

Integralism and Justice for All

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Catholic integralism has received a lot of attention recently, promoted by pundits and scholars alike.¹ Much ink has been spilled in scholarly venues discussing historical evidence marshaled by defenders of integralism who argue that the Catholic Church has rights to the coercive power of the state in service of its religious mission, notably Thomas Pink.² My interest in this piece is different. I aim simply to show that integralism is unjust. To prove this, I propose two problems that illustrate the integralist position entails violations of distributive justice concerning the rights of non-Catholics. It is important to highlight that my argument that integralism is unjust will not require denying Pink's controversial views about the power of the Church to direct state policy. In other words, I presume the truth of Catholicism and Pink's controversial readings of Church documents, but show that these readings do not allow us to arrive at the view that integralism is true. What my argument attacks is not that the Church has such powers, but that there is any identifiable "ideal" political arrangement in which these powers are exercised.

Pink has attempted to show that—contrary to popular perception—the

¹ For example, Adrian Vermeule, "Ralliement: Two Distinctions," *The Josias*, March 16, 2018, thejosias.com/2018/03/16/ralliement-two-distinctions/; Edmund Waldstein, "All We Need is Everything," *First Things*, June 2022, firstthings.com/article/2022/06/all-we-need-is-everything; Scott Hahn with Brandon McGinley, *It is Right and Just: Why the Future of Civilization Depends on True Religion* (Steubenville, OH: Emmaus Road, 2020).

² See Thomas Pink, "The Interpretation of *Dignitatis Humanae*," *Nova et Vetera* (English) 11, no. 1 (2013): 86–87.

Second Vatican Council's declaration on religious freedom, *Dignitatis humanae* (DH), is compatible with integralist positions. Appealing to arguments given by Francisco Suarez, Pink argues that the Church has rights to the coercive power or authority of the state. On this reading, "the authority to direct and coerce in matters religious . . . belongs to the Church. It no more belongs to the state than it belongs to private individuals."³ Instead, the Church is a coercive authority which can impose "temporal penalties" on its members.⁴ Further, the baptized acquire obligations to lend the Church their temporal authority in service of its mission; thus, "rulers and officials of Christian states—[fulfill] their baptismal obligations to the Church in lending her their power and resources to hold other baptized Christians to their baptismal obligations."⁵ Consequently, the Church has a right, given its coercive authority to impose temporal penalties on its members, to the temporal power which baptized rulers hold, in service of its mission.⁶

Pink's interpretation of what was called the Church's "indirect power" over government therefore involves a strong thesis that the Church has God-given rights to utilize civic coercion for its own supernatural ends. I will refer to this controversial thesis about "indirect power" as the "Suarezian thesis" (but will not be concerned with whether his view accurately represents Suarez). Pink and other integralists claim that this strong thesis about a native or intrinsic right of the Church to the coercive power of the state is doctrinally binding on Catholics.⁷ But Pink's view of that indirect power is controversial among Catholic theologians. Theologians as noteworthy as Avery Dulles, Joseph Ratzinger, and John Henry Newman explicitly reject this interpretation that the Church has native or intrinsic rights to civil coercive authority.⁸ For my purposes, I will concede the Suarezian thesis and

³ Thomas Pink, "Jacques Maritain and the Problem of Church and State," *The Thomist* 79, no. 1 (2015): 23.

⁴ Thomas Pink, "What is the Catholic Doctrine of Religious Liberty?," expanded version, June 15, 2012, p. 9, academia.edu/639061/What_is_the_Catholic_doctrine_of_religious_liberty.

⁵ Pink, "What Is the Catholic Doctrine of Religious Liberty?," 41; Pink, "Interpretation," 87.

⁶ E.g., Pink, "What Is the Catholic Doctrine of Religious Liberty?," 14.

⁷ Pink, "What Is the Catholic Doctrine of Religious Liberty?," esp. 8–12, 16–18. See also Thomas Pink, "Suarez and Bellarmine on the Church as Coercive Lawgiver," in *Legge e Natura I dibattiti teologici e giuridici fra XV e XVII secolo*, ed. Riccardo Saccenti and Cinzia Sulas (Ariccia, Italy: Aracne editrice 2016), 287–332; Thomas Love, "Roman Catholic Theories of 'Indirect Power,'" *Journal of Church and State* 9, no. 1 (1967): 71–86.

⁸ E.g., Avery Dulles, "The Indirect Mission of the Church to Politics," *Villanova Law Review* 52, no. 2 (2007): 241–52; Joseph Cardinal Ratzinger, "Theology and the

illustrate that it is theoretically independent of integralism. Indeed, I will argue that integralism is false *even if the Church did have a claim to temporal coercive power of the state*. Integralism is more than the Suarezian thesis, does not follow from it, and does not strictly require it.

The essay will be structured as follows. I will begin by providing clarifications on the meaning and nature of the integralist thesis. Then I will propose two arguments to show that, even if the Suarezian thesis were true, it would not entail that integralist states are the ideal political arrangement. What I will show is that there is *no good sense* in which integralist states are politically *ideal*. This is not to say integralist states are always impermissible. There are constraints that integralists themselves accept on when integralist states are permissible, and only when these constraints are met is an integralist state supposed to be politically ideal. I will construe the constraints charitably. Then I will show both that integralism lacks any good justification for the claim that its preferred political arrangements are ideal or normative, and that integralism is unjust in ignoring moral demands made upon Catholics by non-Catholic citizens.

Unpacking Integralism

The integralist ideal admits of different formulations and has been described in a number of ways. Not all are helpful for arriving at what is unique about the view. Some propose there is no separate “state” that exists over and against the Church as a distinct complete society. Instead, the Church is the only complete society, which has a temporal and a spiritual power.⁹ A danger of this formulation, however, is that it appears to delegitimize all non-integralist states. That looks overly strong. For instance, if an integralist includes the distinction that non-integralist states are “legitimate enough” in some respect to be able to exercise true political authority, even though they

Church’s Political Stance,” in *Church, Ecumenism and Politics: New Essays in Ecclesiology* (NY: Crossroad, 1988), 161–63; St. John Henry Newman, *Certain Difficulties Felt by Anglicans in Catholic Teaching*, vol. 2 (London: Longmans and Green, 1900), esp. 290–98.

⁹ E.g., Andrew Willard Jones, *Before Church and State: A Study of Social Order in the Sacramental Kingdom of St. Louis IX* (Steubenville, OH: Emmaus Academic, 2017); Jones, *The Two Cities: A History of Christian Politics* (Steubenville, OH: Emmaus Road, 2021). Thomas Crean and Alan Fimister, *Integralism: A Manual of Political Philosophy* (Havertown, PA: Editiones Scholasticae, 2020), 16–21. See also Xavier Focroulle Ménard and Anna Su, “Liberalism, Catholic Integralism, and the Question of Religious Freedom,” *Brigham Young University Law Review* 47, no. 4 (2022): 1171–219, esp. 1180–81.

fail to meet the political ideal, then the claim about the Church being the only complete and perfect society seems a distinction without a difference.¹⁰ It would not be a plausible integralism on which political authority cannot be legitimately exercised outside of an integralist state or independent of ecclesial hierarchy.¹¹

The key to the integralist thesis lies in its vision regarding the primacy of the spiritual authority of the Church over merely temporal authority of the state. Integralism involves a holistic approach to the nature and scope of power, to that of the Church and that of the state, and to the way in which these (normatively) interrelate: "There are two powers that rule [man]: a temporal power and a spiritual power. And since man's temporal end is subordinated to his eternal end the temporal power must be subordinated to the spiritual power."¹² Church and state have distinct ends or aims.¹³ Church authority (exercised by the college of bishops with its head, the bishop of Rome) aims to promote the supernatural good of its members in parallel with the authority of the state promoting the (natural) temporal good of its members. The state's authority extends only to temporal good (although the state has duties to religious truth¹⁴), and so any authority that the state exercises over the supernatural good of its citizens derives from the Church.¹⁵

On this picture of the relation between the powers of Church and state, when these two come into conflict, the Church takes priority. Nevertheless, integralism does not concern merely a possible case of overlap. The state should recognize the authority of the Church ("indirect power") to direct the state in promoting supernatural goods. The Church thus authorizes an expansion of the jurisdictional scope of the state in order to advance supernatural goods *directly*, such as policies which punish offenses against the faith or promote Catholic worship. There is no requirement that those policies advance the spiritual good in virtue of advancing some other element of the temporal good. Finally, political arrangements that facilitate exercise of the Church's indirect power are politically *ideal*. Integralists believe that the doctrine of the Catholic Church, as they understand it, generates a "need for

¹⁰ See Crean and Fimister, *Integralism*, 99–107.

¹¹ Biblical data militates against it, since the New Testament encourages obedience to pagan civil authorities, e.g.: Rom 13:1; 1 Tim 2:1–3; Titus 3:1; 1 Pet 2:13–14; Mark 12:17.

¹² Edmund Waldstein, "Integralism in Three Sentences," The Josias, October 17, 2016, thejosias.com/2016/10/17/integralism-in-three-sentences/.

¹³ See Pink, "Suarez and Bellarmine," 195–208.

¹⁴ See Pope Leo XIII, *Immortale Dei* (1885), §6.

¹⁵ Pink, "What Is the Catholic Doctrine of Religious Liberty?" 8–9.

a confessional Catholic State.”¹⁶ Integralism is therefore supposed to follow from Catholic doctrine, not (for example) from empirical data as to which arrangements produce the best outcomes.

In short, then, I will characterize integralism as the thesis that *those political arrangements under which the Church can mandate the state to directly advance supernatural goods are ideal*. Countries which implement arrangements in which state power is legally or constitutionally made available for supernatural aims of the Church are “integralist states.” Integralist states follow Church mandates which aim to use civil power to directly advance the supernatural good of baptized citizens. Integralists then claim that Catholic teaching mandates belief that such integralists states are the ideal form of political arrangement for a Catholic country.¹⁷

Integralists nevertheless affirm there are constraints. First, achieving the supernatural good cannot involve violating the religious freedom of the unbaptized. Pink is clear that this is a requirement of *Dignitatis humanae*. (Although this does not prevent “indirect” coercion of the unbaptized in view of protecting the baptized from deleterious spiritual influences.)¹⁸ It is worthwhile noting that prohibition of coercion in accepting baptism is rooted deeply in the Christian tradition and is not a Vatican II innovation (as *DH* itself indicates).¹⁹ While all integralists adhere to the view that the state can directly promote supernatural goods under the direction of the Church, all do not adhere to the same vision of religious coercion. For many integralists, religious coercion potentially if not ideally includes coercive measures against things such as proselytism by non-Catholics.²⁰ Yet John Milbank, endorsing a “left integralism,” is cautious about expanding scope for coercion, although he endorses the central claim that the state should advance supernatural goods.²¹ Often, such questions as to whether and to what extent religious minorities will have freedom within integralist states

¹⁶ Thomas Pink, “In Defence of Catholic Integralism,” Public Discourse, August 12, 2018, thepublicdiscourse.com/2018/08/39362/.

¹⁷ For a concise and helpful summary, see Thomas Storck, “What is Integralism?,” *New Oxford Review*, September 2022, 22–27.

¹⁸ E.g., Pink, “What Is the Catholic Doctrine of Religious Liberty?,” 11–12.

¹⁹ See *DH* §10, particularly the list of witnesses in notes 7–8.

²⁰ Storck, “What is Integralism?” 25; Ménard and Su, “Liberalism,” 1216–18.

²¹ John Milbank, “On ‘Left Integralism,’” lecture in the JP2 Lectures series, Saint John Paul II Institute of Culture at the Pontifical University of Saint Thomas Aquinas, March 17, 2022, angelicum.it/wp-content/uploads/2022/02/John-Milbank_JP2-Lecture_Left-Integralism.pdf.

are deferred as “merely prudential” because “there is a wide range of potential applications” of integralist principles.²²

A second constraint is that integralism does not require thinking that advancing the supernatural good is of such immense importance that integralist states might ignore their duties to promote the temporal common good and dedicate all civic power to advancing supernatural goods alone. While it is true that the supernatural good of union with God is of infinite value and the natural good of filial piety to your parents is of much lesser value, Catholic moral theology does not countenance sacrificing the latter to the former. For example, if your parents are sick and need you to stay home to take care of them, then you are excused from attending Sunday Mass. Integralism has such a stipulation “built in” to its concept of Church–state relations, since the state’s proper task is the promotion of the temporal common good. The state requires a form of “deputization” by the Church in order to exercise civic coercive authority in advancing supernatural goods.²³ And the reason for this is that the state’s proper task is not advancing supernatural goods. Promotion of supernatural goods by the state might undermine other aspects of the temporal or supernatural common good, and the Church would not be entitled to undermine the proper good of the state *excessively* by its mandates.²⁴

Finally, by “ideal” in this context, I do not think we should be overly specific. Integralists might differ on exactly the way in which such an ideal *guides* policy decisions or activism. There is a sense in which, as we will see, integralists like Pink take integralist states to be normative insofar as there are moral duties incurred by baptism that regard use of political power; for instance, Christian rulers have duties to obey the Church and use political power in her defense. The accidental circumstances that excuse Christians in political power today (as opposed to their medieval forebears) from acting on such duties are not merely variant, but abnormal; integralists have said these circumstances are “often criminal and always regrettable.”²⁵ But we can leave these qualifications to the side. I am not going to discuss the way in which the ideal is action-guiding. My concern lies with the ideal. I will argue that integralist states do not constitute the political ideal. If integralist states

²² See also Ménard and Su, “Liberalism,” 1209–12; Waldstein, “All We Need.”

²³ E.g., Pink, “Interpretation,” 86; *Immortale Dei* §§3–14, 33–35.

²⁴ We can grant that there might be borderline cases as to whether that Church direction “excessively” undermines the state’s ability to achieve the temporal common good. The constraint is only that there are *some* limits.

²⁵ Cited by Maruice Bevenot, “Thesis and Hypothesis,” *Theological Studies* 15, no. 3 (1954): 443.

constituted the political ideal, that ideal would entail that certain duties to non-Catholics do not exist or can be legitimately violated on the basis of the reasons integralists propose. But I will argue, in two different contexts, that these duties exist and cannot be legitimately violated for those proposed reasons. Consequently, the integralist ideal is unjust.

Problem 1: Unjustified Burdens

A significant motivation for integralism is the theology of baptism. Baptism generates moral burdens on the baptized themselves as well as others, such as godparents and parents of the baptized, and the rest of the Church. Baptism is what makes it appropriate for the Church to use its pastoral authority to encourage faithfulness to those baptismal vows.²⁶ Pink points out that, at the Council of Trent, the following canon was approved:

Canon 14. If anyone shall say that those who have been baptized . . . as infants, when they have grown up, are to be questioned whether they wish to ratify what the sponsors promised in their name, when they were baptized, and if they should answer that they are not willing, that they must be left to their own will, and that they are not to be forced to a Christian life in the meantime by any other penalty, except that they be excluded from the reception of the Eucharist and of the other sacraments until they repent: let him be anathema.²⁷

Pink argues that this canon exemplifies the Catholic Church's claim, as taught *de fide*, that such temporal penalties are appropriate to ensure fidelity to baptismal obligations. Pink then cites documents, such as the Fourth Lateran Council's requirement that Christian rulers aid in suppressing heresy under pain of excommunication, as verifying the Suarezian thesis of the Church's claim to civil penalties.²⁸

Nevertheless, it bears repeating that the Tridentine canon has nothing to do with the Church's power to employ *civil penalties*. Strictly speaking, the canon requires only affirming that penalties that go beyond the purely spiritual (exclusion from the sacraments) might sometimes be appropriate

²⁶ Pink, "Interpretation," 95; see also Thomas Pink, "Vatican II and Crisis in the Theology of Baptism: Part II," The Josias, November 5, 2018, thejosias.com/2018/11/05/vatican-ii-and-crisis-in-the-theology-of-baptism-part-ii/.

²⁷ Heinrich Denzinger, *Sources of Catholic Dogma*, 30th ed., trans. Roy Deferrari (repr. Freiburg: Herder, 1954), no. 870.

²⁸ Pink, "Interpretation," 97–100.

for violating one's baptismal vows. Nor does canon 14 unequivocally state that temporal penalties are *requisite*, given that it embeds the assertion about appropriateness of penalty within a conditional statement about a position where adults are to be questioned whether they accept vows made on their behalf. Even if it were granted that this were a canon applying to Church coercive power, the canon does not require us to hold that specifically *civic* penalties are appropriate means to ensure faithfulness to baptismal vows. The canon can be read regarding the Church's ability to impose temporal penalties from its own means *without* governmental assistance. For example, the Church might be able to inflict on its members only such temporal penalties as any other private family, corporation, or association within the state might. Or, conversely, the infliction of a temporal penalty by the Church upon its members in order to advance their supernatural good might be to withdraw various temporal goods within the Church's power, such as benefices or eligibility for employment.²⁹

The Tridentine canon *does* state unequivocally that obligations incurred by baptism are incurred on account of baptismal vows made by others on behalf of the baptized, not only by baptismal vows made by the baptized themselves as competent adults. The canon does not specifically state that *valid baptism alone*, received (for example) irregularly without anyone making baptismal vows or by force or outside of the Catholic Church, makes it appropriate to use temporal coercive power to ensure that the baptized live as good Catholics. Baptism by itself gives the baptized moral reasons to live a Christian life and constitutes them a member of the Church, but the mere fact one is baptized need not always generate public obligations which make civic or temporal coercion appropriate.³⁰

In order to avoid such complications, we can assume charitably that integralists need not assume such a strong claim. Integralist can hold that Catholic baptismal vows in *ordinary* circumstances (including infant baptism) make it appropriate for the Church to use her coercive power to ensure that people making such vows are faithful to them. The Church can

²⁹ The first appears to be the position of John Henry Newman, cited above, and the second in Martin Rhonheimer, "*Dignitatis Humanae*—Not a Mere Question of Church Policy: A Response to Thomas Pink," *Nova et Vetera* (English) 12, no. 2 (2014): 445–70.

³⁰ Classical manuals would distinguish such persons as objectively bound by ecclesial law but nevertheless subjectively excused; see Charles Callan and John McHugh, *Moral Theology*, revised and enlarged by Walter Farrell (London: Herder and Herder, 1958), no. 429. The 1983 Code of Canon Law (*Codex Iuris Canonici* [*CIC*]) thus treats baptized Protestants as exempt from its merely ecclesial laws.

then direct the state to advance the spiritual good of the baptized (assuming the Church has this power), including by coercive penalties, whether that individual would consent to these penalties, *given that* such persons have made baptismal vows in regular manner and can be held accountable for them. We also assume that those who made vows as adults are more appropriate targets of sanction than those who were baptized as infants.

This being said, integralism is not merely a view that adult converts *merit* being punished for violating their baptismal vows or that it is *permissible* to advance their supernatural good by encouraging faithfulness through state policies. Integralists hold that a political arrangement in which the state advances spiritual goods is *ideal*. An integralist state is one where all the baptized are potentially objects of direct state action that aims at their spiritual welfare. Yet one of the constraints discussed earlier requires that the unbaptized who live in integralist states are not objects of direct state action aiming at their spiritual welfare.

The integralist state can, at most, act to promote or discourage those natural goods that indirectly advance the spiritual good of the unbaptized; “The unbaptized may not be forcibly converted; but their religious activities may be restricted so as to limit their impact on the lives of Christians. . . . Similarly, the metaphysical freedom of a Hindu or Shinto polytheist does not protect them from coercion, by the state, into some form of monotheistic belief as well as practice.”³¹ These penalties are licensed only by the way in which monotheism is naturally knowable to be true, and thus jurisdiction over natural religious goods are supposed to be (classically) within the remit of state without mandate of the Church. There is thus an asymmetry between the way in which the integralist state can act toward its baptized and unbaptized citizens.

Further, the mere fact that the integralist state takes baptism as a possible basis for state action imposes disproportionate burdens and demands on these two groups. Baptized persons are subject to possible penalties that the unbaptized are not; unbaptized persons will not be afforded any possible benefits that encourage the baptized to pursue supernatural ends. Clearly, there is a reason for these disproportionate burdens: the public, ecclesial obligations of baptism. But there are two problematic effects of the fact that the *state* is being given license to enforce these obligations.

First, integralist states raise the social costs of baptism beyond what might seem reasonable or justified. (And this point is made even more severe when we include consideration of the way in which infant baptism is

³¹ Pink, “What Is the Catholic Doctrine of Religious Liberty?” 11, 13.

a normative Catholic practice.) The benefits and obligations of baptism are essentially spiritual. But, within an integralist state, the prospect of baptism involves assuming potential civil benefits and liabilities. Why think these civil burdens are reasonable? Even observant Catholics lack *individual* strong moral reasons to accept such burdens. You can affirm that marriage vows are binding or morally serious and not thereby have strong reasons to create additional incentives for your future good behavior by, for example, signing a contract that adultery would be punishable by forfeiture of all your goods. Nor does the Suarezian thesis alone provide a suitably strong moral reason for an individual to assume these burdens, as it does not claim that Church use of such power is *mandatory*. The integralist thesis that does the normative work is the claim about an ideal political structure, and that is a logically separate thesis from the account of indirect power. One could acknowledge the indirect power of the Church, as integralists conceive it, and think it should remain a dead letter.³²

The same is true conversely for the unbaptized within integralist states. The unbaptized are objects of state action possibly either in having their civil liberties curtailed (to protect the spiritual good of the baptized) or in being denied benefits that baptized citizens can enjoy. For any individual unbaptized person, no individual needs to have committed anything deserving of these restrictions in order for them to apply. Any given unbaptized person might be “invincibly” nonculpably ignorant of the need for baptism and have done nothing deserving of spiritual censure. Similarly, the unbaptized can meet all the same criteria for being part of the nation as any baptized person and have done nothing deserving of limitations of their liberties. There is no strong moral reason to impose these benefits/demands on any individual unbaptized person merely because they are unbaptized. The argument that integralists should make for these burdens must be a *structural* argument that these social costs are justified in terms of the common good.

There are nevertheless strong moral reasons to treat people equally unless we have strong reasons not to do so—an integral element of the common good lies in duties of *distributive justice*. Aquinas therefore notes a law is unjust “when burdens are imposed unequally on the community, although with a view to the common good.”³³ (And Aquinas’s views are not idiosyn-

³² See Edward Feser, “A Clarification on Integralism,” personal blog, June 7, 2019, edwardfeser.blogspot.com/2019/06/a-clarification-on-integralism.html.

³³ Thomas Aquinas, *Summa theologiae* [ST] I-II, q. 96, a. 4, resp. (trans. Fathers of the English Dominican Province, 2nd revised ed. [New York: Benziger Bros., 1920]).

cratic.)³⁴ Unequal burdens require strong justification in terms of moral desert or duty. John Rawls's well-known "difference principle" proposes that we have strong reasons to treat people differently only if resulting inequalities are to "the greatest benefit of the least advantaged members of society."³⁵ The difference principle thus understands distributive justice to involve a requirement that structural inequalities benefit those who are most disadvantaged. Whereas Rawls's principle is controversial, what sort of benefit might be acceptably strong as to constitute a moral reason parallel to that represented by the difference principle?

First, there is no plausible parallel justification that integralists can offer that the disadvantages of the unequal distribution of burdens and demands on non-Catholic members of integralist states is being outweighed by the corresponding benefits *to non-Catholics* of living in integralist states. If the only justification for the integralist's ideality thesis is that it advances the spiritual common good of the baptized, then integralism violates a plausible principle of distributive justice by imposing unequal burdens/benefits which are not justified in terms of the good accruing to the unbaptized. One can imagine a scheme which gave greater benefits to some citizens in view of greater burdens under the law. But this is not the issue here; the greater burdens in view of which greater benefits might be given to the baptized would not be burdens incurred in light of the temporal common good (e.g., as serving in the army might merit preferential treatment), but in terms of their supernatural good.

Second, the temporal common good unique *to democratic states* looks violated by these differential burdens. Recall the constraint that the Church can permissibly mandate the state directly to advance the spiritual good, *if by doing so* the temporal common good (or other aspects of the spiritual good) is not excessively undermined. While it is hard to specify "excessively undermine," there are good reasons to believe that this constraint cannot be met by integralist states that aim to be compatible with democratic governance. In contemporary democratic states, an essential component of the temporal common good is that of a public order in which the citizens collectively rule themselves and in which the organs of state power are publicly accountable.³⁶

³⁴ Well-known modern examples of such claims in Catholic theology can be found in Pope John XXIII's 1961 *Mater et Magistra* (esp. §§12, 55–60) and 1963 *Pacem in Terris* (esp. §§147, 151), as well as the *Catechism of the Catholic Church* [CCC] §§1897–1927.

³⁵ John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 5–6.

³⁶ E.g., John Locke, *Second Treatise on Civil Government*, ed. C. B. MacPherson (Indianapolis, IN: Hackett, 1980), sec. 96.

If it were legitimate on merely religious grounds to *exclude* some citizens from political participation, or *deny* them civil rights, the common good which consists in the legal equality of all citizens looks violated. Integralists treat these citizens unequally without a justification in terms of that common good which includes democratic governance.³⁷

Third, integralists might claim that living in integralist societies is better for all, including non-Catholics, and that we can know this from facts about the way that the supernatural good will impact the state's activities. However, the integralist needs to show not only that advancing the supernatural good will benefit all, but that the *political arrangement* involved to do so will benefit all without undermining the temporal common good and supernatural good in other respects. That is, integralist states need to be *better* at advancing the good of *all citizens* than might be done by advancing the supernatural good without those arrangements. If integralist states were not better, then the possible disadvantages to the temporal good look unnecessary and unjustified—certainly, then, integralism would not be political ideal. And *even if the Church had a right to civil coercive authority*, it would then be unjustified for the Church to exercise that authority if it could achieve just the same or better results without appeal to civil power.

And I see no good justification that the integralist state is better at promoting the supernatural good, while meeting the aforementioned constraints, than any other possible alternative (or even “realistic” possible alternative). Proving integralist states are ideal in this way would require proving that the coercive power of the state promotes the supernatural good more effectively than the Church's own means, spiritual and temporal³⁸ (or any non-integralist political arrangement in addition to those ecclesial means). Is it plausible, on Catholic doctrine, that state power is *more effective* in advancing the supernatural good than the supernatural means given by Christ to the Church? I think not. Such a thesis appears to me not only unprovable, but—indeed—somewhat sacrilegious.

³⁷ John Stuart Mill thought legal equality did not rule out a “plural voting” scheme that gave more political power to the more educated. Yet Mill argues that *denying* participation would be unjust: “Independently of all these considerations, it is a personal injustice to withhold from any one . . . the ordinary privilege of having his voice reckoned in the disposal of affairs in which he has the same interest as other people” (“Considerations on Representative Government” (1861), in *Collected Works of John Stuart Mill*, vol 19 [Toronto: University of Toronto Press, 1977], 469).

³⁸ The Church has temporal authority within its own domain, e.g., its own property and offices, being able to punish offenders with temporal penalties connected with these goods, such as deprivation of income or prohibition on residing in a certain place; see *CIC* can. 1312, §2.

Interlude—Transition to Problem 2

Note that the first argument made no assumption as to whether the Church *does* have the controversial rights of “indirect power” to civil coercive penalty. Rather, the argument is that it looks impossible to substantiate the integralist thesis that an arrangement on which that power is utilized constitutes the political ideal. The political arrangement which allowed the Church to mandate state policy would require justification in terms of the common good of all citizens—and this cannot consist merely in the fact that advancing the supernatural good promotes that common good of all, but that advancing the supernatural good *by means of the state* does so, thereby justifying the differential burdens/benefits introduced by the constitutional arrangements. The integralist would thus need to show not only that supernatural goods are of benefit to all in society, but that coercive civil authority advances the supernatural good better than any possible purely spiritual (and other mixed non-integralist) alternative. And this looks impossible, given Catholic doctrine that the Church lacks any political power.

Notice too that I have *not* argued that it would always be wrong for the Church and state to advance the supernatural good together. Rather, I argued that there is no way to conclude that the integralist political arrangement is an ideal means for advancing that good, either because the supernatural good can be advanced without an integralist state or because advancing that good by means of an integralist state adds nothing to the value of the supernatural good. Instead, there is a strong presumption against any legal mechanisms that introduce differential civil burdens/benefits on account of religion. The reason there is such a presumption is that we have *duties* to non-Catholics. This first problem thus argues that we have duties (in distributive justice) toward non-Catholics which cannot be violated in light of the general considerations advanced by integralists.

Nothing about *the common good* appears to imply we lack such duties or to ground legitimate violation of them. There simply seems to be no reason that we can arrive at from facts about the common good that licenses the violation of distributive justice required in differentially distributing burdens and benefits among baptized and unbaptized citizens. Integralists therefore can go one of two ways in response to my first argument. They can argue either that such duties (in distributive justice) toward non-Catholics *do not exist*, or that such duties are *legitimately overridden* by other duties. What follows in the second problem is an attempt to cut off both of these strategies.

The integralist thesis is that integralist states (in which the Church can mandate state policies advancing the supernatural common good) are the

political ideal. The situation under which integralist states are supposed to be “ideal” is highly abstract, however. But it is typically conceded, for example, that the integralist state would be feasible only where baptized Christians constitute over 50 percent of the population, or in “a country in which the people and traditions were overwhelmingly Catholic.”³⁹ Unsophisticated integralists might attempt to argue that there is nothing wrong with violating distributive justice when it concerns non-Catholics; Catholics have no moral obligations in justice toward non-Catholics in regard to their objections to an integralist constitution (the unsophisticated integralist might argue). But it would be highly implausible to hold that this requirement of having a majority Catholic population before establishing an integralist state is not a moral constraint, but only a matter of practical feasibility in implementing integralism effectively.

Holding such a hypothetical “unsophisticated” integralism would require denying *simpliciter* that non-Catholic objections count against the legitimacy of integralist state arrangements. The consequences of biting that bullet are quite significant, however. This would entail that non-Catholics could *never* hold political power legitimately or that non-Catholic constitutions are not legitimate, in the same way that a Nazi, warlord, or pirate government is not legitimate, being intrinsically unable to direct their citizens to the common good except accidentally. While my intent here is to highlight a purely hypothetical option only to dismiss it, some integralists do explicitly qualify the legitimacy of non-Catholic states, implying that political legitimacy derives, “strictly speaking” or in some exemplar case, from the Church.⁴⁰ Nevertheless, a significant cost of this approach to authority is that much reflection within the Catholic theological tradition has been dedicated to affirming the legitimacy of non-Catholic governments and duties toward those governments, especially in the context of the discovery and conquest of the Americas.⁴¹ If integralists *did* presume an account of political legiti-

³⁹ Storck, “What is Integralism?,” 26.

⁴⁰ See Crean and Fimister, *Integralism*, 99: “Temporal power which is possessed or exercised without subjection to the rightful spiritual power therefore cannot be called simply speaking ‘legitimate.’ . . . Insofar as its bearer may have . . . a right and duty to wield it, and others the duty to obey, it may be called legitimate in a certain respect: in this sense, Alexander did not differ from the pirate chief only by the number of his men. Yet insofar as temporal power unsubject to the rightful spiritual power cannot direct man either to his supernatural or to his natural end, societies so ruled are depicted by the word of God as destructive wild beasts.”

⁴¹ The classical text being Francisco de Vitoria, “On the American Indians,” in *Vitoria: Political Writings*, ed. A. Pagden and J. Lawrance (Cambridge: Cambridge University Press, 1991), 231–92.

macy which calls the tradition into question on these points, it would give us significant grounds to reject their views.

There is something *wrong* with imposing an integralist state on a non-Catholic population, even when practically feasible. In line with the presumption that we construe integralism charitably, the better and more reasonable view is thus that integralist governments require a strongly Catholic population for their *legitimacy*. Integralists are demure as to what makes such facts relevant to legitimacy and in what ways, but it should be obvious that statistics alone are not the criteria of legitimate government.⁴² Clearly, integralists are not the sort who can accept typical liberal accounts of political legitimacy as requiring justification, for example, before all reasonable citizens. Nevertheless, eccentric theories about the “divine right of kings” or natural patriarchal authority or views of sovereignty deriving from extreme authoritarians, such as Carl Schmidt or Joseph de Maistre, are not strictly required by the integralist thesis.⁴³ We should not ignore questions about the way in which integralism might imply an unreasonable view of political legitimacy.⁴⁴ But I leave such worries aside for my purposes here and assume integralists can accept some criteria according to which governmental power is constituted and exercised legitimately, such that non-Catholics affect those conditions, given that integralist states would not be legitimate if there were too many non-Catholics (or the like).

Problem 2: Legitimacy and Duties to Non-Catholic Citizens

A sophisticated integralism can hold instead that supernatural duties *override* or *qualify* our natural duties of distributive justice to non-Catholics. The basic justification will be that the supernatural common good of the Church makes demands upon Catholics. These demands include a duty to protect the Church from harm. If Catholics live under non-Catholic government, then the state might command Catholics to act against their supernatural duties. To prevent such conflicts, Catholics should prefer that the Church can

⁴² See further John Courtney Murray, “The Problem of the ‘Religion of the State,’” *American Ecclesiastical Review* 124 (January–June 1951): 349–50.

⁴³ Ménard and Su, “Liberalism,” 1177, 1204–18.

⁴⁴ For general concerns about integralism and legitimacy, see my “Illiberal Integralist Elites,” in *Law & Liberty*, January 3, 2022, lawliberty.org/illiberal-integralist-elites/. Murray also raised whether integralists required rejecting consent of all the people as a necessary condition for just exercise of power; see “For the Freedom and Transcendence of the Church,” *The American Ecclesiastical Review* 126 (January–June 1952): 35–38.

constitutionally exercise its indirect power over government, thereby defusing constitutionally any potential conflict of religious and civil duties. Such constitutional mechanisms would necessarily require limiting non-Catholic influence over government, directly or indirectly, but the integralist infers that the cost of such exclusion is justified and reasonable considering the serious nature of religious obligations. We can express integralism's thesis as the view that reasonable, informed Catholics necessarily have *a rational preference* for integralist states.⁴⁵ This phrase then captures the normative core of what integralists need to defend.

I propose that this is the way in which to understand Pink's approach.⁴⁶ On Pink's view, the ideality of integralist government is supposed to follow from Catholic doctrine of baptism, insofar as baptism generates moral obligations for baptized Catholics to follow the Church's directives, including in their capacity as public officials.⁴⁷ He argues that Church teaching has taught that baptism generates an obligation "of Christian rulers to cooperate in the enforcement of baptismal obligations, and the kinds of penalties open to the Church to authorize."⁴⁸ There is thus supposed to be a standing obligation on Christians in political office to submit their political power to the Church. While Pink refers frequently to the Tridentine canon above, we already saw that that canon teaches only appropriateness of temporal punishment, not that it must be civil punishment by the state. Trent does not state who enforces such penalties, let alone *under what circumstances* political officials would need to do so. Pink therefore adduces evidence from historical cases

⁴⁵ See especially sec. 4 of Samuel Freeman, "Original Position," *The Stanford Encyclopedia of Philosophy*, summer 2019 edition, ed. Edward N. Zalta, plato.stanford.edu/archives/sum2019/entries/original-position/.

⁴⁶ To be clear, Pink does not (to my knowledge) explicitly address the ways in which we should limit non-Catholic involvement in government or the way in which non-Catholics pose a problem for political legitimacy of integralist governments. Pink never states the matter this way in terms of overriding or qualifying duties toward non-Catholics. But it seems to me that the description of the dangers of non-Catholic governments, as posing a standing danger or harm to the Church, are what justify (for Pink) any necessary limitations on non-Catholic political participation. Pink is not unaware that some such limitations are necessary, and he is also aware of the difficulty of transitioning to integralist government from contemporary pluralist societies, given the legitimacy questions I have raised for unsophisticated integralism. I am merely attempting to offer a reading on which Pink holds that there *are* political duties toward non-Catholics, but that these are justifiably qualified considering the duties Catholics have to prefer integralist states.

⁴⁷ Pink, "Vatican II and Crisis." See also Crean and Fimister, *Integralism*, 98, citing Robert Bellarmine, *Controversiae* 5.7.

⁴⁸ Pink, "Interpretation," 99.

where the Church excommunicated rulers who failed to punish heresy in their territories, or otherwise failed in a duty “to aid her in her exercise of her coercive authority,” as evidence that the Church has such power over political officials, in keeping with the Suarezian thesis.⁴⁹

Nevertheless, textual cases of the Church apparently calling upon the “secular arm” with the force of moral obligation, such as Lateran IV, can be interpreted variously—we need to know *why* or *in what way* public officials are obligated by baptism to lend support to the Church. Without a clear account of those moral obligations, it would be easy to undermine the integralist’s thesis that such political arrangements are ideal. Pink is diffident but admits that these obligations on Christian rulers appear to be excused outside of a constitutionally Christian state.⁵⁰ Even if we assume that the Church has indirect power in order to mandate Christian rulers to advance the supernatural common good, under appropriate conditions, the mere fact of that power tells us nothing about the conditions under which it is exercised legitimately, including whether it must (or ideally would) be exercised by means of a constitutional mechanism. Specifically, the existence of that power does not tell us that these “appropriate conditions” are *politically ideal*. One could thus simply deny that the arrangements under which Christian rulers cooperate with the Church to exercise her coercive authority (integralist states) are ideal. Then, a right of the Church to mandate civil coercive penalties (the Suarezian thesis) would be irrelevant to whether an integralist state is ideal.⁵¹

Obligations to Aid the Church

Pink justifies that ideality in terms of an individual obligation of baptized Christian rulers to put their power at the disposal of the Church. His arguments for such an obligation derive from Suarez and St. Robert Bellarmine,

⁴⁹ Pink, “Interpretation,” 100.

⁵⁰ Pink, “Interpretation,” 119: “It might well be that only in the context of such [Christian, integralist] states could baptism ordinarily obligate officials to exercise coercive state power on the direction of an authority distinct from the state and based on that baptism.” An anonymous referee has pointed out that other traditionalists, including Bernard Lucien and Marcel de Corte, take §3 of Pope Pius’s 1864 *Quanta Cura* to address these conditions, at least partially.

⁵¹ Charles Journet, for example, was sympathetic to a point with the Suarezian thesis that the Church could call upon state power in specific instances in regard to its own members, but Journet himself denied that establishment is the ideal or that the state would have positive duties in regard to support of the Church’s mission. See Roger Nutt and Michael De Salvo, “The Debate over *Dignitatis Humanae* at Vatican II,” *The Thomist* 85, no. 2 (2021): 175–226.

who argue that the Church requires this support from rulers in order to *protect* the Church from harm.⁵² These arguments ultimately derive from those offered by Thomas Aquinas in *Summa theologiae* II-II, q. 10, a. 10. Aquinas argues that unbelievers do not lose their legitimate political authority over believers—believers are still required to obey pagan rulers after their conversion, as biblical sanction dictates (1 Pet 2:13). Nevertheless, Aquinas points out that biblical evidence also dictates that believers should not *put themselves* under the authority of unbelievers voluntarily (1 Cor 6:1). The reason for this is that unbelievers having authority poses a potential danger to the faith, as when a master orders his slave to act contrary to his faith.

It would provoke scandal and endanger the faith, for subjects are easily influenced by their superiors to comply with their commands, unless the subjects are of great virtue: moreover unbelievers hold the faith in contempt, if they see the faithful fall away.⁵³

Aquinas also claims that the Church has the power to overrule the legitimacy of such *dominium* being exercised over believers by unbelievers, even outside of Christian countries:

[Unbelievers'] right of dominion or authority can be justly done away with by the sentence or ordination of the Church who has the authority of God: since unbelievers in virtue of their unbelief deserve to forfeit their power over the faithful who are converted into children of God.⁵⁴

Aquinas's position assumes, as Suarez later argues, that the Catholics are in control of whether to put themselves under non-Catholic rulers and does not therefore sanction revolt against non-Catholic rulers merely on grounds that they are non-Catholic.⁵⁵ Non-Catholic political arrangements are and remain legitimate.⁵⁶ The claim is that, if it were *entirely up to Catholics*, then

⁵² See Pink, "Suarez and Bellarmine," 203–8; Pink, "Jacques Maritain," 33–37; Pink, "Vatican II and Crisis."

⁵³ *ST* II-II, q. 10, a. 10, resp.

⁵⁴ *ST* II-II, q. 10, a. 10, resp.

⁵⁵ Francisco Suarez, *Defensio Fidei Catholicae et Apostolicae contra Errores Anglicanae Sectae* 2.5.5–6 (1872 reprint, Naples), trans. Peter L. P. Simpson (CreateSpace, 2012).

⁵⁶ What Aquinas says elsewhere about legitimacy in government indicates that lawmaking among "free peoples" (in democracies or republics) requires consent of the whole people (*ST* I-II, q. 97, a. 3, ad 3). In this vein, Aquinas rejects the legitimacy of *dominium* that is imposed by force without the consent of the subject or with coerced

Catholics would have obligations to establish an integralist state; these conditions exist only “when a new subjection of the faithful to an infidel prince depends on consent and desire of the faithful.”⁵⁷

Catholics legitimately wish to be able to fulfill their moral obligations to their faith. If a non-Catholic government’s existence poses a standing danger to the practice of the Catholic faith, this generates the rational preference for integralist regimes. Similarly, given the Church’s supernatural mission, if the Church decided that this subjection posed a danger to the faith of the Catholics, the Church could *exempt* believers from their otherwise normative obedience to non-Catholic government (assuming the exemption did not otherwise undermine the supernatural and natural good; e.g., causing scandal). The possibility of civil obligations coming into conflict with or endanger the fulfilling of “higher” supernatural obligations is what grounds the purported duty of Christian rulers to submit their power to the Church.

The Modern Situation

However, there are serious *lacunae* in Aquinas’s position which affect the rationale for sophisticated integralism. The Church today does the opposite of prohibiting its members to submit to non-Catholic governments. This is not an incidental policy change, but a reflection of a change in the modern situation which Aquinas did not foresee. Aquinas simply did not envision a third option of governments in which religious freedom and other human rights are protected constitutionally. It is therefore open to non-integralists to admit even the Suarezian thesis and nevertheless argue that, under governments that would protect the right to religious freedom as laid out in contemporary Church teaching, there is no unique principled danger to the free exercise of the faith by individual believers or to the Church’s freedom or its mission, for which danger the integralist state could be the only appropriate remedy. There are consequently no good grounds, within the modern situation, for Catholics to prefer integralist states to constitutional orders that protect religious freedom.

consent (*In II sent.*, d. 44, q. 2, ad 5). It is not plausible that, on Aquinas’s account, Catholics even when holding a majority could legitimately impose an integralist constitution on their non-Catholic fellows. Thus, Suarez understands the Church to be able to dispense Christian faithful from the power of pagan kings only when there is grave danger to the faith. Even on Suarez’s expansive notion of the Church’s indirect power it is implausible that the Church can dispense Christians from considering their fellow non-Catholic citizens’ wishes in choice of constitution merely because of the fact that those citizens are not Catholic. See Suarez, *Defensio Fidei Catholicae* 2.4.7; 2.4.12–13; 3.23.14.

⁵⁷ See Suarez, *Defensio Fidei Catholicae* 2.4.5.

Pink argues that non-Catholic governments which do not facilitate exercise of the indirect power pose a standing danger to the practice of the faith. For example, he argues that public reasoning will degrade into persecution of the Church without the integralist political arrangement. Since, on his reading of *Dignitatis humanae*, the right to religious freedom consists in the fact that the state has no competence in matters of religion, the right to religious freedom implies a duty to recognize the Church's competence. "Religion will only be publicly acknowledged as a good transcending state authority by those states that also publicly acknowledge the supernatural end, that is, the truth of religion in supernatural form."⁵⁸ If the Church is the only body which has jurisdiction over the supernatural good, the "secular" state inevitably will fail to be responsive to the Church's rights as long as it fails to confess Catholicism and put itself at the Church's service.

Pink's argument is fallacious. On the one hand, Pink draws a false parallel between constitutional regimes involving freedom of religion and "secularization." He argues that, apart from integralist states,

service of a genuinely common good . . . is only possible if the state recognizes both natural law and the transformation of law and public reason brought about by the raising of religion to a supernatural good. No genuinely non-Christian state can be relied upon to recognize either of these things. States that do not recognize them will become confessors of false belief opposed to Christianity, and their great power will turn from supporting Christianity to opposing or even repressing it, especially in relation to its moral teaching. As the rapid movement of many western states from genuine support to increasing enmity toward Christianity illustrates, there is no stable middle way.⁵⁹

It is not obvious that *every possible* non-confessional state will *inevitably* believe itself capable of directing religious affairs and tend towards suppressing religion. As long as such a state adopts clear protections of religious liberty, it is hard to see why this is inevitable, even given the forces of sin in the world. But Pink's claims specifically target Jacques Maritain's proposals on Church–state relations. Maritain had argued that the age of Christendom was a "sacral age" in which functions of Church and state were not adequately distinguished, under which the state was commonly understood

⁵⁸ Pink, "Jacques Maritain," 33.

⁵⁹ Thomas Pink, "Integralism, Political Philosophy, and the State," Public Discourse, May 9, 2020, thepublicdiscourse.com/2020/05/63226/.

to have an official religion, whereas the contemporary situation is a “secular age” in which “the unity of religion is not a prerequisite for political unity.”⁶⁰ As long as the Church can fulfill her mission without harm under these conditions, the obligations on Christian rulers to exercise political power in service of the Church’s defense now take on a different form: public officials are bound *in conscience* to exercise their power in keeping with Church teaching about the common good.⁶¹

Pink proposes that the point of decision between Maritain’s project and integralism lies in whether “political secularization—the detachment of the state from any particular religion and so from the Church—now [provides] the best means to ensuring that religion is respected as a transcendent good, as Maritain supposed?”⁶² But this is misleading. Maritain was *not* arguing that detaching the state from religion is the best way to bring about respect of religion. Maritain was explicitly calling for a Christian political society which would then influence society through Christian democratic politics. Maritain holds that the state should be Christianized by a transformation of what today we would refer to as its *civil society*, non-governmental organizations, rather than by constitutional establishment.⁶³ In modern circumstances, Maritain thinks, a “lay” state would still be one that publicly acknowledged the existence of God, but need not be specifically Catholic in its confession (as long as it allowed the full freedom to the Church in advancing the supernatural good).⁶⁴

But then it is misleading to believe we can evaluate Maritain’s program for Christian democracy without differentiating whether, on the one hand, a purported hostile secular drift in non-confessional states exerted pressure that naturally tends to eliminate or suppress attempts to Christianize civil society (making Maritain’s project hopeless) or, on the other, the failure of a Christian civil society in the last century decreased Christian influence over government and *that* brought about problems for Christians. The latter possibility would not show Maritain’s project of “Christian democracy” to be an inevitable failure, any more than the fact that Christendom dissolved would show integralist states to be an inevitable failure. Pink is selective in his consideration of the facts.

Nevertheless, no defense of Maritain’s project is needed to see that the

⁶⁰ Jacques Maritain, *Man and the State* (Washington, DC: Catholic University of America Press, 1998), 160.

⁶¹ Maritain, *Man and the State*, 163–64.

⁶² Pink, “Jacques Maritain,” 12.

⁶³ Maritain, *Man and the State*, 175–79.

⁶⁴ Maritain, *Man and the State*, 172–73.

alternatives are not mutually exhaustive of the logical space. We can consider a possible Catholic confessional state which protects religious freedom as understood by *DH* and nevertheless does not have constitutional mechanisms for exercise of indirect power. Such a confessional state would not be straightforwardly “secular,” but is also *not an integralist state*.⁶⁵ Pink’s defense of integralism requires treating anything short of constitutional exercise of the Church’s ability to exercise Suarezian indirect power over civil coercion as a “secularism” that poses a danger to the Church. If confessionally Catholic non-integralist states do not pose a danger to the Church’s mission, however, integralism is false. Is it plausible that even *confessional Catholic states* of this sort are an inevitable danger to the Church? I see no reason to think so. Then integralist states are not required to protect the Church from harm in modernity, and so Christians have no rational preference for integralist states, just as Christian rulers have no standing obligations to put their power at the disposal of the Church.

On the other hand, Pink argues that Pope Leo XIII’s *Immortale Dei* seems to teach that the union of Church and state, as “soul to body,” constitutes an ideal of Christian government.⁶⁶ This further argument aims to show that mere non-recognition of the Church’s indirect power constitutes a harm to the Church, that is, a harm to the promotion of the supernatural good.⁶⁷ This sort of justification, however, would be circular. What is in question is whether that soul–body unity is harmed by the mere fact that political rulers do not put their coercive authority at the disposal of the Church. Under a regime of constitutional protection of the rights of the Church, the only reason that this would constitute a harm is if rulers had a *de facto* duty positively to advance the cause of religion merely in virtue of their recognition of the truth of Catholicism. The integralist cannot merely assume that the supernatural good of Catholics necessarily includes the integralist state.

It is also not Aquinas’s (or Suarez’s) argument that failure to recognize the indirect power of the Church over temporal government power *constitutes* a standing harm to the Church. Aquinas’s own position does not involve any claim that the indirect power of the Church must be exercised by constitutional mechanisms to advance the supernatural good in any positive way—which is what would be necessary to ground such a standing harm to the Church. The justifications for exempting believers from *dominium* of

⁶⁵ Some have proposed various *forms* of confessionality; e.g., Basile Valuet, *Le droit à la liberté religieuse dans la tradition de l’Eglise*, 3 vols. (Le Barroux, France: Sainte-Madeleine, 2005).

⁶⁶ Pink, “Jacques Maritain,” 32–42.

⁶⁷ See Pink, “In Defence of Catholic Integralism.”

unbelievers are *negative*: to prevent harm that could ensue from political authority exercised by unbelievers, such as commanding Christians to act contrary to their faith.⁶⁸ Aquinas does *not* justify the dominion of believers, for example, by appeal to the fact that state power is necessary for advancing the supernatural good.

Further, I do not see that any of these claims in *Immortale Dei* or similar magisterial claims about such union *require* us to hold that integralist states are the only way to fulfill the duties indicated.⁶⁹ Indeed, it is striking that none of the documents Pink cites from the recent papal magisterium of the nineteenth century mentions the need for the state to facilitate the Church's employment of its coercive power, but only the state's need to follow the truth. While it is strictly beyond the scope of my paper, as it requires much more intensive textual work, it is by no means obvious that a close reading pre-Vatican II teaching on the duties that the state has toward the "true religion," and so toward supernatural goods, would support integralist readings of these texts, especially taking those texts in the scope of the whole Catholic tradition. To the same effect, the Suarezian thesis is not plausibly doctrinally requisite, and it has indeed been rejected by prominent orthodox theologians.⁷⁰

Imagine that the state is bound in justice to promote what is *really* or *in truth* good for human beings, as far as it lies in its power.⁷¹ The state would thus have obligations to obey the truth taught by the Church not as a consequence of a positive right to state power, but insofar as the Church *in fact* teaches the truth about supernatural goods,⁷² such as "what conduces to true beatitude and what hinders it are learned from the law of God, the

⁶⁸ See Thomas Joseph White, "A Right to Religious Freedom," *Nova et Vetera* (English) 13 no. 4 (2015): 1171.

⁶⁹ James Dominic Rooney, "An Alleged Contradiction in *Dignitatis Humanae*" in *Angelicum* 98, no. 2 (2021): 99–118.

⁷⁰ Murray is well-known for his historical studies rejecting Bellarmine's theory in favor of John of Paris: "St. Robert Bellarmine on the Indirect Power," *Theological Studies* 9 (December 1948): 491–535; "Contemporary Orientations of Catholic Thought on Church and State in the Light of History," *Theological Studies* 10 (June 1949): 177–234. See also John Lamont, "Catholic Teaching on Religion and the State," *New Blackfriars* 96, no. 1066 (2015): esp. 697.

⁷¹ See Pope Pius XI, *Quas Primas* (1925), §§17–18: "a public duty of reverence and obedience to the rule of Christ" and an error to hold that "Christ has no authority whatever in civil affairs." These duties are toward "not such religion as [individuals] may have a preference for, but the religion which God enjoins, and which certain and most clear marks show to be the only one true religion," (*Immortale Dei* §6).

⁷² See Jacques Maritain, *The Things that Are Not Caesar's*, trans. J. F. Scanlon (London: Sheed & Ward, 1932), 7–17.

teaching of which belongs to the office of the priest.”⁷³ Church teaching on Church–state relations in subsequent eras followed this basic pattern, that the Church would inform state policy by its teaching as regards the truth of the moral law and the law of Christ, whereas states have obligations to obey such laws insofar as it is in their power.

However, the obligation of the state to follow the moral law or the law of Christ “as it is within their power” does not license any need for denying non-Catholics political participation in affairs of state (violating distributive justice),⁷⁴ nor does it give the state any positive obligation to include constitutional mechanisms for exercise of Church authority over its policies. The state duty to the truth therefore implies nothing about the ideality of integralist states, because the recognition of truth (such as the truth about the Church as divinely appointed teaching authority) does not generate an obligation to employ coercive authority in its favor.⁷⁵ Ironically, we can employ Pink’s own reasoning in favor of such a reading:

Just because some person or group or institution has a duty to recognize a given truth, it does not follow that on the same basis it need have any authority of its own to enforce that truth and coerce on its behalf. This does not follow for private individuals, nor for institutions—not even when, unlike a private individual, that institution has a coercive authority of its own in other matters.⁷⁶

At most, then, state obligations towards the truth generate rational preference for constitutional *recognition* of the truth of Catholicism, within a framework of religious-freedom protections that prevent civil discrimination against non-Catholics. (Note that this obligation would be distinct from an obligation to protect religious liberty.) Such a position appears to fulfill duties of the state to “true religion” without any integralist state. Consequently, there is at least one possible situation in which “soul–body” harmony between Church and state can be achieved without an integralist

⁷³ Aquinas, *De regno* II, ch. 4 (trans. Aquinas Institute, aquinas.cc/la/en/~DeRegno. BookII.C4).

⁷⁴ Leo notes that Catholics have a duty to participate in society because, “if they hold aloof, men whose principles offer but small guarantee for the welfare of the State will the more readily seize the reins of government” (*Immortale Dei* §44), but he does not claim that Catholics have a *duty to exclude* non-Christians from government.

⁷⁵ Arguments that the state has obligations to “practice” Catholicism by sponsoring public worship according to Catholicism (e.g., Crean and Fimister, *Integralism*, 98–99) rely upon overly rigid analogies between the obligations of individuals and countries.

⁷⁶ Pink, “Jacques Maritain,” 22n51.

state. There may be other feasible ways to achieve these duties—all that is necessary to show that integralism is false, however, is that there is at least one such possibility. Integralism is then not necessary to fulfill these duties of the state.⁷⁷

Duties to Non-Catholics in Confessional States

My first argument undermined integralist assumptions that curtailing rights would be justified in terms of the common good. That first argument was that there are strong moral reasons from distributive justice for not distributing societal burdens/benefits unfairly. Integralist states are unfair because these differential distributions are not *appropriately* in favor of the common good.⁷⁸ My second argument is that religious belief *does not constitute just grounds to exclude* anyone from political participation within modern situations where religious freedom can be constitutionally protected.

The only plausible grounds on which Catholics can have a rational preference for integralist government lie exclusively in circumstances when governmental power exercised by non-Catholics would pose a serious threat to moral obligations of Catholics. In the modern world, however, there are no such situations, given the possibility of government involving constitutional protection of religious freedom. Ergo, integralist states are no longer justified. This second argument is structurally similar to those arguments that the death penalty is not justified in countries where other reasonable means can be taken to protect the common good which do not involve killing the offender.⁷⁹ And, as with the strong presumption that civil government should not kill anyone when alternative means for preventing harm are reasonably available, I conclude that we have strong presumptive moral reasons not to exclude anyone from political participation on religious grounds for two reasons.

A first reason it is unjust to exclude non-Catholics from political

⁷⁷ Clearly, many more complications exist, such as the fact that there may be mere “parchment barriers” to religious discrimination which are ignored in practice (as pointed out by *DH* §15). I leave aside such complications to focus on the way in which the modern constitutional regime provides ways of avoiding conflicts between Church and state, without requiring an integralist state, but I may also note that these same constitutional means (and international law) also provide further means for redressing those conflicts, if abuses or other problems occur.

⁷⁸ See Kevin Vallier, “The Fairness Argument Against Catholic Integralism,” *Law, Culture and the Humanities*, October 29, 2021, 1–19.

⁷⁹ Pope John Paul II, *Evangelium Vitae* (1995), §56; CCC §2267. See further Edward Feser and Joseph Bessette, *By Man Shall His Blood Be Shed: A Catholic Defense of Capital Punishment* (San Francisco: Ignatius Press, 2017), 161–89.

participation is grounded on considerations of popular sovereignty. Catholics such as Francisco de Vitoria, Bellarmine, and Suarez defended a natural right of peoples to determine their own mode of government. These were intended to undercut “absolute” monarchism in the form of the purported divine right of kings to rule and to legitimate resistance to tyrants (as an act by which the people exercised those rights).⁸⁰ They argued, broadly, that people are created naturally equal in their capacity to exercise political authority. People therefore delegate that authority to representatives, in keeping with conditions for just exercise of that authority, whether to a single king or to many individuals. The legitimacy of a government’s constitution and its continued exercise of power derive from the just delegation of that authority by the governed. This view of popular sovereignty found its way into the contemporary Catholic Church’s social doctrine.⁸¹

There is consequently a strong presumption (as a corrective to overly monarchical tendencies) that *the whole people*, not merely Catholics, are the subject of political authority which delegates that legitimate authority to its leaders. This fact is then what generates moral obligations to exercise political power in ways that respect the interests of all citizens, the common good, and that undergird moral obligations not to establish constitutions which would infringe upon the natural rights of a subset of the population to determine their own mode of government. Integralism’s proposal that excluding non-Catholics from government is a political ideal requires implicit denial that such persons have any role in constituting the state as legitimate. And that is false.

A second reason it is unjust to exclude non-Catholics from political participation is grounded in the teaching of *Dignitatis humanae*. *DH* makes three salient claims: (1) “all men are to be immune from coercion on the part of individuals or of social groups and of any human power, in such wise that no one is to be forced to act in a manner contrary to his own beliefs, whether privately or publicly, whether alone or in association with others, within due limits,” (2) “the right to religious freedom has its foundation in the very dignity of the human person,” and (3) “the right of the human person

⁸⁰ John C. Rager, “The Blessed Cardinal Bellarmine’s Defense of Popular Government in the Sixteenth Century,” *The Catholic Historical Review* 10, no. 4 (1925): 504–14; Cesare Cuttica, “Filmer’s Patriarchalism versus Jesuit Political Ideas,” in *Sir Robert Filmer (1588–1653) and the Patriotic Monarch: Patriarchalism in Seventeenth-Century political Thought* (Manchester: Manchester University Press, 2012), 91–103.

⁸¹ *Compendium of Social Doctrine of the Church* (Vatican City: Libreria Editrice Vaticana, 2004), §395: “The subject of political authority is the people considered in its entirety as those who have sovereignty.”

to religious freedom is to be recognized in the constitutional law whereby society is governed and thus it is to become a civil right" (§2).

Thomas Pink's interpretation of claim (1) is that this concerns only the scope of state action without the direction of the Church's indirect power. On this reading, individuals should be immune from coercion in favor of religious ends *except* coercion as exercised directly by the Church or indirectly by the state under the former's direction. However, *DH* §6 also explicitly qualifies claims (2) and (3) as applying to confessional (that is, potentially integralist) states as follows:

If, in view of peculiar circumstances obtaining among peoples, special civil recognition is given to one religious community in the constitutional order of society, it is at the same time imperative that the right of all citizens and religious communities to religious freedom should be recognized and made effective in practice. . . . Government is to see to it that equality of citizens before the law, which is itself an element of the common good, is never violated, whether openly or covertly, for religious reasons. Nor is there to be discrimination among citizens.

What this implies is that—even if we accept the view that civil government can legitimately coerce the baptized under direction of the Church—religious beliefs alone are not suitable grounds for excluding someone from purely civil rights, as this would constitute a violation of the common good of society.

Without any grounds for a strong moral obligation to establish an integralist state, integralism violates justice even in this more sophisticated form. Integralism requires a rational preference, as we have seen, for setting up a constitution in such a way as to exclude non-Catholics from political participation. It is the *possibility* of unbelievers exercising meaningful political power over integralist arrangements which must be constitutionally excluded. This can be done in different ways. Many integralists, for example, openly embrace the ideal that baptism and citizenship should be united, holding that integralism requires the denial of full citizenship rights to non-Catholics under integralist regimes.⁸²

Integralists do not typically find such restrictions on political participation unjust, as integralism has traditionally been associated with monarchism. Integralists thus often reject that equal political participation of all citizens is a necessary or even a possible component of the common good,

⁸² E.g., Crean and Fimister, *Integralism*, 147.

as monarchies do not involve such participation.⁸³ The more monarchist integralist reasons that, as nobody has a natural right to political participation, rights to political participation in integralist states may be denied to non-Catholics without injustice. The less monarchist integralist might conversely reason that, even if there *were* such rights, natural rights have limits in terms of the common good: non-Catholics might thus be denied political participation on account of the common good of integralist states.

Vatican II's teaching undermines the one possible basis sophisticated integralists could give for a rational preference for integralist constitutions along those aforementioned lines: that excluding non-Catholics from political power is necessary to avoid conflicts of conscience among respective duties to Church and state. As long as there is a possibility of a constitutional order of religious freedom, there are no principled grounds for conflict with uniquely religious duties. *Dignitatis humanae* thus rules out as unjust the exclusion of non-Catholics from government, as this is unnecessary within the modern world for securing the common good. If it would be unjust to exclude non-Catholics from government in general on the basis of their religious beliefs alone, then even monarchical integralism cannot retreat to claims that nobody has rights to political participation or to citizenship. Thus, *Dignitatis humanae* rules out the possible basis for sophisticated integralism. Regimes restricting non-Catholic political participation on religious grounds alone could be ideal across-the-board only if we ignore duties toward non-Catholic citizens. Integralism therefore requires us to violate duties toward non-Catholics, which is unjust.

Conclusion

I have proposed two arguments that integralism is unjust. Integralist states are not necessary for achieving the supernatural common good, nor for advancing the common good of both baptized and unbaptized citizens more than other possible regimes, nor for avoiding conflicts between allegiance to the state and Catholic religious duties. Instead, integralism's thesis that such arrangements are ideal violates strong presumptive moral reasons for treating non-Catholics equally in political contexts. Integralism involves endorsing societal burdens/benefits that skew primarily in favor of the good of the baptized alone, contrary to moral presumptions that such

⁸³ For instance, Crean and Fimister accept a theory of legitimacy which seems essentially identical with Filmer's position on the divine right of kings (see *Integralism*, 40, 103–7). Naturally, this is odd, given that Filmer's views were created to oppose Catholic political views such as those of Bellarmine (see Pink, "Jacques Maritain," 22n51).

differences must be justified in terms of the common good of all. Integralism also involves endorsing the claim that religious belief alone is a legitimate ground for excluding non-Catholics from political participation, contrary to the natural rights of *all* citizens to determine their own mode of government and contrary to Catholic teaching that such exclusion is unnecessarily discriminatory within a world where constitutional protections for religious freedom are possible. In both ways, integralism requires violation of plausible principles of justice.

There is no good reason to accept integralism as providing the only basis to oppose “liberalism” or political indifferentism in today’s world. Non-integralists can accept that we need to “shape our national discourse so that religious and metaphysical questions come front and center,” and agree that “not only is this required by our adherence to the truth, but it is the only hope for a successful missionary apostolate in today’s world.”⁸⁴ There are controversial moral and political movements which would unfairly exclude believers from the public square or, even worse, violate their religious freedom under the cover of “social justice” by requiring believers to fund or participate in morally objectionable activities. But it is a false dichotomy that Catholics therefore ought to embrace injustice of one kind to combat that of another. N.V.

⁸⁴ Storck, “What is Integralism?” 24.