

**BEFORE CHURCH AND STATE: A STUDY
OF SOCIAL ORDER IN THE SACRAMENTAL
KINGDOM OF ST. LOUIS IX**

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Like Diogenes searching for an honest man, I spend my days searching for a useful political program. Necessarily rejecting all Left philosophies as anti-human and anti-reality, I go searching through the thickets on the Right, where of late various new approaches have arisen, to accompany various old ones that are getting fresh attention. They do not get much older than the one espoused in this book, Catholic integralism—versions of the idea, in essence, that church and state should be cooperative joint actors in pursuit of a flourishing society, rather than separate spheres of action. There is a lot to be said for this approach, but as always, its modern proponents spend too much time talking about the past, and too little on how elements of this approach could be used to build the future.

Before Church and State is a very detailed examination of the relationship of church and state in the kingdom of Saint Louis IX (r. 1226–1270). The focus is not so much on the king, although he appears often in the vehicle of his commands and in his correspondence, but on one of his servants, Gui Foucois. Not that Foucois was any ordinary servant—after serving the king in sundry high positions, he became a bishop, then Pope Clement IV (r. 1265–1268). It is through the service of Foucois to his society that Jones frames his story, especially in his service as *enquêteur*, basically an itinerant judge tasked with administering justice on the local level.

While this presents as a history book, and a very academic one at that, containing lengthy footnotes in untranslated Latin, and the word “integralism” appears nowhere, it has a clear purpose, and that is to praise integralism and demonstrate that it is a workable system. Rather than argue merely that the secular and religious powers can cooperate, or did cooperate in thirteenth-century France, Jones makes a broader claim, which he states precisely. “In this kingdom, neither the ‘secular’ nor the ‘religious’ existed. Neither did ‘sovereignty.’ I do not mean that the religious was everywhere and that the secular had not emerged

from under it. I mean they did not exist at all. . . . 'Sovereignty,' the 'secular,' and the 'religious' have existence only in the specific historical circumstances through which we give them their definitions—that is, the eighteenth and nineteenth centuries."

Jones therefore rejects most of the definitional categories in which we think. This is a bold step; it flies in the face of all modern assumptions, across the political spectrum. Carl Schmitt would not agree that sovereignty is a modern creation; Karl Marx would not either. And separation of church and state is a critical part of the Enlightenment project of atomized liberty and emancipation from unchosen bonds. According to Jones, the aim of Louis's kingdom was not for the king to exercise power for himself, or for the Church to do so. Rather, the goal was simply peace, defined broadly. All those who held any kind of power had that same goal, which Jones, following contemporary usage, terms "the business of the peace and the faith." The "business" involved two major powers: the crown and the Roman Church, and their functionaries, like Gui Foucois, were intertwined and interested in the same goals, not competing. They were, that is, conducting the same enterprise.

Peace was the *telos* of society; it led to the *telos* of man, salvation. Legal positivism this was not. Temporal power "could be said to be legitimate only to the extent that it was ordered toward a goal that it shared with the spiritual power: salvation through faith and love—orthodoxy. And so, every action of the temporal power had an intrinsic spiritual dimension, and likewise every action of the spiritual power had an intrinsic temporal dimension." The difference between temporal and spiritual power did not mean conflict; rather, as with the Trinity, or the human and divine natures of Christ, the ideal was unity, a partnership in which there was no distinction between "secular" and "spiritual."

Certainly, there were many conflicts among both the great and the small. But rather than Hobbes's war of all against all, "conflicts were waged within a sacramental context, within a conceptual universe where the temporal and the spiritual were intrinsically bound up together." The king, for example, viewed himself not as a mere temporal lord with certain powers and certain duties but, like Charlemagne, as a Davidic king, bound before God, and answerable at His throne, to seek true peace, administer true justice, deliver souls to God, protect the weak,

and strengthen Christendom. The Pope had a similarly expansive, and overlapping, view of his powers and duties, but that did not necessarily mean conflict. Rather, it meant that king and Pope, and more importantly their functionaries, worked together to achieve society's goals. When we overlay modern concepts of sovereignty on this concept, we fail to understand how men of this era viewed themselves, as well as how they acted. (Not that it was all men—Jones refers several times to, for example, women owning fortresses, and therefore being part of the “business.”)

This cooperation between powers meant that heresy was functionally the same as rebellion; a man could be excommunicated for rebellion and rebellion shaded into heresy, as shown by contemporary use of complex terms (analyzed exhaustively by Jones) such as *faiditi*, a marauder with heretical overtones, who disturbed the peace and harmony that was the goal of society. Nor was civil justice a monopoly of the king, something he handed down to others to exercise on his behalf. For example, the king could order that dueling not be used as a form of trial in those situations and areas where he customarily dictated the procedures of justice; he had no such power beyond that, so trial by combat continued in many areas. This was a lived form of subsidiarity. Ecclesiastical law was much more than that dictated by the Pope; non-ecclesiastical law much more than that dictated by the king. And law bore relatively little resemblance to modern statute law: it was one body of law with both ecclesiastical and non-ecclesiastical sources, with the same end goal, of societal peace.

Jarringly to us, though the norm in pre-modern Europe, was that the source of most law was custom (except for canon law, applied only within the Church itself). The vast majority of legal disputes put before the *enquêteurs*, or their ecclesiastical counterparts (with whom they overlapped and into whom they shaded), revolved around determinations of custom. “A ‘new’ custom was basically synonymous with a ‘bad’ custom, both of them subjecting victims to an arbitrary will and so reducing them to servitude.” There was no set of parallel legal systems; there was a single legal universe, and its goal was peace through law, embodied in custom.

It is worth noting that everything Jones describes falls generally under the heading “rule of law,” as opposed to arbitrary power. Although, as

Francis Fukuyama has discussed, the rule of law is a purely Western concept, found nowhere in China or the Muslim world, you not infrequently hear uneducated people suggesting that the Enlightenment is the origin of the rule of law. Steven Pinker is particularly bad for this, but you hear variations on the claim very often. In fact, the law as explicated in Louis's kingdom fully met A. V. Dicey's famous nineteenth-century definition of the rule of law, as rephrased by the pseudonymous blogger Lexington Green: "Restated, Dicey says the Rule of Law consists of: (1) disallowing arbitrary power, restricting the use of power to what is permitted by law, (2) treating all persons to the exact same law, in the same courts, without regard to their status, and (3) treating the officers of the government to exactly the same law as everybody else." Despite the remoteness from us of the kingdom of Louis IX, it was very like us in this way, or like we were until recently, which is perhaps the most important characteristic of a non-tyrannical government.

So the book consists of a mass of data in service of Jones's basic proposition, almost all from primary sources. I can't tell you whether this is accurate history; as Jones freely admits, it contradicts the more standard narrative, which views Louis IX as conflicting with the Church in a struggle for dominance. My purpose here is mostly to evaluate what this view of life says for our future. A major fault line on the Right, recently developed, is whether the modern order is redeemable at all. I have talked earlier of the "civil institutionalists" as one group of modern conservatives dissatisfied with the modern world and wishing to make a change. Among those interested in Reaction, such as me, I place them as a sub-group of what I call Augustans, who take a dim view of democracy, as well as atomized liberty, and focus on power and its uses to remake society, in a way that will be mostly determined ad hoc within certain broad guidelines. The "civil institutionalists" also reject the Enlightenment but focus on the specific desired characteristics of a revived society, not the uses of power to achieve a remaking. (It will not be surprising that I am an Augustan, and am peddling my own coalescing political program, tentatively named Foundationalism.) Their focus on societal specifics, rather than power, makes integralists a brand of civil institutionalist.

Integralism is often thought of as the formal combination of church and state. That seems a bit odd for Christians—whatever happened to

“give unto Caesar”? Plus, that does not distinguish it from caesaropapism, the domination of the church by the state. It would be more precise, I think, to say that integralism rejects the liberalism of the Enlightenment, and wishes to return to an idealized pre-Enlightenment form in which the Roman Church plays a critical role and has real power. (Despite occasional efforts, like those of John Calvin, to form a Protestant integralist state, the idea has usually had little pull for Protestants, for reasons that are fairly obvious if you read Brad Gregory’s *The Unintended Reformation*.) I am all for rejecting the Enlightenment, and as I have discussed elsewhere, it is certainly true that little or nothing of the material success of the modern world has anything to do with the Enlightenment, and that as a political project it is in its dying gasps. Whether some form of integralism is the cure I am much less sure about, starting with my core objection to too much reactionary thought—that what we should be looking for is a new thing informed by the old, not the old thing itself.

There are a really two types of integralists. Despite the attention they get, I suspect you could fit all their supporters today into a provincial hotel’s third-biggest banquet room. Their only prominent mouthpiece is the Harvard law professor Adrian Vermeule (of whom more below). One group, the majority (though that is like being the world’s tallest midget) holds to the idea, promulgated by Leo XIII in the late nineteenth century most precisely, that there should be separate spiritual and temporal spheres, with the former having the final word in areas of overlap. This form of integralism seems closely aligned with Roman Catholic thinkers. Jones’s history offers very little support for this vision, despite Vermeule’s praise for this book. The second group hews to Jones’s vision—blurring the boundaries between church and state, and remolding how we view their work, as joint, rather than oppositional. This seems to be generally the theory, and often the practice, of the Orthodox Church (though it too often shades uncomfortably into caesaropapism).

So far, simple enough. My plan upon reading this book was to review what integralists had to offer, through this book and other writings, and then analyze integralism as part of my overall project. The problem is that effort, other than reading this book, took all of two hours, because what I summarize above appears to be the whole of integralism. It has no depth. It is a parlor game, a thought experiment. Not only is there no plan on how to get from here to there, there is no analysis of what

“there” will be, except for “the Pope will be in charge.” I guess that’s a plan, but it doesn’t offer much to chew on, now does it? It is no surprise that no integralist has written any book on integralism as a modern program, and their thoughts appear confined to tweets and occasional short articles on websites, where the articles are more about Catholic theology as it relates to politics (of which Aquinas, for example, had much to say) than about integralism.

Where that leaves us is criticizing, or endorsing, a very not-defined integralist vision. My first objection is that the integralists see no role for secular achievement as important for a flourishing society. To them, statecraft is soulcraft, and that is all. Not even Saint Louis would have endorsed that idea, much less Charlemagne. They saw the soul, of their subjects as much as themselves, as the ultimate reason for their works, but that did not mean a monarch should ignore, or had no obligation to perform, works unrelated to the soul. With them, my belief is that human flourishing requires both a virtuous society and some degree of focus on external acts of heroic daring and accomplishment. Jones does not discuss it, but Louis IX twice went on Crusade, when that was a great and dangerous work, and died on his second journey. True, the Crusades were a form of religious pilgrimage, but with a strong secular heroic component. Louis was also the greatest European patron of the arts of his age; again, many of those arts had religious themes, but they had other dimensions as well. And many a less devout, yet still strongly Christian, monarch, from Henry the Navigator to Charles V, struck the balance differently, yet kept both soulcraft and dynamic heroism.

My second objection is that deep down, or not so deep down, all the integralists totally reject pluralism, especially of the religious variety. That is, they believe that religious pluralism sows the seeds for the end-condition of the liberal project, what we see today, the fragmenting of society under liquid modernity into a catastrophic pursuit of voluntarism, forced equality, autonomic individualism, societal fracturing, gross consumerism and the “goods culture,” and general denial of reality, all enforced with ever greater strictness by the ever more powerful state, leading to either a centrifugal flying apart or a totalitarian regime. All true, and true at least in part that religious pluralism is closely tied to this, though as cause or effect is unclear. But it seems to me the answer isn’t to mandate one religion as the established religion and to give its

hierarchs power over society as a whole, though certainly pretending all religions are equally valid and equally preferable likely erodes virtue over time. Rather, the answer is probably to have a strong, Augustan-style state, which will seek the common good and a realistic degree of virtue and flourishing. And that state, very much a non-liberal state, will directly and deliberately encourage and enforce standards of virtue, but not on a confessional basis—even if most of those standards will be derived from Christianity. At the same time, freedom of religious exercise for all will be allowed to the extent not actually in contradiction with those standards. Thus, any non-pernicious religion would be permitted. Certainly Christianity would be officially preferred—there would be no pretense of religious neutrality, and personal advancement in the state and society would be assisted if non-Christians converted (a very successful long-term technique used by Islam), though Orthodox Judaism might also get a preferred position. Polytheism would be accepted and no accepted religion would be directly discouraged. Naturally, wholly pernicious belief systems, such as Satanism, would be suppressed by the state. Open atheism would be strongly discouraged. We can call this “pluralism lite,” and again, it’s closely related to the standard Muslim practice (though there considerably more restriction on the practice of other religions was the norm, and zero tolerance offered for non-monotheistic religions). Such a prescription is far more likely to lead to a dynamic, flourishing, and conflict-free society than would eliminating religious pluralism.

I have other objections. In the first conception of integralism, papal supremacy, it is evident that integralists have not spent any time analyzing Pope Francis or the corrupt sink of heresiarchs that is the current Roman clergy, and therefore glibly assume that the supremacy of the Roman Church will fix the problems of modernity. I have some sympathy; until Pope Francis showed up, I tended to think of the Roman Church as the last, best hope of the West. No more of that for me (although I would certainly admire a Pope Lenny-type Church, or a revival of Pope Urban II). And to the second conception, joint action, the disadvantage of this relative to the first conception is that it seems inherently unstable. Yes, in its ideal form it achieves the goal of human flourishing. But human nature being human nature, how often would that ideal form be achieved, if two hierarchical power centers were

actually expected to cooperate? Certainly Charlemagne, often held up as the European ideal of the Davidic king, spent a great deal of his time contending with various popes and interfering in papal politics outside the Frankish lands. But my first line objections are the two above—that integralists' vision of their desired state is crimped and defective, not that it is erroneous and impractical as applied, which is probably also true.

When considering integralism's future, it is instructive, sadly, to focus more closely on the men who are identified today with integralism in America. (I have no idea if there are European integralists of note.) In preparation for this review, I watched a video of a ninety-minute talk offered at the University of Notre Dame six weeks ago, which has garnered 1,954 views. The participants included two of the most prominent adherents of integralism in the United States. First, law professor Adrian Vermeule (whose Twitter handle, @Vermeullarmin, deliberately echoes the name of Saint Robert Bellarmine, papal supremacist). Second, Gladden Pappin, the editor of *American Affairs*, also a professor (of politics). A third participant was Patrick Deneen, author of the most important recent book attacking the liberal state, *Why Liberalism Failed*, who is not an integralist but who, along with Vermeule and Pappin (and me) rejects the liberal project of the Enlightenment. A fourth was Notre Dame professor Philip Muñoz, whose role was to defend the liberalism of the Enlightenment as compatible with Catholicism and human flourishing. All four men were intelligent and have clearly thought a lot about these issues. They are probably nice human beings.

Vermeule and Pappin were also utterly awful as soldiers for the cause of integralism, and demonstrate one reason why conservatives, or reactionaries, of whatever stripe can today get no traction at all. True, both of the integralists pushed the first, papal supremacist, version of integralism. It might have been interesting to hear from someone pushing the second—but I am not aware of any public intellectual who takes that position, and if there were one, I would expect him to have shown up here. The real problem was that between them, Vermeule and Pappin collectively offered the charisma of a block of concrete. They could not inspire men to follow them ten feet to a fountain that was visibly dispensing alternating gouts of chocolate and money. Moreover, every word they said betrayed a complete disconnect with, or rather disinterest in, reality. Yes, a few times they nodded to the question of how

one gets from here to there, but then dismissed it, apparently because when one lives the pure life of the mind, one does not bother about such things. The sole exception is that Vermeule, at least, does agree with me that our current political structure is far more “malleable” than it appears—though I would not say malleable, which implies modifiable, but rather fracturable, since I expect any significant future change to follow a step function. In any case, they think the future will take care of itself, and be grateful to its intellectual forebears.

But it won't. The future will be taken care of, but not by itself. It will be taken care of, as always, by people who set out to take care of it, by taking it in hand. In prior ages, that was the men who built the pre-modern West, by far the most successful, and best, society the world has ever seen. That society was not integralist in either way that current integralists may think desirable, even if for a few brief decades in thirteenth-century France it may have come close. That West, Christendom, has been attacked and eroded for the past two hundred and fifty years by the Left, first by the defective Enlightenment, birthed by dubious philosophy and given claws by the various spawn of the French Revolution. And for the past hundred years it has been attacked by a wide variety of newly generated, but Enlightenment-based, anti-human ideologies that have led to mass death. These have a great deal in common, in principle, with modern so-called liberal democracy, as Ryszard Legutko has so compellingly demonstrated. The men who created any of these worlds didn't spend their days hunched over in their chairs, reading unappealing documents packed with Latin phrases, performing verbal kowtows to Leo XIII. They got on with the business at hand.

What integralism, or rather the new political program to which integralism will add a small portion, needs is not more droning seminars, but a new Napoleon, the Man of Destiny. He will seize the moment, the confluence of circumstances, the alignment of the planets, to recreate the same type of society that has worked throughout history, when the liberal state fractures of its own accord, under pressure or not. (He will have a role for philosophers. It will be a small role, as it is in any flourishing state, though you'll never find the philosophers admitting that, despite that their self-promotion gives them a high historical profile. It is not by chance that Golden Age Athens was of very mixed mind about the value of philosophers. Still, Vermeule and Pappin may

get jobs.) That state will enforce and encourage virtue; it will strongly endorse and strongly partner with religion (preferably Christianity, if we are to retain the morality that is the ghostly skeleton of all our Western morals today). It will not allow the Pope to tell it what to do, and its failure to do so will not mean that it lacks virtue or is somehow indistinguishable from the failed Enlightenment experiment.

Of course, this requires first, or simultaneously, a near-universal renewal of virtue, uncomfortably analogous to Bertolt Brecht's famous call to dissolve the people and elect another. It does no good to have an Augustan state encouraging, and sometimes dictating, virtue if the people themselves lack all virtue, as, for the most part, they do today, ruined by the Enlightenment and, perhaps, by wealth. All that does is lead to disrespect for the state and an especially corrosive form of hypocrisy. Nor should the organized Church be a direct participant in efforts to change the state. The new Napoleon will not be the new St. Louis; he will be lucky to get to Heaven at all, much less be canonized, given the things he will have to do to bring the West, and perhaps humanity as a whole, through the time of troubles. Perhaps, after all, we are not waiting for a new, and doubtless very different, Saint Benedict, but a new, and not so different, Augustus, or Justinian.