews, Not Pagans, 56 SAN DIEGO L. REV. 497, 499–504 (2019).

<sup>73.</sup> See generally STEVEN D. SMITH, PAGANS AND CHRISTIANS IN THE CITY: CULTURE WARS FROM THE TIBER TO THE POTOMAC (2018); R.R. RENO, RESURRECTING THE IDEA OF A CHRISTIAN SOCIETY (2016); Charles J. Caput, *The Future of the West: Christian or Pagan?*, CRISIS MAG. (June 9, 2017), https://www.crisismagazine.com/2017/future-west-christian-pagan [https://perma.cc/RWJ2-X9RH]. *But cf.* Schragger & Schwartzman, *supra* note 72, at 505–10 (criticizing Smith's view, drawing on Eliot, which equates liberalism with paganism).

<sup>74.</sup> See generally Deneen, supra note 7; ROD DREHER, THE BENEDICT OPTION: A STRATEGY FOR CHRISTIANS IN A POST-CHRISTIAN NATION (2017).

<sup>75.</sup> See, e.g., Ross Douthat, Opinion, The Baker and the Empire, N.Y. TIMES (Dec. 9, 2017), https://www.nytimes.com/2017/12/09/opinion/masterpiece-cakeshop-supreme-court.html?action=click&pgtype=Homepage&clickSource=story-heading&module=

But Vermeule argues that these strategies are shortsighted and nostalgic for a time when liberalism was less hostile to Catholicism. In his view, liberalism is too relentlessly aggressive for these strategies to work. He writes that "[t]here is no reason to think that a stable, long-term rapprochement between Catholicism and the liberal state is realistically feasible."<sup>76</sup>

Instead of withdrawing from society or attempting to tame liberalism, integralists should promote a strategy of *ralliement*,<sup>77</sup> which Vermeule specifies as "rallying" to the liberal state in order to "transform it from within." Drawing from Schmitt, Vermeule emphasizes the Church's "strategic flexibility" and its capacity to align itself with different types of political organization to advance its spiritual ends.<sup>79</sup> "A Christian politics

opinion-c-col-left-region&region=opinion-c-col-left-region&WT.nav=opinion-c-col-left-region [https://perma.cc/F5JA-4JDD]; Richard W. Garnett, *Mild and Equitable Establishments*, FIRST THINGS (April 2019), https://www.firstthings.com/article/2019/04/mild-and-equitable-establishments [https://perma.cc/Y7L2-J4MM]; Vincent Phillip Muñoz, *Defending American Classical Liberalism*, NAT'L REV. (June 11, 2018), https://www.nationalreview.com/2018/06/american-classical-liberalism-response-to-radical-catholics [https://perma.cc/KCC2-24N7]; R.R. Reno, *Liberal Tradition*, *Yes; Liberal Ideology*, *No*, FIRST THINGS (Dec. 2017), https://www.firstthings.com/article/2017/12/liberal-tradition-yes-liberal-ideology-no [https://perma.cc/TJA4-T3DN].

- 76. Adrian Vermeule, As Secular Liberalism Attacks the Church, Catholics Can't Afford To Be Nostalgic, CATH. HERALD (Jan. 5, 2018), https://catholicherald.co.uk/commentand blogs/2018/01/05/as-secular-liberalism-attacks-the-church-catholics-cant-afford-to-benostalgic [https://perma.cc/TP5V-KZNB]; see also Adrian Vermeule, Some Confusions About "Classical Liberalism," Progressivism, and Necessity, MIRROR JUST. (June 15, 2018), https://mirrorofjustice.blogs.com/mirrorofjustice/2018/06/some-confusions-about-classical-liberalism-progressivism-and-necessity.html [https://perma.cc/5FUM-669V] (criticizing "classical liberalism" as lacking stability and having a "structural propensity" toward the repression of religious dissent).
- 77. The term originally refers to Pope Leo XIII's policy of calling on Catholics to cooperate with the French Third Republic to promote the common good. See Pope Leo XIII, Au Milieu Des Solicitudes, LIBRERIA EDITRICE VATICANA, http://w2.vatican.va/content/leo-xiii/en/encyclicals/documents/hf\_l-xiii\_enc\_16021892\_au-milieu-des-sollicitudes.html [https://perma.cc/JZ3S-5VC4]. The strategy ralliement has been the subject of much debate among integralists in recent years. See, e.g., P.J. Smith, Ralliement and the Common Good, SEMIDUPLEX (July 30, 2017), https://semiduplex.com/2017/07/30/ralliement-and-the-common-good [https://perma.cc/9KKR-6VJU]; Felix de St. Vincent, Four Catholic Political Postures: Lessons from Leo XIII and Ralliement, JOSIAS (July 31, 2017), https://thejosias.com/2017/07/31/four-catholic-political-postures-lessons-from-leo-xiii-and-ralliement/#\_ftn18 [https://perma.cc/U9HE-PLVM]; Edmund Waldstein, Catholic Action and Ralliement, SANCRUCENSIS (Feb. 12, 2016), https://sancrucensis.wordpress.com/2016/02/12/catholic-action-and-ralliement [https://perma.cc/7UGT-D6J4].
- 78. Adrian Vermeule, *Ralliement: Two Distinctions*, Josias (Mar. 16, 2018), https://thejosias.com/2018/03/16/ralliement-two-distinctions [https://perma.cc/QZV7-UUGE].
  - 79. Vermeule, *supra* note 5.

must always be strategic," Vermeule writes, "viewing political commitments not as articles of a sacred faith, but as tactical tools to be handled in whatever way best serves the cause of Christ." To be sure, the goal of this "Christian strategy" is not to seek accommodation with liberalism, but rather to coopt the liberal administrative state with "a view to eventually superseding it altogether." In the long run, and taking another page from Schmitt, Vermeule argues that the Catholic Church can dispense with parliamentary democracy, which is infected by liberalism. Hierarchical bureaucracies of executive power, however, are better suited to promoting an integralist political order. <sup>83</sup>

Contemporary Catholic integralists are not entirely clear about their vision for a postliberal political society. At times, Vermeule suggests that when liberalism has destroyed itself, the Church "will be the only genuinely political global entity left standing." In this political eschatology, Vermeule seems to embrace a possibility that Schmitt rejected, which is the erasure of any distinction between the Church and the state. Similarly, Edmund Waldstein suggests that integralists might seek to reestablish the conditions of medieval society in which "church' and 'state' did not exist as separate institutions; rather, spiritual and temporal authority cooperated together within a single social whole for the establishment of an earthly peace, ordered to eternal salvation."

In a society in which secular and clerical institutions are differentiated, however, integralists agree that the state must at least recognize the special authority of the Catholic Church and promote the common good as the Church understands it. Vermeule writes that "Catholic integralism rightly holds out hope for a political regime ordered proximately to the common good and ultimately to the Divine," but he is not specific about how church and state should be related in a differentiated system. Other integralists are more detailed and explicit. Waldstein argues for a model in which the state assumes a pedagogical function to advance the Church's spiritual ends. In this arrangement, the state may exercise coercive power to

<sup>80.</sup> Id.

<sup>81.</sup> Vermeule, *supra* note 78.

<sup>82.</sup> See Carl Schmitt, The Crisis of Parliamentary Democracy (Ellen Kennedy trans., MIT Press 1985) (1923).

<sup>83.</sup> Vermeule, *supra* note 78 ("The ideal-type principles of hierarchy and unity of top-level command that animate bureaucracy, especially but not only military and security bureaucracies, are not obviously the sort of principles that threaten to inscribe liberalism within the hearts and minds of participants.").

<sup>84.</sup> Vermeule, *supra* note 22.

<sup>85.</sup> Waldstein, *supra* note 5.

<sup>86.</sup> Vermeule, *supra* note 76.

<sup>87.</sup> Waldstein, *supra* note 5.

instruct and correct citizens who have strayed from God's truth. <sup>88</sup> A somewhat different model is described by Thomas Pink, who calls for a "confessional Catholic state." <sup>89</sup> In this type of regime, the Church maintains sole authority over matters of religion, while the state has jurisdiction over civil matters. But crucially, church and state are equally entitled to legislate in their respective domains and "to enforce that law through punishments." <sup>90</sup> Like Waldstein, Pink argues that in the Catholic tradition, the state has a pedagogical purpose and that a "central mode of teaching is through legal coercion." <sup>91</sup>

Catholic integralists may diverge on the details of the ideal relationship between church and state, and on how to achieve that ideal, but they are unified in their view that "temporal power," as exercised by the secular authorities, must be "subordinated to the spiritual power" of the Church. And they agree that liberalism is anathema to this view. There can be no stable truce, or *modus vivendi*, between the liberal state and the Church. In Schmittian terms, the friend-enemy distinction is coded in terms of liberalism and Catholicism, and the hope of integralism is that the political idea of the Church will prevail.

#### C. The Intra-Conservative Debate

Until recently, integralist thought did not have much presence in mainstream public discourse. But a recent debate among American conservatives has introduced aspects of integralism into a broader argument about whether conservatives should maintain a commitment to the liberal democratic project. This debate was initiated by Sohrab Ahmari in an attack on what he calls "David French-ism," after the Christian conservative lawyer and

<sup>88.</sup> In a line that would thrill inquisitors of old, Waldstein approves of St. Benedict's view that "if a brother is unable to be corrected by exclusion from the communal prayers and meals, then he should be whipped—a punishment that even carnal minds understand." *Id.* 

<sup>89.</sup> Pink, supra note 5.

<sup>90.</sup> *Id.*; see also Thomas Pink, *The Right to Religious Liberty and the Coercion of Belief: A Note on* Dignitatis Humanae, *in* REASON, MORALITY, AND LAW: THE PHILOSOPHY OF JOHN FINNIS 427, 437–42 (John Keown & Robert P. George eds., 2013); Thomas Pink, *Conscience and Coercion: Vatican II's Teaching on Religious Freedom Changed Policy, Not Doctrine*, FIRST THINGS (Aug. 2012), https://www.firstthings.com/article/2012/08/conscience-and-coercion [https://perma.cc/Z4L4-MNHL].

<sup>91.</sup> Pink, *supra* note 5.

<sup>92.</sup> Edmund Waldstein, *Integralism in Three Sentences*, Josias (Oct. 17, 2016), http://thejosias.com/2016/10/17/integralism-in-three-sentences[https://perma.cc/9KUF-BJUZ].

writer, David French, who Ahmari takes as a representative of mainstream American religious conservativism. <sup>93</sup>

Ahmari's central complaint against French, and other religious conservatives who espouse a commitment to "classical liberalism," is that he misunderstands the nature of liberal politics and "the depth of the present crisis facing religious conservatives." "French-ism" is the view that the state should not take sides in religious conflicts, that it should respect civil liberties and refrain from intervening in economic markets, and that conservative Christians should treat those who hold contrary religious and ethical views with civility and respect. "Ahmari questions all of these commitments, which he sees as forms of unliteral disarmament in an existential cultural and political war with liberalism." "Such talk—of politics as war and enmity—is thoroughly alien to French," Ahmari writes, "because he believes that the institutions of a technocratic market society are neutral zones that should, in theory, accommodate both traditional Christianity and the libertine ways and paganized ideology of the other side." "

The influence of Schmittian and integralist ideas in this critique is unmistakable. Ahmari relies on a conception of politics that synthesizes the Schmittian concepts of the political, so that the authoritative claims of traditional religion—as represented by the Catholic Church—are mapped onto the friend-enemy distinction. His reference to a "technocratic market society" reflects Schmitt's characterization of liberalism as attempting to "depoliticize[] politics," and his description of liberalism as a "paganized ideology" is, as noted above, familiar from the writings of recent antiliberal critics. For Ahmari, following Schmitt, Vermeule, and other integralists, the public sphere can never be neutral. It is always the site of existential conflict between competing political theologies. That is why he urges Christians "to fight the culture war with the aim of defeating the enemy and enjoying the spoils in the form of a public square re-ordered to the common good and ultimately the Highest Good." 101

<sup>93.</sup> Sohrab Ahmari, *Against David French-ism*, FIRST THINGS (May 29, 2019), https://www.firstthings.com/web-exclusives/2019/05/against-david-french-ism [https://perma.cc/2A3W-T3FK].

<sup>94.</sup> Id.

<sup>95.</sup> See id.

<sup>96.</sup> See id.

<sup>97.</sup> *Id.* 98. *Id.* 

<sup>99.</sup> See generally Schragger & Schwartzman, supra note 12; Schragger & Schwartzman, supra note 72.

<sup>100.</sup> Ahmari, *supra* note 93 ("Progressives understand that culture war means discrediting their opponents and weakening or destroying their institutions. Conservatives should approach the culture war with a similar realism.").

<sup>101.</sup> *Id*.

French frames his response to Ahmari as a "zealous defense of the classical-liberal order (with a special emphasis on civil liberties) and zealous advocacy of fundamentally Christian and Burkean conservative principles." Placing himself within the tradition of "American liberalism," he rejects the view of "politics as war" and seeks to lessen enmity rather than accept it as essential to the concept of the political. French argues that religious pluralism is a permanent feature of American politics, to which the appropriate response is to "recommit to our shared citizenship and preserve a space for all American voices, even as we compete against those voices in politics and the marketplace of ideas." 104

The Ahmari-French debate has exposed a rift between American religious conservatives. While some remain committed to the framework of liberal democratic politics, others are willing to embrace a "post-liberal" or integralist view in which liberalism is seen as a relentless, oppressive, and theological enemy—a pagan, or satanic, force that seeks to destroy traditional Christianity. For those who adopt the latter perspective, the only choice is to wage political warfare, which requires subordinating the public virtues of civility, politeness, moderation, and toleration. As Ahmari puts it, "Civility and decency are secondary values. . . . We should seek to use

<sup>102.</sup> David French, *What Sohrab Ahmari Gets Wrong*, NAT'L REV. (May 30, 2019, 6:22 PM), https://www.nationalreview.com/2019/05/david-french-response-sohrab-ahmari [https://perma.cc/8TUH-SES8].

<sup>103.</sup> *Id.* 

<sup>104.</sup> *Id*.

<sup>105.</sup> There seems to be an emerging "post-liberal" coalition among some religious conservatives, whose views are reflected by Ahmari and an expressed in a manifesto recently published in *First Things. See* Sohrab Ahmari et al., *Against the Dead Consensus*, FIRST THINGS (Mar. 21, 2019), https://www.firstthings.com/web-exclusives/2019/03/against-the-dead-consensus [https://perma.cc/J6AQ-LJZ6]. For more and less journalistic accounts of these developments, see Ross Douthat, *What Are Conservatives Actually Debating?*, N.Y. TIMES (June 4, 2019), https://www.nytimes.com/2019/06/04/opinion/conservatives-david-french-trump.html [https://perma.cc/4EPT-AJBF]; Alexander Zaitchik, *Is Josh Hawley For Real?*, NEW REPUBLIC (July 25, 2019), https://newrepublic.com/article/154526/josh-hawley-real [https://perma.cc/QVG3-D6EU] (discussing the rise of the post-liberal movement).

<sup>106.</sup> See Vermeule, supra note 5 ("Liberalism's deepest enmity, it seems, is ultimately reserved for the Blessed Virgin—and thus Genesis 3:15 and Revelation 12:1–9, which describe the Virgin's implacable enemy, give us the best clue as to liberalism's true identity."). Vermeule's biblical references are to the serpent in Genesis and to the dragon in Revelation, both representations of Satan. See Revelation 12:9 (New American Bible) ("The huge dragon, the ancient serpent, who is called the Devil and Satan, who deceived the whole world, was thrown down to earth, and its angels were thrown down with it.").

these values to enforce our order and our orthodoxy, not pretend that they could ever be neutral." <sup>107</sup>

#### III. WHY CATHOLIC INTEGRALISM IS UNREASONABLE

We have attempted to give an accurate, fair, and charitable description of the main ideas of Catholic integralism, including its political conception of the Church and its critique of liberalism. We now turn to our main criticism of integralism, which is that, as a political doctrine, it conflicts with a liberal conception of reasonableness that draws together and expresses some of the deepest moral and epistemic commitments implicit in liberal democratic political culture.

We preface our argument that integralism is unreasonable with three points. First, our claim is limited to Catholic integralism and, if there are other forms of religious integralism, perhaps to those doctrines as well. Our criticism does not extend to Catholicism more generally, <sup>108</sup> and we take no view on whether integralism is a plausible, let alone proper, interpretation of Catholicism. <sup>109</sup> Second, to forestall confusion, our conception of reasonableness is a liberal one. As we shall explain, it is not value neutral. <sup>110</sup>

- 107. Ahmari, *supra* note 93. In arguing for subordinating civility and other public virtues, Ahmari seems to have borrowed an idea from Vermeule. *See* Vermeule, *supra* note 67 ("Liberalism muffles the political in second-order concepts like 'civility' and 'tolerance' and 'choice,' and the hunger for real politics rightly rebels against this. But it does not follow that these concepts have no value at all, when rightly placed within a larger ordering to good substantive ends. If civility, tolerance, and their ilk are bad masters, and tyrannous when made into idols, they may still be good servants.").
- 108. For arguments that Catholicism is consistent with a liberal conception of reasonableness, see Rawls, *supra* note 14, at 603 n.75; see also Leslie C. Griffin, *Good Catholics Should Be Rawlsian Liberals*, 5 S. CAL. INTERDISC. L.J. 297, 325, 327–29 (1997).
- 109. Pope Francis has been critical of integralists. See Gerald O'Connell, Pope Urges E.U. Politicians to Avoid 20th Century Conflicts, AM. MAG. (June 2, 2019), https://www.americamagazine.org/faith/2019/06/02/pope-urges-eu-politicians-avoid-20th-century-conflicts [https://perma.cc/ET4N-NHEA] (quoting Pope Francis as saying, "The nostalgia of the integralists is to return to the ashes. No! Traditions are roots that guarantee that the tree grows, blossoms and bears fruit.").
- 110. For this reason, it is a mistake to understand the charge of unreasonableness as an insult that trades on some ordinary uses of the term. See, e.g., Jean Hampton, The Moral Commitments of Liberalism, in The IDEA of Democracy 292, 309 (David Copp, Jean Hampton & John E. Roemer eds., 1993) (arguing that on one interpretation of the idea of reasonableness, political liberals are "saying... not merely that antiliberals are wrong, but also that they do not meet the canons of acceptable reasoning. It is one thing to call your opponents wrong; it is quite another to say they hold their incorrect views only because they have been unable to form their beliefs in a fully rational and reasonable way"). If the claim that a doctrine is unreasonable has a normative sting to it, that is, in our view, because of the force of the moral and epistemic content attributed to a conception of reasonableness. And, if anything, the liberal conception on which we rely is more

This conception contains substantive moral and epistemic content. <sup>111</sup> There are other conceptions of reasonableness, including some that are purely epistemic and that focus on standards of ordinary or acceptable reasoning. <sup>112</sup> And, of course, the concept of reasonableness is used in a wide range of legal doctrines. <sup>113</sup> Here, we set all of that aside. Our argument is based on a specific conception of reasonableness that has played an important role in the development of political liberalism. <sup>114</sup> Third, although we explicate this conception of reasonableness, we do not offer a defense of it here. Others have provided powerful arguments for the account on which we rely, <sup>115</sup> but full justifications for it must proceed ultimately from the various comprehensive religious, ethical, and philosophical views of citizens in a liberal democratic society. <sup>116</sup> That project may be aided by a better

tolerant and less exclusionary than traditional philosophical accounts that dismiss competing views on the grounds that they are objectively mistaken. *See* David Estlund, *The Truth in Political Liberalism, in* Truth and Democracy 251, 253 (Jeremy Elkins & Andrew Norris eds., 2012) ("The idea of 'reasonable' points of view strikes some people as insulting to other ('unreasonable') views, but it is important to keep in mind that one of the main positions being opposed by this doctrine is that viewpoints that are mistaken, no matter how reasonable they might be, may be ignored completely. The Rawlsian denies this, and is thus *more* tolerant and liberal in an important sense. The whole point of the Rawlsian view is to give moral standing to certain viewpoints even if they are mistaken.").

- 111. That a conception of reasonableness has substantive moral content does not entail that this conception is part of either a fully comprehensive or perfectionist account of liberalism. On the differences between political, comprehensive, and perfectionist forms of liberalism, see QUONG, *supra* note 13, at 15–21; Martha C. Nussbaum, *Perfectionist Liberalism and Political Liberalism*, 39 PHIL. & PUB. AFF. 3, 5 (2011).
- 112. For alternative philosophical conceptions of reasonableness, see generally Charles Larmore, The Autonomy of Morality 143 (2008); Christopher McMahon, Reasonableness and Fairness: A Historical Theory 61–100 (2016); James W. Boettcher, *What is Reasonableness?*, 30 Phil. & Soc. Criticism 597, 603–06 (2004); Margaret Moore, *On Reasonableness*, 13 J. Applied Phil. 167, 168–70 (1996); Daniel M. Weinstock, *A Neutral Conception of Reasonableness?*, 3 Episteme 234, 238 (2006).
- 113. See generally REASONABLENESS AND LAW (Giorgio Bongiovanni, Giovanni Sartor & Chiara Valentini eds., 2009).
- 114. See generally RAWLS, supra note 13, at 48–66 (explaining the idea of reasonableness and applying it to a political conception of the person and to comprehensive doctrines); see also SAMUEL FREEMAN, RAWLS 345–51 (2007) (discussing the centrality of the idea of reasonableness in Rawls's account of political liberalism).
- 115. See, e.g., PAUL WEITHMAN, WHY POLITICAL LIBERALISM?: ON JOHN RAWLS'S POLITICAL TURN 357–62 (2010) (offering a defense of political liberalism and its conception of reasonableness); see also LORI WATSON & CHRISTIE HARTLEY, EQUAL CITIZENSHIP AND PUBLIC REASON: A FEMINIST POLITICAL LIBERALISM 40–61 (2018); R.J. Leland, Civic Friendship, Public Reason, 47 PHIL & PUB. AFF. 72, 75–85 (2019).
- 116. See RAWLS, supra note 13, at 386 (explaining that full justification of a political conception is "left to each citizen, individually or in association with others"); see also

understanding of a liberal conception of reasonableness, including its content, structure, and limitations. In setting out this liberal conception and by applying it to the example of Catholic integralism, we hope to show that the liberal view is an attractive one, in part because it can explain why those who are sympathetic to the liberal democratic project find central aspects of integralism to be objectionable.

#### A. Liberal Reasonableness

The conception of reasonableness that lies at the center of much liberal political philosophy, and which is especially well developed in political liberalism, has two main aspects. The first is that people are reasonable when they accept the idea of society as a fair system of social cooperation between free and equal citizens. The second is that they accept what John Rawls calls the fact of reasonable pluralism, which is that, in any free society, there will be a wide diversity of comprehensive religious, ethical, and philosophical views that result from citizens exercising their powers of reason in good faith. Although each of these aspects of reasonableness has been the subject of extensive discussion, we provide a brief sketch of each in turn.

The first aspect of reasonableness begins with the idea that society is a system of fair social cooperation. In such a system, people act in a relation of reciprocity, in which each person is motivated to do their fair share under rules that can be justified to everyone involved, provided that others are similarly motivated. There will, of course, be disagreements about how to understand the idea of fairness. But here the important point is that society is not a system of domination, unlike a hierarchical, feudal, or colonial regime, in which one individual, or group of individuals, is permitted to exploit and to benefit systematically at the expense of another. Instead, at the most abstract level, society is conceived as a cooperative project, whose constitutive rules can be publicly accepted by those who live under them.

QUONG, *supra* note 13, at 238 (arguing for a "buck-passing" strategy in which it is the "task of citizens' comprehensive doctrines, not the task of liberal political theory" to ground the political liberalism's basic moral and epistemic commitments, including its conception of reasonableness).

- 117. See RAWLS, supra note 13, at 48–58; see also QUONG, supra note 13, at 37–38, 146 (citing RAWLS, supra note 13, at 54).
  - 118. RAWLS, *supra* note 13, at 15–19.
  - 119. *Id.* at 36–37.
  - 120. See, e.g., QUONG, supra note 13; Nussbaum, supra note 111.
  - 121. See RAWLS, supra note 13, at 16.
  - 122. See QUONG, supra note 13, at 38.
  - 123. See RAWLS, supra note 13, at 49.

In addition to understanding society as a system of fair social cooperation, reasonable people also conceive of other citizens, at least for political purposes, as both free and equal. The idea of freedom is specified according to a conception of citizens as having a capacity "to form, to revise, and rationally pursue a conception of the good." Citizens are equal in the sense that they have this capacity, as well as the capacity to act from a sense of justice, to the degree necessary for participating as cooperative members of society. 125

The capacity to have and revise a conception of the good is especially important as a basis for political freedom. Citizens are considered to be free in the sense that their political status does not turn on whether they maintain a particular conception of the good. Rawls gives the example of Saul of Tarsus becoming Paul the Apostle. Or we might consider the recent conversions of Vermeule and Ahmari to Catholicism. In a liberal democracy, religious conversion has no bearing on a citizen's political or legal identity. Citizens are *free* when they can undergo significant changes in their religious, ethical, and philosophical views without affecting their basic rights and liberties. And citizens are *equal* in the sense that rights and liberties are not distributed differently to citizens depending on whether they adhere to a particular conception of the good, but only on the basis of whether they have the relevant moral powers to the requisite degree.

It should be clear that the liberal conception of reasonableness described so far has substantive moral content. Proponents of this conception are not agnostic on this point.<sup>129</sup> To see citizens as free and equal in the relevant sense is to accept that basic features of one's political identity, including one's status as a citizen and the attribution of fundamental political rights and duties, generally ought to be determined without regard to one's religious,

<sup>124.</sup> *Id.* at 72.

<sup>125.</sup> See id. at 19.

<sup>126.</sup> Id. at 31.

<sup>127.</sup> See Adrian Vermeule, Finding Stable Ground, FIRST THINGS (Nov. 4, 2016), https://www.firstthings.com/blogs/firstthoughts/2016/11/finding-stable-ground [https://perma.cc/RKR2-FHOG].

<sup>128.</sup> See RAWLS, supra note 13, at 30 ("[W]hen citizens convert from one religion to another, or no longer affirm an established religious faith, they do not cease to be, for questions of political justice, the same persons they were before.").

<sup>129.</sup> See Rawls, supra note 14, at 802 n.91 ("Perhaps some think that a political conception is a not a matter of (moral) right and wrong. If so, that is a mistake and simply false."). The same holds for the idea of reasonableness that forms part of the basis for specifying a political conception of justice.

ethical, or philosophical views. <sup>130</sup> That citizens' political identities should be structured in this way is a deep feature of the political morality of liberal democratic societies.

The liberal conception of reasonableness is thus partly a complex moral idea. But it also has an epistemic component. As mentioned above, the second aspect of reasonableness is that citizens must accept the fact of reasonable pluralism. In democratic societies that protect basic liberties, including the freedom of speech and freedom of conscience, citizens can be expected to hold a wide diversity of comprehensive conceptions of the good. This type of pluralism is a permanent feature of such societies. It cannot be eradicated without the use of oppressive state power.<sup>131</sup>

Reasonable citizens need not value such diversity, but neither should they regard it as demonic or morally catastrophic. <sup>132</sup> Instead, the diversity of views that characterizes liberal democratic societies may be seen as the result of citizens reasoning and acting in good faith under the "burdens of judgment," which describe some standard obstacles to practical and theoretical reasoning. <sup>133</sup> On this view, pluralism is not merely a fact about liberal democratic political cultures, but a reasonable one. And it is reasonable

<sup>130.</sup> We recognize that some legal entitlements may be tied to one's ability to assert claims based on particular conceptions of the good. For example, some legal regimes require that those seeking religious exemptions have sincere religious beliefs that give rise to their claims. This example can be consistent with the conception of freedom described above, provided that rights to seek exemptions are distributed equally among those with comparable claims given their particular conceptions of the good and provided that basic rights are secured regardless of which conceptions of the good and provided that basic rights are secured regardless of which conceptions of the good are held by citizens. See RAWLS, supra note 13, at 30 (explaining that when citizens engage in religious conversion, "[t]here is no loss of what we may call their public, or institutional identity, or their identity as a matter of basic law. In general, they still have the same basic rights and duties . . . except insofar as these claims were connected with their previous religious affiliation.").

<sup>131.</sup> *Id.* at 37

<sup>132.</sup> What we say here is compatible with believing that some comprehensive doctrines are unreasonable, immoral, or evil. Our claim is that the fact of pluralism itself should not be characterized in this way, rather than any particular instantiation of it.

<sup>133.</sup> RAWLS, *supra* note 13 at 54–58. The burdens of judgment include: the complexity of empirical evidence, differences in how to weigh competing moral considerations, vagueness of moral and political concepts, divergent background experiences relevant to assessing evidence and weighing values, and difficulties in making moral trade-offs. *See id.* at 56–57. Rawls claims that acceptance of the burdens of judgement is part of what it means to be reasonable. *Id.* at 54. This view is controversial, and some who are otherwise sympathetic to political liberalism have rejected it. *See* STEVEN LECCE, AGAINST PERFECTIONISM: DEFENDING LIBERAL NEUTRALITY 203 (2008); CATRIONA MCKINNON, LIBERALISM AND THE DEFENCE OF POLITICAL CONSTRUCTIVISM 45–56 (2002). Although we cannot pursue this issue here, our view is that the burdens of judgment provide a plausible account of reasonable disagreement and that some such account is necessary to explain why pluralism is the permanent result of citizens reasoning in good faith under conditions of freedom. *See* QUONG, *supra* note 13, at 245–46.

because it is the result of citizens exercising their rational capacities under conditions of freedom. <sup>134</sup>

Drawing together the moral and epistemic aspects of reasonableness leads to some important political conclusions. Citizens are reasonable when they are willing to propose fair terms of social cooperation to others who they see as free and equal. And they recognize that others will hold comprehensive views that, like their own, are the result of good faith efforts to reason about moral and political questions. Given that others are similarly situated, they will understand that they cannot simply propose rules of cooperation that follow from their conceptions of the good. Presumably others would reciprocate by doing the same. To be reasonable, they must instead work to justify a set of rules that others might reasonably accept despite disagreements about their respective religious, ethical, and philosophical views. They must find some common moral ground—a public basis that cannot be premised on any particular conception of the good—to support their collective exercise of political power. 135 Showing that such a basis is available is, of course, the project of political liberalism. Again, our aim here is not to defend that project, but to explicate its basic assumptions and to apply them.

#### B. Integralism's Unreasonableness

Catholic integralism is unreasonable because it violates each aspect of the liberal conception of reasonableness. For starters, consider the idea of society as a fair system of social cooperation. Integralists reject this view in favor of a Schmittian concept of the political, in which citizens with competing conceptions of the good are engaged in politics as a form of

<sup>134.</sup> RAWLS, *supra* note 13, at 36–37.

<sup>135.</sup> The idea that reasonable citizens are committed to offering justifications that others might reasonably accept leads to the idea of public reason. See Rawls, supra note 14, at 770–71. See generally Jonathan Quong, On the Idea of Public Reason, in A COMPANION TO RAWLS 265 (Jon Mandle & David A. Reidy eds., 2014); Micah Schwartzman, The Sincerity of Public Reason, 19 J. POL. PHIL. 375, 378–79 (2011). But here we leave aside various complications involving different conceptions of public reason that have emerged in recent years. Integralists reject moral commitments that are common to many, and perhaps all, liberal theories of public justification and public reason, and so our criticisms are more basic and need not rely on a more fully specified account. For helpful discussions of public reason and public justification, see Jonathan Quong, Public Reason, STAN. ENCYCLOPEDIA PHIL. (2017), https://plato.stanford.edu/entries/public-reason [https://perma.cc/L3BE-RX4G]; Kevin Vallier, Public Justification, STAN. ENCYCLOPEDIA PHIL. (2018), https://plato.stanford.edu/entries/justification-public/ [https://perma.cc/RY7W-8DM3].

existential, theological, and cultural warfare. In this way of understanding politics, there is no space for reciprocity and fair cooperation, except as prudential means for coopting and eventually superseding the liberal state. Politics is, at most, a *modus vivendi*, in which integralists bide their time until the state is prepared to recognize the Church in its unique capacity as a religious authority and equal partner in governing society. This view of politics is unreasonable, because it refuses to recognize those with competing religious and ethical perspectives as having valid and independent claims. Integralists are unwilling to offer fair terms to others. At bottom, they are committed to a view of political society as a system of religious domination. Of course, integralists may not be embarrassed by this characterization of their view. They may well embrace it. But in its candor, the integralist commitment to religious domination is nonetheless a brazen announcement of the doctrine's unreasonableness.

The political conception of the Church as a representation of divine authority, with its singular claims to state recognition and to the use of coercive power in matters of religion, also conflicts with the ideas of freedom and equality in the liberal conception of reasonableness. Consider, again, the case of Edgardo Mortara, a Jewish child who was secretly baptized, forcibly separated from his parents, and then raised as a personal ward of Pope Pius IX. <sup>137</sup> Here, we have a clear application of integralist principles. Contemporary integralists have defended Pius IX's decision as consistent with canon law and with the civil law of the Papal States. 138 But their claims go further. The Church represents Christ on earth, and if it has determined that the highest good is best served by taking baptized children from their non-Catholic parents and giving them a Catholic education, nothing can stand in the way of that conclusion. And if the state is guided by the Church and applies its coercive power to achieve spiritual ends, or if the Church applies that power itself, again there is no gainsaying the political legitimacy of that exercise of religious authority.

It should be obvious that integralism has no regard for the freedom and equality of Mortara's Jewish family. <sup>139</sup> In a liberal society, citizens are

<sup>136.</sup> See, e.g., Adrian Vermeule, Kyriarchy and Constitutionalism, MIRROR JUST. (Nov. 29, 2016), https://mirrorofjustice.blogs.com/mirrorofjustice/2016/11/kyriarchy-and-constitutionalism.html [https://perma.cc/N8FK-76B5] (defining Kyriarchy as "the reign of the risen and enthroned Lord" and arguing that defining this regime type as "intrinsically oppressive...begs the question against the Catholic perspective...").

<sup>137.</sup> See KERTZER, supra note 1, at 299.

<sup>138.</sup> See supra note 4.

<sup>139.</sup> Here we anticipate a response from integralists, who might claim that they respect the freedom and equality of religious minorities by requiring them to comply with laws that are consistent with religious truth. But this answer is unreasonable, because it insists on imposing a view that many citizens reasonably regard as a controversial conception of

reasonable when they adopt comprehensive doctrines that respect others' basic liberties, including the freedom of conscience, speech, and association. The Mortaras' moral rights were violated when the Pope ordered the seizure of their son. Their religious liberty to raise their children in their own faith was extinguished. Of course, no Catholic integralist living in a non-Catholic state would ever recognize as legitimate such an action by the state if the circumstances were reversed, that is, if the state sought to seize a Catholic child. In that situation, integralists would demand recognition of their religious freedom. That integralists reject the same freedom when it applies to others signals their refusal to recognize citizens of other faiths as having equal basic rights. In a society ordered according to an integralist ideal. religious minorities could not be secure in their freedom. They would be subject to an external religious authority, imposed upon them by both the Church and state, in a political system that would deny their rational capacity for having, revising, and pursuing their own conception of the good.

In addition to restricting the basic liberties of religious minorities and nonbelievers, an integralist regime would also be committed to rejecting their political equality. A state guided by the Church would subordinate those who reject its instruction and render them, at best, second-class citizens, if not relegate them to some more degraded political status. Those outside the faith would be excluded from the political decision-making process. In a system structured according to a Schmittian conception of politics, they would be treated as enemies of the regime, subject to the threat of coercion, violence, expulsion, or worse. 140

In a liberal democratic society, by contrast, citizens are thought of as standing in a relation of equality, which can be characterized as a form of civic friendship. 141 Citizens with diverse conceptions of the good do not see themselves as enemies or foes, but rather as friends whose relationship

religious truth and because, in so doing, it denies the substantive content of the ideas of freedom and equality within a liberal conception of reasonableness. Again, we do not expect this answer to move integralists, who reject what they call "procedural" liberal values. But as noted above, see supra note 116, whether integralists are persuaded is not the measure of justification for a conception of reasonableness and the moral ideas that guide our understanding of it.

<sup>140.</sup> For a catalog of historical examples attributable to past integralist regimes, see Samuel C. Rickless, Paganism is Dead, Long Live Secularism, 56 SAN DIEGO L. REV. 451, 482-85 (2018).

See RAWLS, supra note 13, at xix. 141.

is mediated through institutions of fair cooperation. <sup>142</sup> But in an integralist regime, where political relations are defined in terms of religious authority, and where citizens are encouraged to see those with unorthodox views as existential rivals, it is difficult and perhaps impossible to see how citizens with different religious, ethical, and philosophical views could maintain relations of equality and mutual respect.

Perhaps tellingly, in a recent discussion of integralism. Adrian Vermeule reports that one his colleagues, described as a "man of the left," asked him the question: "[I]n a fully Catholic polity, the sort you would like to bring about, what would happen to me. a Jew?"<sup>143</sup> Vermeule's response was: "Nothing bad, I assured him." Vermeule does not say whether his colleague was, in fact, reassured, but he should not have been. For an integralist to say that "nothing bad" will happen begs the question of what counts as good and bad. An integralist might think that Pius IX's taking of Mortara was a good thing and that the pope acted in the best interests of the child. But that view was, of course, no consolation to the child's Jewish parents. and nor could it provide any reassurance to Vermeule's Jewish colleague. It might be a clever response, but it is not a serious one. If integralists are committed to their principles, that will entail real harms to the basic rights of religious minorities and to their equal standing in political society. Bad things will happen to them, as they are happening in countries that are moving in the direction of ethnoreligious, and perhaps, integralist political regimes. 145

Here, an integralist might respond that it is necessary to draw a distinction between theory and practice, between integralism as an ideal and integralism as reflected in any actually existing political regime. But the distinction between theory and practice is not helpful to the integralist, because the harms at issue follow from the integralists' conception of politics as warfare against theological enemies. When, if ever, integralism is realized as a "very concrete

 $<sup>142.\</sup>quad$  See Leland, supra note 115; see also Andrew Lister, Public Reason and Political Community 105-34 (2013).

<sup>143.</sup> Vermeule, *supra* note 67.

<sup>144.</sup> *Id*.

<sup>145.</sup> See, e.g., Ira Forman, Viktor Orbán Is Exploiting Anti-Semitism, ATLANTIC (Dec. 14, 2018), https://www.theatlantic.com/ideas/archive/2018/12/viktor-orban-and-anti-semitic-figyelo-cover/578158 [https://perma.cc/W722-ZCKF]; Henry Ridgwell, Rising Anti-Semitism Forces Jews to Question Future in Europe, VOICE AM. (Feb. 20, 2019), https://www.voanews.com/europe/rising-anti-semitism-forces-jews-question-future-europe [https://perma.cc/AUL7-B8BF]; Don Snyder, Anti-Semitism Spikes in Poland—Stoked by Populist Surge Against Refugees, FORWARD (Jan. 24, 2017), https://forward.com/news/world/360967/anti-semitism-spikes-in-poland-stoked-by-populist-surge-against-refugees [https://perma.cc/YF76-ED4M] (discussing rise in Polish anti-Semitism).

<sup>146.</sup> *Cf.* Vermeule, *supra* note 69 (distinguishing between "*liberalism as a theory*" and "*liberalism as a regime*").

type of political-theological order,"<sup>147</sup> it will be no surprise that religious minorities are treated as enemies, that their rights are violated, and their status as equals is denied. The theorist of integralism will have no standing to complain that the real has failed to track the ideal. It will, in fact, have done so all too well.

Lastly, the integralist's rejection of society as a fair system of social cooperation, and the refusal to recognize those of other faiths as free and equal, is based on a more profound repudiation of the idea of reasonable pluralism that characterizes modern liberal democratic societies. Unlike some mainstream religious conservatives, who recognize that such diversity is an ineliminable fact about American political culture—that it is that natural result of individuals reasoning under conditions of freedom—integralists harbor a nostalgia for a time when such pluralism was suppressed by the pervasive influence of religious domination. Integralists are, of course, aware of this charge, and they deny it, arguing that it is, in fact, less radical religious conservatives who are nostalgic for a time when there was a purported truce. or at least less intense conflict, between Catholicism and liberalism. 148 For integralists, it is impossible that such a time could ever have existed. On their view, liberalism was born out of hostility to the Church, and it has always been in existential conflict. But this response does not remove the sting of the initial charge of nostalgia. It is no answer to say that others also hanker for a different, more idvllic time. More importantly, the integralists' vision is far more radical. And if it is forward rather than backward looking, then it is subject to the charge of utopianism, or perhaps dystopianism, since constraining pluralism to the extent necessary to establish an integralist regime in Western liberal democratic societies would require massive levels of state coercion. Integralism's eschatology—its theory of historical development and the destiny of mankind—requires transcending the conditions of modernity, which it sees as morally catastrophic. No doctrine that holds this view can be thought of as reasonable or within the moral boundaries of a liberal democratic political society.

Integralists will say that this fact, that liberals are intolerant of illiberal or antiliberal views, shows the incoherence of liberalism. Liberals purport to be value neutral and tolerant of others, when in fact they are neither.

<sup>147.</sup> *Id* 

<sup>148.</sup> See Vermeuele, supra note 76; see also BRAD S. GREGORY, THE UNINTENDED REFORMATION: HOW A RELIGIOUS REVOLUTION SECULARIZED SOCIETY 365–88 (2012) (defending against the charge of nostalgia for pre-Reformation Christendom).

This is an old argument and a tired one. No serious political liberal claims that liberalism is neutral across all values. Every conception of liberalism contains normative commitments, both moral and epistemic values that are central to the theory and practice of liberal politics. There is no internal contradiction in recognizing those values and in defending them, as well as the institutions built upon them, from those who would tear them down. But identifying some doctrines, and perhaps some citizens, as unreasonable also does not signal intolerance or persecution. A liberal society tolerates those who are unreasonable. 149 It protects their rights in the same way that it protects the rights of all others. In a liberal society, people are free to convert to Catholicism, to become integralists, to espouse their views publicly, to associate with like-minded people, to raise their children to hold similar views, and so on. In fact, there is wide toleration of antiliberal views in liberal democratic states. By contrast, toleration for liberal views could hardly be expected under an integralist regime, which would collapse the distinction between what is reasonable and what is tolerated. Where all politics is theological and existential—a matter of warfare between friends and enemies—there is no space or luxury for such distinctions, whether in theory or in practice.

Integralists sometimes complain that political liberalism makes politics into meta-politics, using abstract concepts, such as reasonableness, to mask its exclusionary and repressive internal logic. In relaying the conversation with his Jewish colleague, Vermeule remarks, "This was no second-order discussion of 'political liberty' or 'rights' or 'overlapping consensus.' This was a passionate concrete question about the fate of an individual, a people, and the shape that a polity might take, all inseparably linked. It was, at last, after all the academic workshops on 'procedural justice' and 'tolerance,' a genuinely political conversation." But to this objection, liberals can respond that the "Jewish question" will also be asked by other religious minorities and by nonbelievers. In Western liberal democratic states, and no doubt others as well, citizens with a wide diversity of conceptions of the good will bring forward similar questions. And the appropriate response is to articulate a set of values and principles at a level of generality that is responsive to such pluralism. Integralists have no aversion or impatience with abstraction within their own accounts of politics. The concept of the political, the idea of representation, the Church as a *complexio oppositorum*, the integralist state as aiming toward a *civitas humana* or a *societas perfecta*,

<sup>149.</sup> The issue of tolerating unreasonable citizens is discussed in the literature on political liberalism. *See generally* QUONG, *supra* note 13, at 290–315; Clayton & Stevens, *supra* note 16; Erin Kelly & Lionel McPherson, *On Tolerating the Unreasonable*, 9 J. POL. PHIL. 38 (2001).

<sup>150.</sup> Vermeule, *supra* note 67.

the idea of natural law or the common good—all of these are metapolitical concepts, and yet integralists have no trouble invoking them. The integralists' impatience with abstract liberal concepts is about the substantive content of those concepts and the motivation for adopting them, which is to respond in an equitable and tolerant way to the fact of reasonable pluralism. The answer is not to go to war against that fact, but to learn how to live fairly and cooperatively—reasonably—with it.

#### IV. CONCLUSION

In *Political Liberalism*, John Rawls remarked that a cause of the collapse of liberal democracy in Weimar, Germany, was that the nation's intellectual elite "no longer believed a decent liberal parliamentary regime was possible." Antiliberal critics had helped to discredit the project of liberal democracy, which contributed to undermining the bonds of civic friendship and the stability of political institutions.

Today, "post-liberal," antiliberal, and integralist opponents of liberal democratic societies are engaged in similar attacks on the idea of liberal politics as a system of fair social cooperation among free and equal citizens. In surveying the views of contemporary Catholic integralists, and at least one important intellectual predecessor, we have focused on some of the sharpest and most articulate expressions of this hostility to liberalism. From within liberalism, integralism as a political doctrine is systematically unreasonable. That conclusion, of course, is expected within integralist thought, which sees liberalism as its political and theological nemesis. But, at least for those generally committed to the possibility of liberal democracy, it is nevertheless important to have a clear understanding of the basic moral and epistemic assumptions of political liberalism and why certain doctrines, such as integralism, are in conflict with them. Applying the liberal conception of reasonableness to the example of integralism helps to clarify that conception and to identify and explain what is normatively objectionable about such unreasonable views.