

“IT IS TASH WHOM HE SERVES”:
DENEEN AND VERMEULE ON LIBERALISM

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When men and women identify what are in fact their partial and particular causes too easily and too completely with the cause of some universal principle, they usually behave worse than they would otherwise do.

—*Alasdair MacIntyre*¹

I love coming to Notre Dame. Its mores and assumptions about the world feel weird to me, and yet I find them admirable. I love its strangeness, and I particularly love talking about the issues that most divide us. It offers an opportunity to close the “gulf that separates class from class and soul from soul,”² as Shaw’s Henry Higgins put it.

I’m an agnostic, secular Jew. I believe that Jesus of Nazareth was just a guy, and I don’t believe in God (although, as will become clear, I’m willing to entertain the hypothesis for the sake of argument and draw inferences from it). But I have noticed that many Christians understand aspects of the human condition that secularists tend to overlook. I contemplate your traditions with enormous respect. I once developed a book on religious liberty out of an insight that I got from John Finnis, although I took it in directions that he may not have found congenial.³

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1 ALASDAIR MACINTYRE, *AFTER VIRTUE: A STUDY IN MORAL THEORY* 221 (2d ed. 1984).

2 I BERNARD SHAW, *Pygmalion*, in *COMPLETE PLAYS WITH PREFACES* 189, 248 (1963).

3 ANDREW KOPPELMAN, *DEFENDING AMERICAN RELIGIOUS NEUTRALITY* 231–32 (2013) (acknowledging my intellectual debt to Finnis).

One reason I like living in a liberal society is that it lets me meet and even befriend people who are so different from myself. I like doing the work of trying to understand them.

That work has a moral dimension. Iris Murdoch observes that it is ethically important to perceive people fairly and accurately, separate from how one behaves toward them. Such perception is “something which we approve of, something which is somehow worth doing in itself.”⁴ It is a moral activity, and perhaps the necessary substrate of any further moral activity.⁵ “The more the separateness and differentness of other people is realized, and the fact seen that another man has needs and wishes as demanding as one’s own, the harder it becomes to treat a person as a thing.”⁶

On the other hand, Murdoch writes, the chief enemy of morality is “personal fantasy: the tissue of self-aggrandizing and consoling wishes and dreams which prevents one from seeing what is there outside one.”⁷ The best art, Murdoch argues, is that which “shows us the world, our world and not another one, with a clarity which startles and delights us simply because we are not used to looking at the real world at all.”⁸ Such startling experiences are more likely in a liberal society. That is part of the moral case for liberalism. The encounters that freedom forces on us make us better, less solipsistic people.

I worry that some recent Christian criticisms of liberalism are the kind of fantasy that Murdoch warned about, caricaturing what they purport to oppose. They are also ominously vague about what would replace it. Both writers echo earlier Christian flirtations with Marxism: philosophical errors lead idealists to gullibly embrace authoritarian kleptocrats who do not give a damn about the people the idealists are trying to help.

I will focus on the work of Patrick Deneen, with some reference to the more abbreviated but similar critiques of liberalism by Adrian Vermeule. Both claim that liberalism’s relentless logic tends to destroy communities and traditions. The alleged mechanism is underspecified. Deneen offers more detail, emphasizing the harm that neoliberal economics has done to working class incomes, and the harm that the sexual revolution has done to working class family structure. In both cases, he is unfamiliar with the pertinent social science and so

4 IRIS MURDOCH, *THE SOVEREIGNTY OF GOOD* 19 (Routledge 2014) (1970).

5 Murdoch’s conception of morality as dependent on accurate perception is persuasively elaborated in CHRISTOPHER CORDNER, *ETHICAL ENCOUNTER: THE DEPTH OF MORAL MEANING* (2002).

6 MURDOCH, *supra* note 4, at 64.

7 *Id.* at 57.

8 *Id.* at 63.

mismisdescribes the mechanisms at work. These ills certainly exist, but abandoning liberalism is a quack remedy.

I'm one of the liberals they oppose. I have defended aspects of liberal practice that they find especially odious: abortion,⁹ gay rights,¹⁰ drug use,¹¹ and pornography.¹² I have also argued, however, *precisely as an inference from liberalism*, that religious people like them who reject all these things ought to be able to live out their ideals unmolested by the majority, for example when they decline to facilitate same-sex weddings.¹³ I don't recognize myself in their claims that liberals aim to bully religious conservatives to the margins of society.¹⁴ Some on the left concededly do. They aren't liberals. The insouciant enthusiasm, in factions on the left and the right, for dismantling American political institutions calls to mind Roger Scruton's observation that genuine conservatism "tells us that we have collectively inherited good things that we must strive to keep," and that it understands "that good things are easily destroyed, but not easily created."¹⁵

9 See, e.g., Andrew Koppelman, *Originalism, Abortion, and the Thirteenth Amendment*, 112 COLUM. L. REV. 1917 (2012).

10 See, e.g., Andrew Koppelman, Essay, Bostock, *LGBT Discrimination, and the Subtractive Moves*, 105 MINN. L. REV. HEADNOTES 1 (2020); Andrew Koppelman, *Judging the Case Against Same-Sex Marriage*, 2014 U. ILL. L. REV. 431; Andrew Koppelman, Note, *The Miscegenation Analogy: Sodomy Law as Sex Discrimination*, 98 YALE L.J. 145 (1988).

11 See, e.g., Andrew Koppelman, *Drug Policy and the Liberal Self*, 100 NW. U. L. REV. 279 (2006).

12 See, e.g., Andrew Koppelman, *Is Pornography "Speech"?*, 14 LEGAL THEORY 71 (2008); Andrew Koppelman, *Eros, Civilization, and Harry Clor*, 31 N.Y.U. REV. L. & SOC. CHANGE 855 (2007); Andrew Koppelman, Essay, *Does Obscenity Cause Moral Harm?*, 105 COLUM. L. REV. 1635 (2005).

13 ANDREW KOPPELMAN, *GAY RIGHTS VS. RELIGIOUS LIBERTY? THE UNNECESSARY CONFLICT* 140 (2020); Andrew Koppelman, *Why Rawls Can't Support Liberal Neutrality: The Case of Special Treatment for Religion*, 79 REV. POLITICS 287 (2017); see Andrew Koppelman, *How Could Religious Liberty Be a Human Right?*, 16 INT'L J. CONST. L. 985 (2018).

14 I have written:

If the aim of antidiscrimination law is to guarantee full citizenship to everyone, then it is relevant that because of the uncompromising interpretation of that law that is now prevalent, conservative Christians may not be able to be wedding vendors, counselors, social workers, or psychologists, they may not be able to control the content or staffing of their educational institutions, and various other agencies face the denial of funding. Citizenship is at stake on both sides. The more general purport of this strict interpretation of the law is to feed the demonization of conservative Christians, officially assimilating them with racists as people who have intolerable views. If the law aims to end institutionalized humiliation, then this move is counterproductive.

KOPPELMAN, *supra* note 13, at 64.

15 ROGER SCRUTON, *HOW TO BE A CONSERVATIVE*, at viii (2014).

I have worked very hard to understand the views that oppose mine. Reading them, I find little evidence that they have given liberals like me the same courtesy.

I. WHAT IS LIBERALISM?

It is not clear what they think they are attacking. Deneen says he supports many “institutional forms of government that we today associate with liberalism,”¹⁶ notably “constitutionalism, separation of powers, separate spheres of church and state, rights and protections against arbitrary rule, federalism, rule of law, and limited government.”¹⁷ Vermeule cites with approval legal constraints on the administrative state.¹⁸ So what exactly is bugging them?

Deneen writes that liberalism aims at “the greatest possible freedom from external constraints, including customary norms.”¹⁹ It is self-defeating, because “[d]emocracy requires extensive social forms that liberalism aims to deconstruct, particularly shared social practices and commitments that arise from thick communities.”²⁰ Yet liberalism cannot help itself. “Liberalism’s internal logic leads inevitably to the evisceration of all institutions that were originally responsible for fostering human virtue: family, ennobling friendship, community, university, polity, church.”²¹

Vermeule similarly cites “the relentless aggression of liberalism, driven by an internal mechanism that causes ever more radical demands for political conformism, particularly targeting the Church.”²² He claims that liberalism is based upon “the fateful thought that the autonomy of the individual, of the individual’s reason and desires, is

16 PATRICK J. DENEEN, *WHY LIBERALISM FAILED* 22 (paperback ed. 2019).

17 *Id.* at 23. His admiration for Victor Orban, who is busily dismantling these institutions in Hungary, casts doubt on this claim. See Elisabeth Zerofsky, *How the American Right Fell in Love with Hungary*, N.Y. TIMES MAG. (Oct. 19, 2021), <https://www.nytimes.com/2021/10/19/magazine/viktor-orban-rod-dreher.html> [<https://perma.cc/J659-4Q4D>].

18 See, e.g., ADRIAN VERMEULE, *COMMON GOOD CONSTITUTIONALISM: RECOVERING THE CLASSICAL LEGAL TRADITION* 139–40, 147–49 (2022); CASS R. SUNSTEIN & ADRIAN VERMEULE, *LAW & LEVIATHAN: REDEEMING THE ADMINISTRATIVE STATE* 44–48, 53–57 (2020). I admire Vermeule’s scholarship on administrative law. See Andrew Koppelman, *Abnegation?*, BALKINIZATION (Jan. 25, 2017), <https://balkin.blogspot.com/2017/01/abnegation.html> [<https://perma.cc/6SZM-6T9K>].

19 DENEEN, *supra* note 16, at xiii.

20 *Id.* at xv.

21 Patrick J. Deneen, *Abandoning Defensive Crouch Conservatism*, POSTLIBERAL ORDER (Nov. 17, 2021), <https://postliberalorder.substack.com/p/abandoning-defensive-crouch-conservatism> [<https://perma.cc/F5ES-BZUF>].

22 Adrian Vermeule, *A Christian Strategy*, FIRST THINGS, Nov. 2017, at 41, 41.

of paramount importance.”²³ Progressivism, which he understands as “[l]ate-stage liberalism,”²⁴ is “rooted in a particular mythology of endless liberation through the continual overcoming of the reactionary past.”²⁵ Its aim is to instrumentalize law “to serve the will of individuals who seek liberation from any and all unchosen constraints.”²⁶ Citing Deneen with approval,²⁷ Vermeule claims that “the progression (as it were) from one form of liberalism to another unfolds by a logical dynamic, an inner necessity.”²⁸

All this talk of relentless logic and inner necessity promises that we will be given some account of the alleged mechanism. The language of historical inevitability is reminiscent of Marx. He developed a detailed, articulate account of the alleged inner logic of capitalism, in order to show that it would inevitably alienate and immiserate the working classes. Marx turned out to be wrong. But at least one could tell what he was claiming.

Deneen is clearer than Vermeule on this issue. He offers a definition of liberalism, albeit an idiosyncratic one that would astonish most liberals: “Liberalism is most fundamentally constituted by a pair of deeper anthropological assumptions that give liberal institutions a particular orientation and cast: 1) anthropological individualism and the voluntarist conception of choice, and 2) human separation from and opposition to nature.”²⁹ Liberalism’s catastrophic end is inevitable because those assumptions, he thinks, are unsustainable. It is not possible to “perpetually enforce order upon a collection of autonomous individuals increasingly shorn of constitutive social norms.”³⁰ Nor is it

23 Adrian Vermeule, *Liberalism and the Invisible Hand*, 3 AM. AFFS. 172 (2019).

24 Vermeule, *supra* note 22, at 41. Progressivism, he writes, is liberalism’s “purified and logically consistent expression.” Adrian Vermeule, *All Human Conflict Is Ultimately Theological*, CHURCH LIFE J. (July 26, 2019).

25 VERMEULE, *supra* note 18, at 117.

26 *Id.*

27 Deneen has likewise written (but has since deleted): “[A] two-pronged approach is needed: the development or retrieval of local culture, and the political defeat of liberal anticulture. It’s not Dreher OR Vermeule: it’s both/and.” @PatrickDeneen, TWITTER (Sept. 17, 2020, 9:56 AM), <https://web.archive.org/web/20200917170620/https://twitter.com/PatrickDeneen/status/1306638127486898176> [<https://perma.cc/YL3B-BCUX>].

28 Adrian Vermeule, *Integration from Within*, 2 AM. AFFS. 202, 205 (2018). This pessimism is sometimes refuted by events. For instance, he thought that it was foolish to expect that Justice Anthony Kennedy might vindicate the Christian baker’s claim in *Masterpiece Cakeshop v. Colorado*, 138 S. Ct. 1719 (2018). Adrian Vermeule, *As Secular Liberalism Attacks the Church, Catholics Can’t Afford To Be Nostalgic*, CATH. HERALD (Jan. 5, 2018, 2:31 PM), <https://catholicherald.co.uk/as-secular-liberalism-attacks-the-church-catholics-cant-afford-to-be-nostalgic/> [<https://perma.cc/PB65-SBYG>].

29 DENEEN, *supra* note 16, at 31.

30 *Id.* at 41.

possible, in a world of limits, to “provide endless material growth.”³¹ His account depends on the idea—a very old one—that liberalism tends to destroy communities and isolate people.³² (Its relation to the separation from nature is less clear.) But it is obscure how that anthropological individualism could lead the liberal state to deliberately attack communities, as he alleges.³³

These portraits, which echo Hegel’s account of the aimless destructiveness of the French Revolution, misunderstand liberalism at a fundamental level.³⁴

Edmund Fawcett observes that liberalism was a political practice before it was a theory, and that it is at the level of practice that it should be judged.³⁵ Vermeule sometimes focuses on “[l]iberalism as a concrete sociopolitical order.”³⁶ He thinks that this order is fundamentally unsound, because it “rests upon a series of invisible hand systems: free competition in explicit economic markets, free competition in the marketplace of ideas, institutional competition among branches of government, and so on.”³⁷ He declares that “liberal faith in these systems far outruns any of the social-scientific mechanisms or evidence adduced to support them.”³⁸

The evidence is so massive that it is hard to imagine how he fails to notice it. I am writing these words on a computer, in a secure and well-constructed home with reliable electricity and plumbing, unafraid of detention without trial or destruction by war. Those desiderata are shared by Vermeule, and also by the custodian who cleans his office.

31 *Id.*

32 See Richard Schragger & Micah Schwartzman, *Religious Antiliberalism and the First Amendment*, 104 MINN. L. REV. 1341, 1356–57 (2020); STEPHEN HOLMES, *THE ANATOMY OF ANTILIBERALISM* 190–97 (1993). The worldview first accused of rashly elevating the individual over the community, and thereby dissolving ancestral and civic bonds, was not liberalism, but Christianity. MATTHEW ROSE, *A WORLD AFTER LIBERALISM: PHILOSOPHERS OF THE RADICAL RIGHT* 149 (2021).

33 There is a similar gap in Steven D. Smith’s argument that secularism—what he calls paganism—has an inherent tendency to target Christians for oppression. See Andrew Koppelman, *This Isn’t About You: A Comment on Smith’s Pagans and Christians in the City*, 56 SAN DIEGO L. REV. 393 (2019).

34 Deneen’s misrepresentations of the liberal tradition are painstakingly catalogued in Laura K. Field, *Revisiting “Why Liberalism Failed:” A Five-Part Series*, NISKANEN CTR. (Dec. 21, 2020), <https://www.niskanencenter.org/revisiting-why-liberalism-failed-a-five-part-series/> [<https://perma.cc/7WM8-8XXN>]. This is the most thorough critique of Deneen I have found, and the present paper is heavily indebted to it. Another useful catalogue of his errors is Robert Kuttner, *Blaming Liberalism*, N.Y. REV. BOOKS, Nov. 21, 2019, at 36 (reviewing DENEEN, *supra* note 16). He manages to reproduce all of the standard mischaracterizations of liberalism catalogued in HOLMES, *supra* note 32, at 187–256.

35 EDMUND FAWCETT, *LIBERALISM: THE LIFE OF AN IDEA* 1–2 (2d ed. 2018).

36 Vermeule, *supra* note 23, at 178.

37 *Id.*

38 *Id.*

Free markets, free speech, and democracy made all this possible.³⁹ I am surrounded by comforts that were unimaginable for most of human history, comforts now available to most Americans and an increasing proportion of the people in the world. All three of my children have survived to adulthood. Since liberalism arrived, the world has become a far better place for human beings to live.⁴⁰ It is one of the peculiarities of linguistic drift that those who are eager to trash this inheritance are given the label “conservatives.”⁴¹

Deneen and Vermeule thus fall into a trap that, Stephen Holmes observes, is ubiquitous in criticisms of liberalism: conflating liberal theories with liberal societies. Because “liberalism will always be, to some extent, an unrealized aspiration,” this conflation “is profoundly confusing.”⁴² It mistakenly assumes “that liberal societies perfectly embody liberal ideals,”⁴³ and so “belittles the critical appraisal of liberal society in the light of liberal ideas,”⁴⁴ which is “the most important form of assessment to which liberal societies are subject.”⁴⁵

The basic liberal practice, of giving people the right to live as they like, is in fact typically defended on different premises than the ones Deneen and Vermeule cite. Fawcett, for example, argues that liberalism is guided by

four broad ideas: acceptance that moral and material conflict in society cannot be expunged, only contained and perhaps in fruitful ways tamed; hostility to unchecked power, be it political, economic or social; faith that social ills can be cured and that human life can be made better; and law-backed respect by state and society for people’s lives and projects, whatever they believe and whoever they are.⁴⁶

Deneen and Vermeule evidently reject the first and fourth of these ideas. In this they are one with their adversaries on the left, whom they take to be paradigmatic of liberalism. It is true that some leftists aim to impose severe social and professional sanctions on those who

39 See generally DEIRDRE N. MCCLOSKEY, *BOURGEOIS DIGNITY: WHY ECONOMICS CAN’T EXPLAIN THE MODERN WORLD* (2010).

40 Deneen acknowledges that no other political philosophy has managed to “fuel prosperity, provide relative political stability, and foster individual liberty with such regularity and predictability.” DENEEN, *supra* note 16, at 21.

41 See Andrew Koppelman, *Why Do (Some) Originalists Hate America?*, 63 ARIZ. L. REV. 1033, 1052–53 (2021); Andrew Koppelman, *Liberal Conservatism*, NEW RAMBLER (Aug. 26, 2020) (reviewing SCRUTON, *supra* note 15), <https://newramblerreview.com/book-reviews/philosophy/liberal-conservatism> [<https://perma.cc/2ZVS-PTHN>].

42 HOLMES, *supra* note 32, at xiv.

43 *Id.*

44 *Id.* at xv.

45 *Id.*

46 FAWCETT, *supra* note 35, at xii.

propound conservative views, and even regulate the internal affairs of churches.⁴⁷ These people aren't liberals. Like Deneen and Vermeule, they don't think that the state should respect the lives of people who don't share their moral aspirations. They are so eager to deploy the state for their ends that they are unworried about (or, perhaps, untroubled by) the abuse of its power.⁴⁸

Another leading defender of liberalism is Francis Fukuyama, who observes that there have been three standard justifications for it: it allows diverse populations to live together peacefully; it protects individual dignity and autonomy; it promotes economic growth by protecting rights of property and contract.⁴⁹ Deneen and Vermeule don't seem impressed by any of these—here, once more, resembling their enemies on the left.⁵⁰

In a liberal society people are free to break from customary norms. Some will and some won't. If people are given the resources and security to live the lives they want, experience has shown that many of them will choose just the kind of lives that Deneen and Vermeule admire. (Again, I'm delivering this talk at Notre Dame.) Deneen thinks that “modern theory defines liberty as the greatest possible pursuit and satisfaction of the appetites,”⁵¹ but liberalism leaves it up to each person whether to pursue that or something more exalted. Fukuyama observes of Deneen and Rod Dreher, who “have recommended retreat into small communities . . . in which like-minded believers [can] practice their beliefs shielded from the larger currents in liberal society,” that there is “nothing about contemporary American liberalism that is

47 For accounts of these tendencies on the left, see JONATHAN RAUCH, *THE CONSTITUTION OF KNOWLEDGE: A DEFENSE OF TRUTH* 189–231 (2021); ROBBY SOAVE, *PANIC ATTACK: YOUNG RADICALS IN THE AGE OF TRUMP* (2019).

48 Deneen, on the other hand, is untroubled by private power. He rejects demands “for comprehensive assurances that inequalities and injustice arising from racial, sexual, and ethnic prejudice be preemptively forestalled and that local autocracies or theocracies be legally prevented.” DENEEN, *supra* note 16, at 196–97.

49 FRANCIS FUKUYAMA, *LIBERALISM AND ITS DISCONTENTS* 5 (2022).

50 Deneen has responded specifically to Fukuyama, attempting to cast doubt on them all. Patrick J. Deneen, *The End of Fukuyama: Liberalism Needs Its Enemies*, *POSTLIBERAL ORD.* (May 23, 2022), <https://postliberalorder.substack.com/p/the-end-of-fukuyama/> [<https://perma.cc/L9AF-QSJC>]. For a different evaluation of Fukuyama, see Andrew Koppelman, *Making History End, Again*, *L.A. REV. BOOKS* (Sept. 10, 2022) (reviewing FUKUYAMA, *supra* note 49), <https://lareviewofbooks.org/article/making-history-end-again/> [<https://perma.cc/H9AK-A8UM>].

51 DENEEN, *supra* note 16, at 48.

preventing them from doing this.”⁵² They are in fact “taking advantage of liberalism’s intrinsic openness to diversity.”⁵³

William Galston observes that, for liberalism, people are not devoid of constraints outside of their will. Rather, liberalism demands that they “be emotionally, intellectually, and ontologically capable of drawing an effective line between their public and non-public identities and of setting aside their particular commitments.”⁵⁴ Its conception of individuality is

not the unencumbered self . . . but, rather, the *divided* self. On the one side stands the individual’s personal and social history, with all the aims and attachments they may imply. On the other side stands the possibility of critical reflection on—even revolt against—these very commitments. The self most at home in liberal society, so understood, contains the potentiality for such critical distance from one’s inheritance and accepts the possibility that the exercise of critical faculties may in important respects modify that inheritance.⁵⁵

The Notre Dame professors who are my friends fit that mold. They are fully capable of regarding their own heartfelt Catholicism with critical distance, considering the views that reject theirs, carefully engaging with them. They are, in our liberal regime, free to reject Christianity altogether. The regime is indifferent as to whether they do so or not. It only demands that they do so *on purpose*, in a world in which other options are known. Their activities in Christian apologetics, an unavoidable task in a society where non-Christian ideas are not suppressed, strengthens their faith. They know why they believe what they believe. This is a different and, I suggest, more reliable and more admirable basis for allegiance than ignorance and compulsion.⁵⁶

52 FUKUYAMA, *supra* note 49, at 122 (first citing DENEEN, *supra* note 16; and then citing ROD DREHER, *THE BENEDICT OPTION: A STRATEGY FOR CHRISTIANS IN A POST-CHRISTIAN NATION* (2017)).

53 *Id.*

54 WILLIAM A. GALSTON, *LIBERAL PURPOSES: GOODS, VIRTUES, AND DIVERSITY IN THE LIBERAL STATE* 153 (1991).

55 *Id.* At one point, Deneen appears to understand this, claiming that in liberalism “[t]he individual is to be liberated from all the partial and limiting affiliations that preceded the liberal state, if not by force then by constantly lowering the barriers to exit.” DENEEN, *supra* note 16, at 51. Does he think that people will not maintain those affiliations unless they are forced to?

56 Deneen denounces “liberalism’s great failing and ultimate weakness: its incapacity to foster self-governance.” DENEEN, *supra* note 16, at 83. Real liberty, he argues, is “the learned capacity to govern oneself using the higher faculties of reason and spirit through the cultivation of virtue.” *Id.* at 113. Michael Novak, however, notes how living in a liberal society imparts that capacity:

There are other symbols of pluralism whose content is not empty. Free speech, a free press, and free intellectual inquiry, for example, permit enormous diversity

Galston has reservations about this aspect of liberalism, which, he thinks, “tends to exclude individuals and groups that do not place a high value on personal autonomy and revisable plans of life.”⁵⁷ He rather argues for a liberalism that aims at “maximum feasible accommodation of diverse legitimate ways of life.”⁵⁸ The divided self is however inevitable in any regime in which people have the option of exiting from their communities of origin. Traditional communities, if they are to survive, must (and often do) persuade their members not to exercise that option.

Of course, there are also those of us who are unpersuaded by those traditions. In a free society, people get to think evil thoughts—or, at least, to think about them, a virtuous activity that is inseparable from the liberty to think the thoughts themselves.⁵⁹

Some mighty smart Catholics have argued that the freedom a liberal society promotes is more consistent with the Christian understanding of the nature of the human person than any alternative.⁶⁰ Michael Novak’s 1982 reflection on the theology of capitalism, for instance. He observes: “It simply is not true that all right-thinking persons, in all conscience and with all goodwill, hold the same vision of the good and judge moral acts similarly. Pluralism in moral vision is real. To recognize this is not to surrender to moral relativism.”⁶¹

A society that makes room for individuality, he thinks, honors the Christian understanding of the person. “A democratic capitalist

to flourish. But each of these values imposes its own disciplines on all. Each demands of every participant much restraint, tolerance, and willingness to be patient with arduous democratic procedures. Individuals are instructed thereby that the common good transcends their own vision of the good, however passionately held.

MICHAEL NOVAK, *THE SPIRIT OF DEMOCRATIC CAPITALISM* 54 (1982). Deneen has a different conception of education, which envisions students “confirming—not confronting—their faith.” DENEEN, *supra* note 16, at 128. I would suggest that the experience of confronting challenges to one’s beliefs improves one’s capacity for self-governance. On his cramped understanding of education, see Laura K. Field, *Revisiting Why Liberalism Failed Part 4: Patrick Deneen’s Twin Depletions of Education and Freedom*, NISKANEN CTR. (Dec. 21, 2020), <https://www.niskanencenter.org/revisiting-why-liberalism-failed-part-4-patrick-deneens-twin-depletions-of-education-and-freedom/> [<https://perma.cc/ST8Q-YDGV>].

57 GALSTON, *supra* note 54, at 153.

58 WILLIAM A. GALSTON, *LIBERAL PLURALISM: THE IMPLICATIONS OF VALUE PLURALISM FOR POLITICAL THEORY AND PRACTICE* 119 (2002).

59 See Andrew Koppelman, *In Praise of Evil Thoughts*, 37 SOC. PHIL. & POL’Y 52 (2020).

60 Here I also count Charles Taylor, whose theology is much more welcoming of diversity than Deneen’s or Vermeule’s. See Andrew Koppelman, *Naked Strong Evaluation*, DISSENT, Winter 2009, at 105, 105–06 (reviewing CHARLES TAYLOR, *A SECULAR AGE* (2007)).

61 NOVAK, *supra* note 56, at 63. Novak once referred to Deneen as “an old friend,” making Deneen’s silence about these arguments more puzzling. Michael Novak, *Afterword*, in *AN AMERICAN & CATHOLIC LIFE: ESSAYS DEDICATED TO MICHAEL NOVAK* 120, 122 (Elizabeth C. Shaw ed., 2015).

society mirrors the infinity of God through the conflicting, discordant, irreconcilable differences of huge numbers of persons, each of whom is an originating agency of distinctive insight and distinctive choice.”⁶² Within such a society, cooperation is possible. “Recognizing both their limitations and their need of each other, human beings may well decide to respect the personal search of each for his or her singular vocation while also inventing structures, institutions, and activities in which they can cooperate.”⁶³

Many on the left disagree with my claim that there is room within liberalism to accommodate Deneen and Vermeule’s desire to live out their ideals (though not to impose them on others).⁶⁴ We argue about

62 NOVAK, *supra* note 56, at 64.

63 *Id.* He adds:

Alone among the systems known to humankind, democratic capitalism has tried to preserve the sphere of the person inviolable. It glories in divergence, dissent, and singularity. It has done so by inventing a set of practical principles, embodied in institutions, and jealously guarded by rival interests each of considerable power, by which social cooperation may be achieved, without prior agreement on metaphysical, philosophical, or religious presuppositions. In order to agree to observe such practical principles, persons do not have to hold the same reasons for supporting them, nor do they need to have the same ends in view. Furthermore, when such practical principles prove their worth by their fruits, these practical principles themselves become worthy of honor. They themselves become substantive goods of a sort. They are not *mere* procedures. They become a proven body of practical principles, respect for which makes the pursuit of substantive goods possible. They are loved in and through the respect of persons for substantive goods. They are loved because they preserve the integrity of substantive goods and the pursuit by free persons of such goods. It is as proper to love the means which make ends attainable as to love the labor of writing for the work achieved.

Id. at 65.

64 On the other hand, I’m hardly alone. My position is shared by Thomas Berg, Alan Brownstein, Dale Carpenter, William Eskridge, Rick Garnett, Kent Greenawalt, Janet Halley, John Inazu, Douglas Laycock, Michael McConnell, Jonathan Rauch, Frank Ravitch, Nelson Tebbe, Robin Fretwell Wilson, and many others. *Cf., e.g.*, Thomas C. Berg, *Freedom to Serve*, in RELIGIOUS FREEDOM, LGBT RIGHTS, AND THE PROSPECTS FOR COMMON GROUND 307, 308 (William N. Eskridge, Jr. & Robin Fretwell Wilson eds., 2019) [hereinafter RELIGIOUS FREEDOM, LGBT RIGHTS]; Alan Brownstein, *Choosing Among Non-Negotiated Surrender, Negotiated Protection of Liberty and Equality, or Learning and Earning Empathy*, in RELIGIOUS FREEDOM, LGBT RIGHTS, *supra*, at 11, 11; Alan Brownstein, *Gays, Jews, and Other Strangers in a Strange Land: The Case for Reciprocal Accommodation of Religious Liberty and the Right of Same-Sex Couples to Marry*, 45 U. S.F. L. REV. 389 390–91 (2010); Dale Carpenter, *Religious Freedom and the Respect for Marriage Act*, VOLOKH CONSPIRACY (July 28, 2022, 4:52 PM) <https://reason.com/volokh/2022/07/28/religious-freedom-and-the-respect-for-marriage-act/> [https://perma.cc/WY9D-3RDV]; William N. Eskridge, Jr. & Robin Fretwell Wilson, *Introduction to RELIGIOUS FREEDOM, LGBT RIGHTS*, at 1, 5; Richard W. Garnett, *Wrongful Discrimination? Religious Freedom, Pluralism, and Equality*, in RELIGIOUS FREEDOM AND GAY RIGHTS: EMERGING CONFLICTS IN NORTH AMERICA AND EUROPE 67, 74 (Timothy Shah, Thomas Farr & Jack Friedman eds., 2016); Kent Greenawalt, *Mutual Tolerance and Sensible Exemptions*, in

the correct interpretation of the left's deepest commitments. Deneen and Vermeule are free to conclude either that I have misunderstood what liberalism really requires, or that even if I'm right I am destined to lose the political argument. But Christians should beware of the tendency to view others' philosophies in the worst possible light.

It is not only liberalism that takes multiple forms, including some toxic ones. Consider a couple of American Christian ministers during World War I. Newell Dwight Hillis, minister of Plymouth Church in Brooklyn, spoke favorably of a plan for "exterminating the German people . . . [by] the sterilization of 10,000,000 German soldiers and the segregation of the women."⁶⁵ Henry B. Wright, director of the YMCA and professor at Yale Divinity School, wrote: "[I]n the hour of soul crisis the [YMCA] Secretary can turn and say with quiet certainty to your lad and my lad, 'I would not enter this work till I could see Jesus himself sighting down a gun barrel and running a bayonet through an enemy's body.'"⁶⁶ It was a Catholic trial judge who declared in *Loving v. Virginia*, the case in which the Supreme Court ultimately struck down laws against interracial marriage,

Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. The fact that he separated the races shows that he did not intend for the races to mix.⁶⁷

Imagine how you'd feel if I alleged that this is the true meaning and logic of Christianity.

RELIGIOUS FREEDOM, LGBT RIGHTS, *supra*, at 102, 102; Janet Halley, *Rethinking Religious Accommodations*, BALKINIZATION (July 18, 2020), <https://balkin.blogspot.com/2020/07/rethinking-religious-accommodations.html> [<https://perma.cc/5DU6-QULE>]; JOHN D. INAZU, CONFIDENT PLURALISM: SURVIVING AND THRIVING THROUGH DEEP DIFFERENCE 6–7 (2016); Douglas Laycock & Thomas C. Berg, Essay, *Protecting Same-Sex Marriage and Religious Liberty*, 99 VA. L. REV. ONLINE 1, 1 (2013); Douglas Laycock, *Liberty and Justice for All*, in RELIGIOUS FREEDOM, LGBT RIGHTS, *supra*, at 24, 25; Michael W. McConnell, *Dressmakers, Bakers, and the Equality of Rights*, in RELIGIOUS FREEDOM, LGBT RIGHTS, *supra*, at 378, 381, 384; Jonathan Rauch, *Gay Rights, Religious Liberty, and Nondiscrimination: Can a Train Wreck Be Avoided?*, 2017 U. ILL. L. REV. 1195, 1196–97; FRANK S. RAVITCH, FREEDOM'S EDGE: RELIGIOUS FREEDOM, SEXUAL FREEDOM, AND THE FUTURE OF AMERICA 35 (2016); NELSON TEBBE, RELIGIOUS FREEDOM IN AN EGALITARIAN AGE 12 (2017); Robin Fretwell Wilson, *Bathrooms and Bakers: How Sharing the Public Square Is the Key to a Truce in the Culture Wars*, in RELIGIOUS FREEDOM, LGBT RIGHTS, *supra*, at 402, 403–04; Robin Fretwell Wilson, *Marriage of Necessity: Same-Sex Marriage and Religious Liberty Protections*, 64 CASE W. L. REV. 1161, 1162–63 (2014).

65 SIDNEY E. AHLSTROM, A RELIGIOUS HISTORY OF THE AMERICAN PEOPLE 885 (1972) (quoting RAY H. ABRAMS, PREACHERS PRESENT ARMS 109 (1933)).

66 *Id.* (quoting ABRAMS, *supra* note 65, at 69).

67 *Loving v. Virginia*, 388 U.S. 1, 3 (1967); FAY BOTHAM, ALMIGHTY GOD CREATED THE RACES: CHRISTIANITY, INTERRACIAL MARRIAGE, & AMERICAN LAW 9 (2009). *See generally id.*

II. LIBERAL ECONOMICS

Deneen imagines himself to be a champion of the working class.⁶⁸ A real champion would need to be more inquisitive about what has made their lives so hard in recent decades.

Deneen is right that a central reason for the pressures on working-class Americans is the disappearance of high-paying jobs that do not require a college degree. He observes that the working class “are generally condemned to straitened economic circumstances, destined for low-wage and stagnant service industry jobs and cut off from the top tier of analytic-conceptual work that is reserved for elite graduates.”⁶⁹ He is also right that the neoliberalism that dominated policymaking after 1980 played a large role in bringing that about. It aimed to implement the basic tenet of economics that unrestricted trade maximizes wealth, and understood that this expansion inevitably entails arbitrarily unequal distribution.⁷⁰ He is also right that this program presumed “that increased purchasing power of cheap goods will compensate for the absence of economic security and the division of the world into generational winners and losers.”⁷¹

As a Christian who believes in the value of all human beings, not only Americans, he ought to pause to acknowledge that the unleashing of capitalist energies in the past few decades has pulled much of the human race out of desperate poverty.⁷² It also made America vastly wealthier. In the first quarter of 1970, per capita gross national product was \$5182. In the first quarter of 2022, it was \$74,867.⁷³ There didn’t need to be any losers. There was enough wealth for everyone.

In the event, there were losers, most prominently the semiskilled workers whose wages became unsustainable in the face of competition

68 Hereafter I will use the term “working class” to refer to “individuals in the labor force who do not have bachelor’s degrees.” TAMARA DRAUT, DEMOS, UNDERSTANDING THE WORKING CLASS 2 (2018), <https://www.demos.org/research/understanding-working-class> [<https://perma.cc/PDM5-5KJE>]. Deneen, read most charitably, is following the same usage. On the history of the term, see ANDREW J. CHERLIN, LABOR’S LOVE LOST: THE RISE AND FALL OF THE WORKING-CLASS FAMILY IN AMERICA 5, 23, 127–31 (2014). *But cf. id.* at 53–54 (indicating that the term is racialized, connoting only white workers). Janelle Bouie argues that, as Deneen deploys the term in practice, it refers to “white people with blue collar cultural identities and patterns of consumption.” Janelle Bouie (@jbouie), TWITTER (July 8, 2020, 11:59 AM), <https://twitter.com/jbouie/status/1280894236154617856> [<https://perma.cc/J9ZZ-YXMZ>].

69 DENEEN, *supra* note 16, at 132.

70 See ANDREW KOPPELMAN, BURNING DOWN THE HOUSE: HOW LIBERTARIAN PHILOSOPHY WAS CORRUPTED BY DELUSION AND GREED 35–38 (2022).

71 DENEEN, *supra* note 16, at 9.

72 KOPPELMAN, *supra* note 70, at 15.

73 *Gross National Product Per Capita*, FRED, FED. RSRV. BANK OF ST. LOUIS, <https://fred.stlouisfed.org/series/A791RC0Q052SBEA> [<https://perma.cc/2JCP-NG92>].

from poorer countries. Income is also more unstable. Economic risk has been shifted from broad social insurance to workers and their families. Jobs are less secure, and a college degree no longer reliably guarantees middle class status.⁷⁴ In any year, 10 to 20% of Americans will experience a 25% drop in income, and about a third of these do not recover their prior level even a decade later.⁷⁵ Their predicament was the product of political choices that could and should have been different.

Deneen thinks that the solution is restriction of immigration and the encouragement of manufacturing within American borders. His economic analysis is ill-informed. Manufacturing jobs in the United States are disappearing, not because of foreign competition—American manufacturing output is higher than it has ever been—but because automated factories need far fewer workers.⁷⁶ Immigrants do not generally compete for the same jobs as natives, and create more jobs than they take.⁷⁷

As Samuel Moyn has pointed out, what Deneen calls “liberalism” is actually libertarianism, which “is a disaster for, and heresy within, liberalism.”⁷⁸ Fukuyama argues that this is one of a number of situations in which “certain sound liberal ideas have been interpreted and pushed to extremes.”⁷⁹ With libertarianism, a “valid insight into the superior efficiency of markets evolved into something of a religion, in which state intervention was opposed as a matter of principle.”⁸⁰

74 JACOB S. HACKER, *THE GREAT RISK SHIFT: THE NEW ECONOMIC INSECURITY AND THE DECLINE OF THE AMERICAN DREAM* 1–22, 65–68 (2d ed. 2019).

75 LANE KENWORTHY, *SOCIAL DEMOCRATIC CAPITALISM* 134–36 (2020).

76 Approximately 90% of the lost manufacturing jobs were eliminated by automation. See MICHAEL J. HICKS & SRIKANT DEVARAJ, BALL STATE U., *CTR. FOR BUS. & ECON. RSCH., THE MYTH AND THE REALITY OF MANUFACTURING IN AMERICA* 6 (2015).

77 Cf. Pierre Azoulay, Benjamin Jones, J. Daniel Kim & Javier Miranda, *Immigration and Entrepreneurship in the United States* 2 (Nat'l Bureau of Econ. Rsch., Working Paper No. 27,778, 2020), <https://www.nber.org/papers/w27778> [<https://perma.cc/NM44-W3KG>].

78 Samuel Moyn, *Neoliberalism, Not Liberalism, Has Failed: A Response to Patrick Deneen*, *COMMONWEAL MAG.* (Dec. 3, 2018), <https://www.commonwealmagazine.org/neoliberalism-not-liberalism-has-failed> [<https://perma.cc/4A69-WSNM>]. Deneen summarily retorts that removing all restraints from the market is “a constitutive element of liberalism.” Patrick J. Deneen, *Another Missed Opportunity: A Response to Bryan Garsten, Samuel Moyn, and Matthew Sitman*, *COMMONWEAL MAG.* (Dec. 3, 2018), <https://www.commonwealmagazine.org/another-missed-opportunity> [<https://perma.cc/7M9V-G2BJ>]. At no point does he grapple with the fact that other liberal democracies have managed to avoid working class precarity while achieving robust economic growth. See KENWORTHY, *supra* note 75, at 1.

79 FUKUYAMA, *supra* note 49, at xi.

80 *Id.* at 22.

The libertarians were bitterly opposed by other liberals.⁸¹ They are so hated on the left that there is a tendency to insinuate dark conspiracy theories,⁸² and we see some of it here as well. Earlier neoliberals such as Friedrich Hayek and Milton Friedman, and today Richard Epstein, Deirdre McCloskey, and Edward Conard, are all in fact driven by an urgent humanitarian concern about world poverty, which they believe (with much evidence) that only rapid economic growth can ameliorate.⁸³

Deneen sometimes writes as if the entire class of winners in the new economy had intentionally colluded to hold the working class down. The “creation of a new aristocracy that has enjoyed inherited privileges, prescribed economic roles, and fixed social positions . . . was embraced by those of liberal dispositions precisely because they anticipated being its winners.”⁸⁴ This “new elite . . . shrouded its status by trumpeting its commitments to equality.”⁸⁵ The new aristocrats were as haughty as the old ones:

The managerial elite came to see itself as opposed to everything the working class embodied. Its representatives denounced “deplorable” who “cling to their guns and Bibles.” Backward-looking, loyal to declining places, and benighted, they died deaths of despair that were their own fault.

. . . This new ruling class saw itself as a “meritocracy.” It believed that its power was earned and deserved, and that those who didn’t succeed deserved their station.⁸⁶

81 Some libertarians of course are not liberals at all. See Samuel Freeman, *Illiberal Libertarians: Why Libertarianism Is Not a Liberal View*, 30 PHIL. & PUB. AFFS. 105, 107 (2001).

82 A particularly egregious example is NANCY MACLEAN, *DEMOCRACY IN CHAINS: THE DEEP HISTORY OF THE RADICAL RIGHT’S STEALTH PLAN FOR AMERICA* (2017). See Andrew Koppelman, *Corrupting the National Book Award?*, BALKINIZATION (Oct. 26, 2017), <https://balkin.blogspot.com/2017/10/corrupting-national-book-award.html> [<https://perma.cc/U8K3-RNP9>].

83 See KOPPELMAN, *supra* note 70, at 25–70, 260 n.210.

84 DENEEN, *supra* note 16, at 135.

85 Patrick J. Deneen, *Why Conservatism Is the Natural Home for Working-Class Americans*, AM. CONSERVATIVE (July 8, 2020, 12:01 AM), <https://www.theamericanconservative.com/of-by-and-for-the-people/> [<https://perma.cc/ZN9B-Q83X>].

86 Patrick J. Deneen, *Replace the Elite*, FIRST THINGS, Mar. 2020, 58, 58–89 (reviewing MICHAEL LIND, *THE NEW CLASS WAR: SAVING DEMOCRACY FROM THE MANAGERIAL ELITE* (2020)), <https://www.firstthings.com/article/2020/03/replace-the-elite> [<https://perma.cc/K73D-YPH7>]. Compare the speech delivered by Senator Joseph McCarthy before the Senate, June 14, 1951: “This must be the product of a great conspiracy, a conspiracy on a scale so immense as to dwarf any previous such venture in the history of man.” 97 CONG. REC. 6602 (1951). One finds similarly conspiratorial notions in Vermeule: “Liberalism is in many respects an enterprise created by and in the service of elites who capture most of the upside gains of ever-greater release from customary, moral, and economic constraints, and who are buffered—economically and personally—from the

Who is he talking about? This bill of particulars is constructed out of misleadingly selective quotations from Barack Obama and Hillary Clinton, both of whom aimed to do more for the working class than their opponents (most notably, protecting them from death by illness and financial ruin by medical bills). The left-wing attack on neoliberalism focuses on a group of policymakers who really exist and made consequential decisions. Here that kind of agency is attributed to an entire social class. Deneen concedes that this class has been “neither malicious nor devious,”⁸⁷ but thinks it nonetheless “fights ceaselessly to maintain the structures of liberal injustice.”⁸⁸ In the new economy, some people with scarce marketable skills prospered. Most of them are simply trying to make their way in the situations they find themselves in.⁸⁹

The question of what policy changes would actually improve working class lives takes us into the realm of policy wonkery. It is part of the larger enterprise of understanding the unintended patterns that occur in the world and trying to control them. Deneen regards that enterprise with deep suspicion.

downside risks and losses.” Adrian Vermeule, *Liberalism’s Fear*, JOSIAS (May 9, 2018), <https://thejosias.com/2018/05/09/liberalisms-fear/> [<https://perma.cc/K6B7-M4EL>]. He cites, as evidence of the totalitarian tendencies of liberalism, the Obama administration’s “rather chilling representation at oral argument in the Supreme Court that institutions not supportive of same-sex marriage might have to lose their tax exemptions as contrary to ‘public policy,’ as did racist institutions like Bob Jones University.” Vermeule, *supra* note 24 (citing *Bob Jones Univ. v. United States*, 461 U.S. 574 (1983)). In *Obergefell v. Hodges*, Justice Alito asked, “in the Bob Jones case, the Court held that a college was not entitled to tax-exempt status if it opposed interracial marriage or interracial dating. So would the same apply to a university or a college if it opposed same-sex marriage?” Transcript of Oral Argument at 38, *Obergefell v. Hodges*, 576 U.S. 644 (2015) (No. 14-556). Solicitor General Donald Verrilli responded, “[I]t’s certainly going to be an issue. . . I don’t deny that.” *Id.* Vermeule demands to know “why the administration would make such an inflammatory threat,” and concludes that “a conspicuous conflict with the settled *mores* of millennia was, of course, the point.” Vermeule, *supra*. In fact, Verrilli was unprepared for the question, which no one in the Justice Department had thought of in the mooted process. WILLIAM N. ESKRIDGE JR. & CHRISTOPHER R. RIANO, *MARRIAGE EQUALITY: FROM OUTLAWS TO IN-LAWS* 605 (2020). Had the Obama Administration actually wanted to revoke any religious group’s tax exemption, it had more than a year after *Obergefell* in which to do that. Later, Democrats cheerfully voted to secure the exemption as part of a deal for securing a federal guarantee of marriage equality. See Andrew Koppelman, *The Grotesque, Wonderful Respect for Marriage Act*, AM. PROSPECT (Nov. 21, 2022), <https://prospect.org/justice/grotesque-wonderful-respect-for-marriage-act/> [<https://perma.cc/3RXF-WXTL>].

87 DENEEN, *supra* note 16, at 152.

88 *Id.* at 135.

89 He acknowledges that college students “increasingly feel that they have no choice but to pursue the most practical major, eschewing subjects to which native curiosity might attract them in obeisance to the demands of the market.” *Id.* at 119.

This contradiction in his thinking is clearest when he addresses environmental degradation. He worries about “climate change, resource depletion, groundwater contamination and scarcity, species extinction.”⁹⁰ If you care about such things, you ought to enlist the aid of scientists, who can explain to you why all this is happening and what interventions are likely to ameliorate it. They are the ones who have been most vigorously protesting the “short-term exploitation of the earth’s bounty.”⁹¹ Fukuyama observes that “the mainstream of the environmental movement recognizes that the most realistic solutions to environmental problems are likely to lie in the creation of alternative technologies, or technologies to actively protect the environment.”⁹²

But Deneen doesn’t like scientists.⁹³ He wishes that undergraduates would not major in science and technology, and repeatedly bemoans Francis Bacon’s project of “conquest of nature.”⁹⁴ It is mysterious what alternative he has in mind. Human beings necessarily intervene in nature. The extinction of the mammoths and other large mammals long preceded the Renaissance. He does not propose to abolish agriculture or medicine.

He is strangely incurious about why things happen in the world. His book would more appropriately be titled “*How Liberalism Failed.*” His diagnoses and prescriptions are equally worthless, but he is good at telling the doctor where it hurts. He offers a catalogue of failures, which liberals need to take seriously. He has no idea why they happened. He doesn’t know that he doesn’t know. He just wants very much to smack somebody.

90 *Id.* at 14.

91 *Id.* at 39. Deneen, echoing a familiar theme on the left, fears that “we will very quickly exhaust the planet.” *Id.* at 126. The project of satisfying human wants is sometimes but not always connected to ecological damage. If technological progress continues, there is no reason why we cannot devise means to raise humanity’s standard of living more effectively than we do now, with less or even no environmental damage. See FRED L. BLOCK, CAPITALISM: THE FUTURE OF AN ILLUSION 183–88 (2018); Coalbrookdale & Sharm El-Sheikh, *Economic Growth No Longer Means Higher Carbon Emissions*, ECONOMIST (Nov. 8, 2022), <https://www.economist.com/finance-and-economics/2022/11/08/economic-growth-no-longer-means-higher-carbon-emissions> [<https://perma.cc/7ZC7-V7Q8>].

92 FRANCIS FUKUYAMA, THE END OF HISTORY AND THE LAST MAN 86 (1992).

93 In this he resembles many earlier antiliberals. See the many index entries for “Science, . . . aversion to,” in STEPHEN HOLMES, *supra* note 32, at 328.

94 See DENEEN, *supra* note 16, at 65, 71, 117, 131. On Deneen’s mischaracterizations of Bacon, see Laura K. Field, *Revisiting Why Liberalism Failed Part 1: The Intellectual and Political Stakes*, NISKANEN CTR. (Dec. 21, 2020), <https://www.niskanencenter.org/revisiting-why-liberalism-failed-part-1-the-intellectual-and-political-stakes/> [<https://perma.cc/WT3W-JCN2>]. Also, the project of human dominion over nature antedates Bacon. See *Genesis* 1:28.

III. SEX AND FAMILY

These writers most lament the alleged corrosive effects of liberalism upon sex and family. Vermeule writes that

[T]he boundaries of progressive demands for conformity are structurally unstable, fluid, and ever shifting, not merely contingently so—there can be no lasting peace. Yesterday the frontier was divorce, contraception, and abortion; then it became same-sex marriage; today it is transgenderism; tomorrow it may be polygamy, consensual adult incest, or who knows what.⁹⁵

Deneen agrees. “The norm of stable lifelong marriage is replaced by various arrangements that ensure the autonomy of the individuals, whether married or not.”⁹⁶ He laments “the moral crisis of a society in which personal commitments such as families so easily unravel and are replaced by therapy and social programs.”⁹⁷ Liberalism is the source of the problem: “Under liberalism, our basic outlook becomes one in which all relationships are subject to the perpetual calculus whether they will redound to my personal benefit.”⁹⁸ Americans today tend to

95 Vermeule, *supra* note 22, at 42 (emphasis omitted). In *Common Good Constitutionalism*, he explains what he thinks is wrong with same-sex marriage: it is objectionable because marriage is properly “constituted by the natural law in general terms as the permanent union of man and woman under the general *telos* or indwelling aims of unity and procreation (whether or not the particular couple is contingently capable of procreating).” VERMEULE, *supra* note 18, at 131–32. Thus he is committed to the idea that an infertile heterosexual couple can appropriately marry because of its (nonexistent) procreative capacity, which a same-sex couple lacks. Most people, I suspect including most American Catholics, find this notion not only unpersuasive but unintelligible. See Andrew Koppelman, *More Intuition than Argument*, COMMONWEAL MAG. (Mar. 25, 2013) (reviewing SHERIF GIRGIS, RYAN T. ANDERSON & ROBERT P. GEORGE, *WHAT IS MARRIAGE? MAN AND WOMAN: A DEFENSE* (2012)), <https://www.commonwealmagazine.org/more-intuition-argument> [<https://perma.cc/NW64-245V>]; Andrew Koppelman, *Judging the Case Against Same-Sex Marriage*, 2014 U. ILL. L. REV. 431, 446–49; Andrew Koppelman, *Is Marriage Inherently Heterosexual?*, 42 AM. J. JURIS. 51 (1997).

96 DENEEN, *supra* note 16, at 39. Thus, although he is sympathetic to biology-based arguments like Vermeule’s, “they do not seem to me to get to the core of the matter—namely, that marriage as an institution is simply the crowning part of a culture that must necessarily reject individualism as its basic feature.” Patrick J. Deneen, *Against (Gay) Marriage*, FRONT PORCH REPUBLIC (June 1, 2009) (emphasis omitted), <https://www.frontporchrepublic.com/2009/06/against-gay-marriage/> [<https://perma.cc/23XB-S8X2>]. He understands same-sex marriage to consist solely in benefits, and doesn’t notice that it also involves strong, legally enforceable obligations and claims upon one’s property. See Patrick J. Deneen, *How Will Future Historians Treat Same-Sex Marriage?*, PUB. DISCOURSE (July 10, 2013), <https://www.thepublicdiscourse.com/2013/07/10513/> [<https://perma.cc/6FS4-Z67J>] [hereinafter Deneen, *Future Historians*].

97 DENEEN, *supra* note 16, at 109.

98 Patrick J. Deneen, *Better than Our Philosophy: A Response to Muñoz*, PUB. DISCOURSE (Nov. 29, 2012), <https://www.thepublicdiscourse.com/2012/11/7156/> [<https://perma.cc/8RBP-LPKU>].

be “driven above all by demands of consumption and money-making, claiming the right to self-definition while abandoning any longstanding cultural practices of self-limitation, which become increasingly regarded as unjust and unjustified limitations upon one’s freedom and autonomy.”⁹⁹ Liberalism “fosters social and ultimately legal conditions in which we are increasingly childless, siblingless and generationally disconnected.”¹⁰⁰

Deneen claims that the “Architect of Our Cultural Revolution” is the late feminist theorist Shulamith Firestone, whose 1970 book *The Dialectic of Sex* “sought to achieve a kind of melding of progressivism, Marxism, and scientism—a toxic combination that today is the defining feature of the ruling class who govern the orders of the West.”¹⁰¹ Firestone advocated the entire abolition of gender, liberation of our “natural polymorphous sexuality,” and eliminating the necessity of pregnancy through scientific advances in external placentas and parthenogenesis.¹⁰²

For years Deneen has thought that Firestone, a largely forgotten writer, reveals the implicit aspirations of modern liberalism.¹⁰³ He emphasizes her claim that “unless revolution uproots the basic social arrangements of the biological family . . . the tapeworm of exploitation will never be annihilated.”¹⁰⁴ But it is strange to attribute her views to America’s elite class, which tends to form nuclear families as stable as those of most of America in the 1950s. When the issue of same-sex marriage suddenly became salient in the 1990s, the gay rights movement split on the issue, with the Firestonian advocates of polymorphous perversity protesting ineffectively that marriage was never the goal of their movement. It turned out that most gay people did not

99 Charles C. Camosy, *Why Individualist Liberalism Wins, and the Catholic Side Loses*, CRUX (Dec. 19, 2017), <https://cruxnow.com/uncategorized/2017/12/individualist-liberalism-wins-catholic-side-loses> [https://perma.cc/GV62-STH3] (interview with Deneen).

100 Patrick Deneen, *On Damon Linker’s “Religious Test”*, WHAT I SAW IN AM. (Nov. 11, 2010), <https://patrickdeneen.blogspot.com/2010/11/on-damon-linkers-religious-test.html> [https://perma.cc/V7F5-Z46D].

101 Patrick J. Deneen, *Liberalism as (De)Sadism*, POSTLIBERAL ORDER (Apr. 28, 2022), <https://postliberalorder.substack.com/p/liberalism-as-desadism> [https://perma.cc/TTB9-3CWN].

102 *Id.* (quoting SHULAMITH FIRESTONE, *THE DIALECTIC OF SEX: THE CASE FOR FEMINIST REVOLUTION* 209 (1970)).

103 Patrick J. Deneen, “*Forward*” into a Sterile Future, FIRST THINGS (June 20, 2012), <https://www.firstthings.com/web-exclusives/2012/06/ldquoforwardrdquo-into-a-sterile-future> [https://perma.cc/6ZA2-GY3S].

104 Deneen, *supra* note 101 (quoting FIRESTONE, *supra* note 102, at 12). Deneen’s quotation is mildly inaccurate. She actually writes, “For unless revolution uproots the basic social organization, the biological family—the vinculum through which the psychology of power can always be smuggled—the tapeworm of exploitation will never be annihilated.” FIRESTONE, *supra* note 102, at 12.

share those aspirations. They didn't want unbounded bacchanalia. They wanted a spouse, children, a backyard, and a dog.¹⁰⁵

The story of the modern sexual revolution is not merely the story of the decay of the old ways. It has also seen the emergence of a new ethic, one that in many ways produces stronger, more functional families that serve children's needs *better* than the old model. Deneen cites with approval Tocqueville's admiration for local, spontaneous associations, but he doesn't grapple with the fact that many such associations today do not take the form that he hopes for.¹⁰⁶ The emergence of same-sex marriage is the product of Tocquevillean spontaneous self-governance if anything is.

Naomi Cahn and June Carbone observe that two different family systems, presupposing different norms, now exist in the United States. The older, more traditional model demands marriage before (or very soon after) sexual activity begins, identifies responsible parenthood with marriage rather than maturity or economic self-sufficiency, aims at socialization into traditional gender roles, and embraces authoritarian models of parenting.¹⁰⁷ The appropriate response to unplanned pregnancy is the shotgun marriage. Same-sex marriage is perceived by this model's adherents to flout this entire complex of values, elevating the happiness of adults over the well-being of children.

This model, for which Deneen sometimes seems nostalgic,¹⁰⁸ remains prevalent in much of the United States. But it has costs. Where it prevails, divorce rates are the highest in the country, perhaps because early marriages are unusually likely to fail.¹⁰⁹ Teen pregnancy is

105 Deneen writes that gay couples "enjoy economic advantages largely because they don't have children, which could inhibit their economic progress and success." Deneen, *Future Historians*, *supra* note 96. In fact, 16% of gay couples are raising a child under 18. Shoshana K. Goldberg & Kerith J. Conron, *How Many Gay Couples in the US Are Raising Children?*, WILLIAMS INST. (July 2018), <https://williamsinstitute.law.ucla.edu/publications/same-sex-parents-us/> [<https://perma.cc/CH3F-DQWW>]. For comparison, 40% of all families are raising children under 18. See *Census Bureau Releases New Estimates on America's Families and Living Arrangements*, U.S. CENSUS BUREAU (Oct. 8, 2021), <https://www.census.gov/newsroom/press-releases/2020/estimates-families-living-arrangements.html> [<https://perma.cc/3UG4-F3ZC>].

106 Hugo Drochon writes that Deneen "seem[s] to believe the communities and cultures that liberals share somehow don't count." Hugo Drochon, *The Anti-Democratic Thinker Inspiring America's Conservative Elites*, GUARDIAN (Apr. 21, 2018, 6:00 AM), <https://www.theguardian.com/commentisfree/2018/apr/21/patrick-deneen-book-why-liberalism-failed-catholic> [<https://perma.cc/HB4Z-3P8X>]. Deneen misunderstands Tocqueville in ways I cannot pursue here. See Field, *supra* note 94.

107 NAOMI CAHN & JUNE CARBONE, *RED FAMILIES V. BLUE FAMILIES: LEGAL POLARIZATION AND THE CREATION OF CULTURE* 1–4 (2011).

108 See, e.g., DENEEN, *supra* note 16, at 147.

109 See CAHN & CARBONE, *supra* note 107, at 2, 28, 55–56.

more common.¹¹⁰ The problem is that, although this ethic has considerable continuing power, it is in decay. Its enforcement mechanisms have weakened. Unhappy couples can no longer be forced to stay together, and teenagers can't be prevented from having sex.

At the same time, a new sexual ethic has emerged. This model, which Cahn and Carbone call the "new middle-class ethic," is tolerant of premarital sexuality so long as contraception is carefully used, with abortion as the responsible fallback.¹¹¹ It calls for postponing marriage and parenthood until the completion of higher education, and aims at more egalitarian gender roles within marriage. It produces lower rates of divorce and teenaged motherhood, but also falling fertility and more people living alone. It is not undemanding.

Deneen writes that, according to ancient understandings, "self-rule was achieved only with difficulty—requiring an extensive habituation in virtue, particularly self-command and self-discipline over base but insistent appetites."¹¹² The new ethic demands such self-discipline.¹¹³ The pertinent virtues are not however the ones he had in mind.¹¹⁴

The new ethic has obvious advantages in the postindustrial economy. Delayed childbearing facilitates more education, which in turn leads to higher incomes later in life. The newer model is no less functional than the old one. Indeed, from the standpoint of child welfare, it has obvious comparative advantages, since it produces less divorce and more mature parenting. It is not characterized by "hedonic titillation, visceral crudeness, and distraction, all oriented toward promoting consumption, appetite, and detachment," nor does it produce "superficially self-maximizing, socially destructive behaviors."¹¹⁵

The new model is most prevalent among the most educated classes, which have the highest incomes. The differences are starkly revealed in patterns of single childbearing. In 1960, about 14% of mothers in the bottom education quartile were single, compared with 4.5% of mothers in the top quartile.¹¹⁶ By 2010, the respective percentages

110 See *id.* at 30, 172.

111 *Id.* at 37–40, 45.

112 DENEEN, *supra* note 16, at xiii.

113 Here Novak's judgment was less sound than elsewhere. He wrote: "There can scarcely be any doubt that the family of the new class gives greater play to the passions and esteems reasoned judgment less than does the bourgeois family." NOVAK, *supra* note 56, at 170.

114 The legal enforcement of the old rules, as advocated by, for example, ROBERT E. RODES, JR., *ON LAW AND CHASTITY* (2006), is of course inconsistent with the new ethic.

115 DENEEN, *supra* note 16, at 39.

116 Sara McLanahan, *Diverging Destinies: How Children Are Faring Under the Second Demographic Transition*, 41 *DEMOGRAPHY*, 607, 611 (2004).

were approximately 50% and 10%.¹¹⁷ College-educated women are more likely to marry than other women, and less likely to divorce.¹¹⁸ The disparity appears to have much to do with delayed childbearing by educated women, which in turn is the result of contraception and abortion.¹¹⁹ (The overruling of *Roe v. Wade* will make it harder for some working-class families to escape their precarious economic status.¹²⁰) An obvious corollary of this ethic is acceptance of homosexuality. Since this model separates sex from reproduction and values recreational sex, it is not threatened by sex that manifestly has nothing to do with procreation.

Deneen is aware of these patterns,¹²¹ but attributes to them a sinister meaning. Conservatives have been saying for years that stable families are likely to produce happier and more prosperous people. But the adoption of such forms “by the strong is now one more tool [of] advantage over the weak.”¹²² Even if the followers of the new ethic are devoted to their spouses and children, Deneen thinks this simply displays how anomic and self-centered they are. “Friendships and even romantic relationships are like international alliances—understood to serve personal advantage.”¹²³ Their marital stability “is now a form of competitive advantage for the upper tier.”¹²⁴

Deneen is right that there is a difficulty with the contractarian liberal theory we have inherited from Locke. Social contract theory often builds upon Hobbes’s dictum that there can be “no Obligation on any

117 Sara McLanahan & Wade Jacobsen, *Diverging Destinies Revisited*, in 5 FAMILIES IN AN ERA OF INCREASING INEQUALITY: DIVERGING DESTINIES 3, 5 (Paul R. Amato, Alan Booth, Susan M. McHale & Jennifer Van Hook eds., 2015).

118 McLanahan, *supra* note 116, at 612.

119 See CHERLIN, *supra* note 68, at 134–40; McLanahan & Jacobsen, *supra* note 117, at 3, 20–21; McLanahan, *supra* note 116, at 607–08; see also David T. Ellwood & Christopher Jencks, *The Uneven Spread of Single-Parent Families: What Do We Know? Where Do We Look for Answers?*, in SOCIAL INEQUALITY 3, 5 (Kathryn M. Neckerman ed., 2004).

120 Naomi Cahn & June Carbone, *The Blue Family Constitution*, J. AM. ACAD. MATRIMONIAL LAWS. (forthcoming) (manuscript at 17), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4161894 [<https://perma.cc/6NMP-K9ZB>].

121 At least, he sometimes is. See DENEEN, *supra* note 16, at 134, 149–51. Sometimes he claims that under liberalism, “[t]he norm of stable lifelong marriage is replaced by various arrangements that ensure the autonomy of the individuals, whether married or not,” and “[c]hildren are increasingly viewed as a limitation upon individual freedom.” *Id.* at 39.

122 *Id.* at 134.

123 *Id.*

124 *Id.* He even suggests that it functions as a kind of trade secret: “Elites are studiously silent about the familial basis of their relative success.” *Id.* Novak once offered a similarly dour assessment of the inner lives of his fellow Americans. On reflection, he later admitted: “That this was a superficial, unfair, and ideological description of real Americans became clear to me when I looked more closely at my neighbors and companions and less at literary conventions.” NOVAK, *supra* note 56, at 376 n.27 (citing MICHAEL NOVAK, A THEOLOGY FOR RADICAL POLITICS 28 (1969)).

man, which ariseth not from some Act of his own.”¹²⁵ Yet, Roger Scruton observes (here repeating a point made by Hegel), any social contract presumes a determinate set of parties, who have mutual obligations that precede contract: “if they are in a position to decide on their common future, it is because they already have one: because they recognize their mutual togetherness and reciprocal dependence, which makes it incumbent upon them to settle how they might be governed under a common jurisdiction in a common territory.”¹²⁶ We are born into communities which always already have claims upon us because they nurtured us into maturity, and which we have claims upon from childhood on because they created us. Our social obligations cannot possibly be contractual all the way down.¹²⁷

But the point of liberal contractarianism is not to reduce us to social atoms, but rather, as Holmes observes, “to force defenders of hereditary authority and monopoly to explain and justify all deviations from the standard of natural equality.”¹²⁸ The elites Deneen despises understand perfectly well that they have obligations, including unchosen ones such as obligations to parents, that deserve more respect than the claims of feudal aristocrats. They tend to honor those obligations. Liberalism is at bottom a practice and not a theory, and the theory’s weaknesses have not been reflected in the reality of life in liberal society.¹²⁹

Deneen is also right that the “lower tiers . . . are experiencing catastrophic levels of familial and social breakdown, making it all but impossible for them or their children to move into the upper tier.”¹³⁰ There is a tendency (only a tendency; half of bottom-quartile mothers are married) in the lower-income strata toward single-parent families, with associated dysfunction. The causes of these patterns are not well understood. One survey concludes that the most widely cited papers are “those that disprove a popular explanation, not those that support one.”¹³¹

What does appear clear is that the greater prevalence of unmarried motherhood among the poor is caused, in part (no one knows

125 THOMAS HOBBS, *LEVIATHAN* 114 (J.M. Dent & Sons 1914) (1615). Deneen is right that this is a persistent theme in liberal theory. See DENEEN, *supra* note 16, at 31–34.

126 SCRUTON, *supra* note 15, at 23. For elaboration, see ROGER SCRUTON, *MODERN PHILOSOPHY: AN INTRODUCTION AND SURVEY* 414–18 (1994), which acknowledges that this point is originally made by Hegel.

127 Andrew Koppelman, *Rawls and the Market Economy*, NAT’L AFFS., Spring 2022, at 130, 131.

128 HOLMES, *supra* note 32, at 193.

129 For elaboration of this point, see Andrew M. Koppelman, *If Liberals Knew Themselves Better, Conservatives Might Like Them Better*, 20 LEWIS & CLARK L. REV. 1201 (2017).

130 DENEEN, *supra* note 16, at 134.

131 Ellwood & Jencks, *supra* note 119, at 3.

how large a part), by the vestiges of the old ethic, which has decayed unevenly. Prohibitions that were functional in context have become pernicious in new circumstances. The stigma of using birth control has, for some populations, decayed more slowly than the stigma of premarital sex: sex is something unexpected that happens to you, while contraception identifies you as a bad girl who plans for sex.¹³² The stigma of unwed motherhood is sometimes felt less strongly than the stigma of divorce.¹³³ The unavailability of contraception to low-income women also increases the likelihood of pregnancy,¹³⁴ and abstinence-focused sex education increases the likelihood that a girl will not even know how to contracept when she has her first sexual experience.¹³⁵

Firestone's radical feminism has nothing to do with the new middle-class ethic. Her only affinity with liberalism—but it is an important one—is that liberalism leaves people free to build their lives around the childless pursuit of novel sexual joys, if that is what they want. It is not clear why that should bother Deneen, if he is troubled by “a felt loss of liberty for many citizens.”¹³⁶ But he doesn't really care about liberty. “What to liberalism seems a tolerant and decent regime, in the eyes of its predecessor tradition seems nothing more than cruel indifference, allowing clear vices not only to proliferate, but to enjoy implicit public approval.”¹³⁷ You gay people live secure and contented lives. How awful. If we cared about you, we would do what we did in the good old days: hunt you down and jail you, fire you from your job, and take your children away from you.

There are, of course, radical tendencies on the left that aim at the repressive effects he fears. The progressive left are only about twelve percent of Democratic voters,¹³⁸ but are a larger proportion of young

132 KRISTIN LUKER, *TAKING CHANCES: ABORTION AND THE DECISION NOT TO CONTRACEPT* 44-48 (1975).

133 Kathryn Edin & Joanna M. Reed, *Why Don't They Just Get Married? Barriers to Marriage Among the Disadvantaged*, *FUTURE CHILD.*, Autumn 2005, at 117, 125.

134 See Megan L. Kavanaugh, Emma Pliskin & Rubina Hussain, *Associations Between Unfulfilled Contraceptive Preferences Due to Cost and Low-Income Patients' Access to and Experiences of Contraceptive Care in the United States, 2015–2019*, *CONTRACEPTION*: X, 2022, at 1, 7.

135 See Tracy Scull, Christina Malik, Abigail Morrison & Elyse Keefe, *Promoting Sexual Health in High School: A Feasibility Study of a Web-Based Media Literacy Education Program*, 26 *J. HEALTH COMM'N* 147, 147–48 (2021) (reviewing studies); John Santelli, Mary A. Ott, Maureen Lyon, Jennifer Rogers, Daniel Summers & Rebecca Schleifer, *Abstinence and Abstinence-Only Education: A Review of U.S. Policies and Programs*, 38 *J. ADOLESCENT HEALTH* 72, 73 (2006).

136 DENEEN, *supra* note 16, at xii.

137 Deneen, *supra* note 21. The predecessor tradition would have similarly seen cruel indifference in the toleration of Protestantism or of Galileo's astronomy.

138 *Beyond Red vs. Blue: The Political Typology: 2. The Democratic Coalition*, PEW RSCH. CTR. (Nov. 9, 2021), <https://www.pewresearch.org/politics/2021/11/09/the-democratic-coalition/> [https://perma.cc/6VF8-HCR7].

college-educated professionals, who live in large metropolitan areas. They are overrepresented among those who work in the media, advocacy groups, nonprofits, and the Democratic Party infrastructure, and they turn out to vote in disproportionate numbers.¹³⁹ The issues they care about are not those that concern the American working class. That has damaged the electoral performance of the Democrats.¹⁴⁰ Liberals like me have mobilized, and are continuing to mobilize, against their defective understanding of freedom.¹⁴¹

The repressive tendencies of “wokeness” which Deneen, Vermeule, and I all find so pernicious are a historical blip. One of the closest studies of these tendencies concludes that they became widespread around 2015.¹⁴² If this is the inevitable deep logic of liberalism from Locke onward, it took its time getting here.

Deneen is right that neoliberalism had something to do with the decline of the working-class family. The gendered division of labor, male breadwinner female homemaker, has considerable attractions for many people.¹⁴³ It only works if men have the opportunity to be reliable sources of ample income. The sexual revolution was one cause of the rise of single parenthood: customary sexual restraints prevented a similar economic shock in the 1930s from having the same effect.

139 *The Public, The Political System and American Democracy: 10. Political Engagement, Knowledge and the Midterms*, PEW RSCH. CTR. (Apr. 26, 2018), <https://www.pewresearch.org/politics/2018/04/26/10-political-engagement-knowledge-and-the-midterms/> [<https://perma.cc/XLR3-9R68>].

140 See Ruy Teixeira, *How to Fix the Democratic Brand: It Can Be Done, but It Won't Be Easy*, LIBERAL PATRIOT (Apr. 21, 2022), <https://theliberalpatriot.substack.com/p/how-to-fix-the-democratic-brand> [<https://perma.cc/XQ6A-BCY9>]; Ruy Teixeira, *The Five Deadly Sins of the Left: Time to Repent!*, LIBERAL PATRIOT (Dec. 21, 2021), <https://theliberalpatriot.substack.com/p/the-five-deadly-sins-of-the-left> [<https://perma.cc/3VHL-F7AB>]; Ian Ward, *The Democrats' Privileged College-Kid Problem*, POLITICO (Oct. 9, 2021, 7:00 AM), <https://www.politico.com/news/magazine/2021/10/09/david-shor-democrats-privileged-college-kid-problem-514992> [<https://perma.cc/BEG8-DVE9>].

141 See, e.g., Andrew Koppelman, *The Great Awakening and Overlapping Consensus*, PUB. DISCOURSE (Dec. 9, 2020), <https://www.thepublicdiscourse.com/2020/12/73109/> [<https://perma.cc/ANT3-S9KT>].

142 See GREG LUKIANOFF & JONATHAN HAIDT, *THE CODDLING OF THE AMERICAN MIND: HOW GOOD INTENTIONS AND BAD IDEAS ARE SETTING UP A GENERATION FOR FAILURE* 15 (2018).

143 Deneen writes that for liberalism, “[t]he human form above all that requires elimination is sexual difference, a goal advanced by increasingly aggressive efforts to secure state-funded birth control, abortion, and artificial forms of fertilization and gestation of children.” DENEEN, *supra* note 16, at xix (emphasis omitted). Its goal is “overcoming human nature’s final frontier: sexual complementarity and all that follows.” Patrick J. Deneen, *Corporate Progressivism*, FIRST THINGS, Nov. 2018, at 43, 45 (reviewing DAREL E. PAUL, *FROM TOLERANCE TO EQUALITY: HOW ELITES BROUGHT AMERICA TO SAME-SEX MARRIAGE* (2018)). Liberalism actually has no problem with manifestations of sexual difference, even traditional ones, so long as they are freely chosen.

But the stability of the upper-class family shows that the sexual revolution need not damage families absent such shocks.¹⁴⁴ Industrial policy, growing the stock of marriageable men, would help.¹⁴⁵ Such policies are advocated primarily by the political left.¹⁴⁶

Ezra Klein, a liberal who favors just that kind of economic intervention,¹⁴⁷ had a strange and frustrating interview with Deneen.¹⁴⁸ It is one of the saddest things I've ever read. Klein keeps pointing out that "on the Democratic side, they may not agree with you on other issues of human sexuality or social issues. But in terms of the economics, there's a tremendous amount of space for coalition."¹⁴⁹ Democrats want child tax credits, universal pre-K, intervention on behalf of rural communities. Republicans won't give an inch on any of these.

But Deneen is having none of it. He is terrified by a few law review articles that question parental rights.¹⁵⁰ Klein can't get him to focus on

144 See CHERLIN, *supra* note 68, at 144–47.

145 So would ending mass incarceration, which makes an enormous population of (disproportionately black) men unemployable. See Andrew M. Koppelman, *American Evil: A Response to Kleinfield on Punishment*, 50 ARIZ. ST. L.J. 179, 183 (2018).

146 Deneen acknowledges proposals for "greater government support for citizens who are being left behind economically," but argues that their plight "is not an aberration from healthy liberalism but its fulfillment." DENEEN, *supra* note 16, at 150. The fact that actual liberals have been fighting to transfer resources to the lower classes, typically by raising taxes on the most prosperous, does not penetrate. He likewise dismisses Charles Murray's suggestion, in *Coming Apart: The State of White America, 1960–2010*, that the upper class needs to preach the ideas about sexual restraint that it in fact lives by, because "the liberalocracy recognizes that it maintains its position through the advantages of stable social institutions," which the lower classes do not share. *Id.* (citing CHARLES MURRAY, *COMING APART: THE STATE OF WHITE AMERICA, 1960–2010* (2012)). The implication is that a less selfish upper class would stop being "studiously silent about the decimation of family and attendant social norms" among the underclass. *Id.* at 151. After many pages on the liberalocracy's unendurably smug condescension, we are told that it ought to be lecturing the poor to change their lax sexual ways.

147 Ezra Klein, *What America Needs Is a Liberalism That Builds*, N.Y. TIMES (May 29, 2022), <https://www.nytimes.com/2022/05/29/opinion/biden-liberalism-infrastructure-build-ing.html> [<https://perma.cc/CH2M-A4GL>].

148 *Transcript: Ezra Klein Interviews Patrick Deneen*, N.Y. TIMES (May 13, 2022), <https://www.nytimes.com/2022/05/13/podcasts/transcript-ezra-klein-interviews-patrick-deneen.html> [<https://perma.cc/A5XX-X7CX>].

149 *Id.*

150 Consider the following exchange:

EZRA KLEIN:

. . . .

So I'd like to hear you substantiate the hostility better, not the fact that there are problems in families, but the idea that you're really facing a movement that doesn't believe in families.

PATRICK DENEEN: . . . , But one sees, for example, efforts in the legal world, increasingly, to throw a kind of spotlight of suspicion on the traditional family form, you could say.

what the working classes actually need. Deneen keeps coming back to what really bothers him, the legalization of same-sex marriage and the extension of antidiscrimination protection to LGBT people.

IV. POLITICS

Deneen misunderstands American politics. He thinks that “the Right finds it easier to move left on economic issues than the Left finds it to move right on social issues,” and that this is why “the Republican Party is becoming the working class party, and the Democratic Party is becoming the party of high tech managerial elite, the college educated, and so forth.”¹⁵¹ But what the right offers is purely symbolic politics, targeting the excesses of the left while doing nothing tangible for the working class.¹⁵² Working-class Republican voters are being defrauded.¹⁵³

So some of these are, for example, taking on the idea that parents should be seen as in some ways the default guides of their children, efforts that are being undertaken in some legal theories that are attempting to redefine the role of and relationship of parents to children as one of a kind of—in which parents are kind of trustees that are understood to work on behalf of the values of the state or the political order, and that the relationship of parent to child is understood in the light of a kind of deputizing of parents in that role.

So that, what it does, is it creates a situation in which if it’s deemed for whatever political reasons that the parents are not working on behalf of the values of the state, that the children are no longer in some sense—sort of should be understood as the wards of the parents, primarily. In other words, the stress is given to the role of, and the relationship, of the political order in the next generation.

EZRA KLEIN: Can you be specific here? Is there a law that has been passed like this, or is it—

PATRICK DENEEN: No, this is—no, this is development, basically, in law reviews, where a lot of this begins. . . .

. . . .

But this is precisely the kind of intellectual development that begins at the level, very high levels, very theoretical levels, very intellectual levels, but sifts its way and works its way down into journalism and legal cases. And I think this is a major sort of next step, or next development, arising from the very transformations about family and sexuality that we began by talking about.

Id.

151 *Id.*

152 There are honorable exceptions, marginal within the party. Senator Tom Cotton, for example, introduced legislation to fund vocational educational scholarships for workers without college degrees. Henry Olsen, Opinion, *Tom Cotton Has an Idea That Could Help Make the GOP a Working-Class Party*, WASH. POST (Sept. 12, 2022, 3:21 PM), <https://www.washingtonpost.com/opinions/2022/09/12/cotton-bill-vocational-education-vouchers/> [https://perma.cc/G8RV-QD99]. The bill had no cosponsors from either party. See S. 4810, 117th Cong. (2022).

153 In his small way, Deneen has abetted the fraud. In December 2020, as Trump was attempting to nullify the election, Deneen tweeted that he represented “a burst of

Can you point to any group of Americans without a college degree who benefited in any tangible way from the Trump presidency?¹⁵⁴ Its principal accomplishment was enormous tax cuts for the rich and the evisceration of the regulatory agencies that ensure clean air and water.¹⁵⁵ Its other principal, but thwarted, aspiration was to take health care away from more than twenty million people, after Trump had assured his voters that he would give them something better than Obamacare.¹⁵⁶ Obama's health law is the most important thing that government has done for the working class in decades.¹⁵⁷

Deneen is not only oblivious to this, but actively resists it, fretting that controversies over government-provided insurance “reflect the weakening of forms of care that drew on more local commitments and devotions that neither the state nor market can hope to replicate or replace.”¹⁵⁸ Insurance, whether public or private, “is premised on maximum anonymity and minimal personal commitment.”¹⁵⁹ Medical care is, however, in modern conditions too expensive for private charity to handle. In 1900, per capita medical expenditure was \$5, which is \$100 in present dollars.¹⁶⁰ In 2010 it was \$8381.¹⁶¹ Market competition puts

democracy” until the “elite made sure to roll that back.” Laura K. Field, *Why Liberalism Failed: A Postmortem?*, NISKANEN CTR. (Dec. 21, 2020) (quoting @PatrickDeneen, TWITTER (Dec. 9, 2020)), <https://www.niskanenctr.org/why-liberalism-failed-a-postmortem/> [<https://perma.cc/8343-DZVU>]. A majority of American voters (who rejected Trump twice) evidently count as “elite” if they vote the wrong way.

154 A sober assessment, from an economic populist perspective, is Julius Krein, *A Populism Deferred*, AM. COMPASS (Dec. 8, 2020), <https://americancompass.org/essays/a-populism-deferred/> [<https://perma.cc/UPN9-NPjX>]. See also Greg Sargent, Opinion, *Joe Biden Flips the Script on Trump*, WASH. POST (July 9, 2020, 10:49 AM), <https://www.washingtonpost.com/opinions/2020/07/09/joe-biden-flips-script-trump/> [<https://perma.cc/77AW-D5MM>] (noting that Biden's proposals would do more for the working class than Trump ever did).

155 His Supreme Court appointees recently gutted the federal government's capacity to prevent death in the workplace, a matter of some interest to the working class. See Andrew Koppelman, *The Supreme Court, Vaccination and Government by Fox News*, THE HILL (Jan. 14, 2022, 2:00 PM), <https://thehill.com/opinion/judiciary/589763-the-supreme-court-vaccination-and-government-by-fox-news/> [<https://perma.cc/E757-TBHA>].

156 KOPPELMAN, *supra* note 70, at 199–201.

157 See ANDREW KOPPELMAN, *THE TOUGH LUCK CONSTITUTION AND THE ASSAULT ON HEALTH CARE REFORM* 137–38 (2013). Biden's health care legislation is a close second. See David Leonhardt, *Overlooked Provisions*, N.Y. TIMES, (Aug. 9, 2022), <https://www.nytimes.com/2022/08/09/briefing/health-care-provisions-senate-climate-bill.html> [<https://perma.cc/X56R-4V7P>].

158 DENEEN, *supra* note 16, at 30.

159 *Id.* at 106.

160 DAVID DRANOVE, *CODE RED: AN ECONOMIST EXPLAINS HOW TO REVIVE THE HEALTHCARE SYSTEM WITHOUT DESTROYING IT* 9 (2008).

161 CTRS. FOR MEDICARE & MEDICAID SERVS., *NHE TABLES tbl.2* (Dec. 15, 2022, 11:05 AM), <https://www.cms.gov/files/zip/nhe-tables.zip> [<https://perma.cc/XC2Z-ZBCW>].

pressure even on nonprofit and religious hospitals to minimize their volume of charity cases.¹⁶²

The net result of Deneen's idealism is to give aid and comfort to Trump, who has all the moral idealism of a lamprey.

Without Catholic support, liberalism will indeed fail. Catholic communitarianism shaped the New Deal, major elements of which were proposed by the National Catholic Welfare Council in 1919.¹⁶³ Catholics were as crucial a part of Roosevelt's coalition as evangelicals were of Reagan's.¹⁶⁴ The same divisions of social class troubled the Democrats then, but the working classes were clearer about who their real friends were. "A North Carolina millworker was more pungent in his praise: 'Mr. Roosevelt is the only man we ever had in the White House who would understand that my boss is a son-of-a-bitch.'"¹⁶⁵ The Republicans, then and now, work for that man's boss.¹⁶⁶

The programs that Ezra Klein advocates are continuations of the New Deal. Doubtless a Democratic Party that included more people with cultural values like Deneen's would be more fragmented than it is now. There would be ugly fights, like the standoff between Bart Stupak and Barack Obama over whether subsidized health care would

162 On the inevitable inadequacy of private charity, see JONATHAN COHN, *SICK: THE UNTOLD STORY OF AMERICA'S HEALTH CARE CRISIS—AND THE PEOPLE WHO PAY THE PRICE* 143–65 (2007).

163 See A. JAMES REICHLEY, *RELIGION IN AMERICAN PUBLIC LIFE* 220–21 (1985); NOVAK, *supra* note 56, at 252–53.

164 See REICHLEY, *supra* note 163, at 219–25. The normative premises of the New Deal are the same ones that Deneen thinks incompatible with liberalism:

[T]he belief that we are by nature relational, social and political creatures; that social units like the family, community and Church are "natural," not merely the result of individuals contracting temporary arrangements; that liberty is not a condition in which we experience the absence of constraint, but the exercise of self-limitation; and that both the "social" realm and the economic realm must be governed by a thick set of moral norms, above all, self-limitation and virtue.

Patrick J. Deneen, *A Catholic Showdown Worth Watching*, AM. CONSERVATIVE (Feb. 6, 2014, 9:15 AM), <https://www.theamericanconservative.com/a-catholic-showdown-worth-watching/> [<https://perma.cc/4BQW-B2Q6>].

165 MICHAEL LIND, *LAND OF PROMISE: AN ECONOMIC HISTORY OF THE UNITED STATES* 305 (2012) (quoting 3 ARTHUR M. SCHLESINGER, JR., *THE AGE OF ROOSEVELT: THE POLITICS OF UPHEAVAL* 424 (1960)).

166 Recently other conservative nationalists have said friendlier things about the New Deal. See Erin McLaughlin, *Opinion, Picking Up the Pieces: How the New Right Is Transforming Conservative Politics*, CRISIS MAG. (Oct. 20, 2022), <https://www.crisismagazine.com/opinion/picking-up-the-pieces-how-the-new-right-is-transforming-conservative-politics> [<https://perma.cc/S3GY-3W5Q>]. It is clear that this will not translate into support for the only political party that is willing to spend money on New Deal-style programs.

make abortions easier.¹⁶⁷ But the party needs more Stupaks. Without his vote, Obamacare would not have been enacted.

Then there's the problem of what is going to replace liberalism. Laura K. Field observes that "Deneen's alternative communities lack basic protections against political domination and abuses of power."¹⁶⁸ Here the unfortunate earlier Christian flirtation with Marxism has lessons. Novak wrote of the socialists: "They dream about a new society of equality, justice, autonomy, and brotherhood. One reads them in vain for descriptions of the exact institutional structures by which these dreams will be realized."¹⁶⁹ Those socialists had an irresponsibly gauzy picture of what was happening in the Soviet Union and China. The obvious analogue today is Orban's increasingly authoritarian and kleptocratic Hungary.¹⁷⁰ Deneen observes that those who fear the end of

167 See BART STUPAK, FOR ALL AMERICANS: THE DRAMATIC STORY BEHIND THE STUPAK AMENDMENT AND THE HISTORIC PASSAGE OF OBAMACARE (2017) (describing how those negotiations led to agreement on the bill, which could not have been passed without the support of antiabortion Democrats such as Stupak).

168 Field, *supra* note 94 (citing DENEEN, *supra* note 16, at 196–97).

169 NOVAK, *supra* note 56, at 87. He also offers a shrewd assessment of the alternatives that have actually been offered:

The clergy had a demonstrated record of fanaticism, intolerance, and misuse of power. The military had a record of despoliation. Lords and nobles had a record of hauteur, luxury, and indolence on the one hand, and of martial adventure on the other. The state and its bureaucracies, through the system of royal privileges and grants, had long been parasitic upon the prosperity of nations. Bureaucracies of state and church, producing nothing, drove away producers by their arrogance. . . . Men of manufacturing and commerce might be an unsavory and disagreeable lot. Yet certain features in the formal structure of their own activities allied their own interests to those of liberty.

Id. at 89.

170 Deneen met with Orban in 2019 and described his government as a "model" for American conservatives, but then declared that "I do not know Hungarian politics well enough to praise or condemn." Zack Beauchamp, *The American Right's Favorite Strongman*, VOX (Aug. 10, 2020, 11:18 AM), <https://www.vox.com/2020/5/21/21256324/viktor-orban-hungary-american-conservatives> [<https://perma.cc/NJN5-ZGG4>]. In an interview in Budapest in summer 2021, he said that "especially as conservatives, we really do have a lot to learn from Hungary." Mathias Corvinus Collegium, *Rod Dreher - Szent Benedek választóján - Könyvbemutató*, FACEBOOK 01:09:26 (June 28, 2021), https://www.facebook.com/watch/live/?v=158843492853549&ref=watch_permalink [<https://perma.cc/BYE9-6KQL>]. In July 2022, his blog, Postliberal Order, retweeted a photo of himself with Orban. Gladden Pappin, @gjpappin, TWITTER (July 29, 2022, 9:38 AM), <https://twitter.com/gjpappin/status/1553012083100368897> [<https://perma.cc/G6PA-G3VG>]. Soon afterward, he wrote a column describing their meeting and praising Orban's "remarkable analytic and even philosophical depth." Patrick J. Deneen & Gladden Pappin, *Dispatch from Budapest: Notes on a Conversation with Hungary's Viktor Orbán*, POSTLIBERAL ORDER (Aug. 5, 2022), <https://postliberalorder.substack.com/p/dispatch-from-budapest> [<https://perma.cc/Q3ME-YC8B>].

liberalism “rightly warn of the likely viciousness of any successor regime,” but he seeks to end it nonetheless.¹⁷¹

Vermeule is even less restrained.¹⁷² Given the horrifying betrayals involving clergy sexual abuse, it is strange that any educated Catholic would propose to give the Church unaccountable power. This creates temptations for corruption that no institution can withstand.¹⁷³ Some people thought that the scandals discredited the Church. The liberal diagnosis is more persuasive: this is what you should expect whenever human beings are given unlimited authority.¹⁷⁴ One of the distinctively Christian insights I noted earlier is man’s propensity to sin, and it is surprising to see it forgotten, or blamed on liberalism. “Whenever modern idealists are confronted with the divisive and corrosive effects of man’s self-love,” Reinhold Niebuhr wrote in 1944, “they look for some immediate cause of this perennial tendency, usually in some specific form of social organization.”¹⁷⁵

CONCLUSION

Deneen offers himself as a champion of the working class, but rejects any opportunity to actually improve their condition. He focuses on symbolic politics.

What seems most important to him—aside from the quack economic remedies of high tariffs and restrictions on immigration—is that the state withdraw recognition and protection from LGBT people (many of whom, he fails to notice, are themselves members of the working class). His commitment to other policy outcomes is by comparison fragile and contingent. LGBT people *must* be marginalized if America is to achieve the moral transformation he hopes for.

171 DENEEN, *supra* note 16, at 181.

172 Vermeule’s authoritarian political ideal is anatomized and critiqued by Micah Schwartzman & Jocelyn Wilson. See Micah Schwartzman & Jocelyn Wilson, *The Unreasonableness of Catholic Integralism*, 56 SAN DIEGO L. REV. 1039 (2019).

173 Vermeule comes mighty close to blaming such abuse on the church’s insufficient authority in liberal societies. See Schragger & Schwartzman, *supra* note 32, at 1379 n.183.

174 One reason clergy tend to be unusually admirable people is that their material rewards are so meager. One doesn’t usually go into that line of work for low motives. If the church has material power, however, people will seek positions in the church because they like having material power. It has happened before.

175 REINHOLD NIEBUHR, *THE CHILDREN OF LIGHT AND THE CHILDREN OF DARKNESS: A VINDICATION OF DEMOCRACY AND A CRITIQUE OF ITS TRADITIONAL DEFENCE* 17 (1944). Similarly Novak:

The point of Incarnation is to respect the world as it is, to acknowledge its limits, to recognize its weaknesses, irrationalities, and evil forces, and to disbelieve any promises that the world is now or ever will be transformed into the City of God.

If Jesus could not effect that, how shall we?

NOVAK, *supra* note 56, at 341.

He thinks that, in the movement for same-sex marriage, “a small, well-organized, and wealthy segment of the population was able successfully to deploy the language of civil rights in order *materially* to gain a raft of benefits that would solidify their economic status and position.”¹⁷⁶ The only effect of marriage equality he notices is its deployment in popular rhetoric against those who share his beliefs.¹⁷⁷ He asserts that *Bostock v. Clayton County*, which construed the Civil Rights Act of 1964 to protect LGBT people from discrimination,¹⁷⁸ “elevate[s] sexual autonomy as paramount libertarian good that trumps all contesting claims.”¹⁷⁹ No, actually it just implements Justice Neil Gorsuch’s longstanding commitment to interpreting statutory texts without qualifying their meaning with extrinsic evidence.¹⁸⁰

I’ve spent a lot of time talking to my friends on the gay rights side of this divide. The level of fear and distrust is comparable. The difference is that gay people are afraid that *what was in fact done to them in the past* will happen again.¹⁸¹ Deneen is comparably frightened, not by anything that has been done to conservative Christians, but by what he is confident will be done in the future.

His driving conviction appears to be that it is inevitable that someone will end up being bullied and humiliated by the law, and his mission is to make sure that the victims are LGBT people and not Christians. He is evidently in despair about the possibility of liberalism’s

176 Deneen, *Future Historians*, *supra* note 96. Same-sex married couples do have a slightly higher median household income than opposite-sex married couples, but their poverty rates are about the same. Brian Glassman, *Census Bureau Implements Improved Measurement of Same-Sex Couples*, U.S. CENSUS BUREAU (Sept. 17, 2020), <https://www.census.gov/library/stories/2020/09/same-sex-married-couples-have-higher-income-than-opposite-sex-married-couples.html> [https://perma.cc/93X4-TSZS].

177 E.g., Patrick Deneen, *Getting Beyond the “Right to Be Wrong,”* RELIGIOUS FREEDOM INST. (July 1, 2015), <https://religiousfreedominstitute.org/2016-7-14-getting-beyond-the-right-to-be-wrong/> [https://perma.cc/PAC5-BEQA].

178 *Bostock v. Clayton Cnty.*, 140 S. Ct. 1731, 1737 (2020).

179 Patrick Deneen, *Taking Back America From the Libertarians*, AM. COMPASS (June 15, 2020), <https://americancompass.org/the-commons/taking-back-america-from-the-libertarians/> [https://perma.cc/MXG2-6UGJ]; cf. Davis v. Ermold, 141 S. Ct. 3, 4 (2020) (Thomas, J., respecting the denial of certiorari) (complaining that recognition of same-sex couples’ right to marry “enables courts and governments to brand religious adherents who believe that marriage is between one man and one woman as bigots”). The branding certainly happens, but it is delusional to think it is caused by *Obergefell* or would stop if that decision were overturned.

180 See Andrew Koppelman, *Bostock and Textualism: A Response to Berman and Krishnamurthi*, 98 NOTRE DAME L. REV. REFLECTION 89 (2022); Andrew Koppelman, Essay, *Bostock, LGBT Discrimination, and the Subtractive Moves*, 105 MINN. L. REV. HEADNOTES 1 (2020).

181 See Andrew Koppelman, *Why Gay Legal History Matters*, 113 HARV. L. REV. 2035, 2036–41 (2000) (reviewing WILLIAM N. ESKRIDGE, JR., *GAYLAW: CHALLENGING THE APARTHEID OF THE CLOSET* (1999)).

central aspiration, living with all his fellow citizens on terms of mutual respect. It is pertinent that, within Christian teaching, despair is a sin.

To any of you out there who are tempted to embrace Deneen's claims, there's another sin worth mentioning. I've given you plenty of reason to think that his narrative, though perhaps emotionally satisfying for some people, misunderstands the world and how to improve it. His audience is the educated reader, the kind of person who can get through *Why Liberalism Failed*. Such people are appropriately held to standards of intellectual integrity.

Aquinas observed that ignorance is not an excuse "when somebody chooses not to be informed, in order to find some excuse for sin or for not avoiding it," or "when a person does not actually attend to what he could and should consider."¹⁸² Given the enormous literature on the actual sources of the American working class's misfortunes, if you don't engage with that literature, then perhaps your ignorance has become the object of your will and is consented to as such.

Deneen despises libertarianism, which he (correctly) regards as an "aberration and deformation"¹⁸³ of the American tradition. Yet he resembles libertarians in this way: both he and they peddle a defective ideal, one easily appropriated by those who aspire to kleptocracy.¹⁸⁴

George Orwell writes of Charles Dickens: "Where he is Christian is in his quasi-instinctive siding with the oppressed against the oppressors."¹⁸⁵ Deneen is on a different side. In particular, he seems to regard feminists and LGBT people as hateful demons, and the creation of a legitimate place for them in American society as a sort of personal insult.¹⁸⁶

Demons are, of course, mythical creatures, and the very notion of them raises logical puzzles: How could any being with free will be unchangeably evil? But, Samuel Fleischacker observes, when we designate others as demons, we license whatever mistreatment is necessary to defend ourselves against them, and so "become ourselves as close as human beings can to being demons."¹⁸⁷

182 THOMAS AQUINAS, *SUMMA THEOLOGIAE I-II Q. 6 art. 8* (Thomas Gilby trans., Cambridge Univ. Press 1st paperback version 2006) (c. 1270).

183 Deneen, *supra* note 179.

184 On this aspect of libertarianism, see generally KOPPELMAN, *supra* note 70.

185 GEORGE ORWELL, *Charles Dickens*, in 1 *THE COLLECTED ESSAYS, JOURNALISM AND LETTERS OF GEORGE ORWELL, 1920–1940*, at 413, 458 (Sonia Orwell & Ian Angus eds., 1968).

186 Novak is again pertinent, noting that among Christians "righteous intolerance and feigned innocence have not been unknown. In the coercive power of Christian love, the world has had reason to learn that there is no hate like Christian hate." NOVAK, *supra* note 56, at 342.

187 SAMUEL FLEISCHACKER, *BEING ME BEING YOU: ADAM SMITH AND EMPATHY* 159 (2019).

In the final volume of C.S. Lewis's Narnia books, *The Last Battle*, Narnia is invaded by the brutal and ruthless Calormenes, who serve and worship a fiendish monster named Tash. One of Tash's soldiers, Emeth, is a good man, who had the bad luck to be born in a country that serves an unworthy lord. The book's Christ figure, Aslan, eventually meets Emeth, and explains to him that it doesn't matter that he has devoted his service to a false god: "all the service thou hast done to Tash, I account as service done to me," and "no service which is vile can be done to me, and none which is not vile can be done to him."¹⁸⁸ Aslan's words cut both ways. "And if any man do a cruelty in my name, then, though he says the name Aslan, it is Tash whom he serves and by Tash his deed is accepted."¹⁸⁹

If you are inclined to jettison liberalism and join the forces of Trumpism because you are eager to crush people whom you imagine to be demonic, you ought to consider that perhaps, without knowing or intending it, you are not serving God at all. You are working for the other guy.¹⁹⁰

188 C.S. LEWIS, *THE LAST BATTLE* 156 (Collier Books paperback ed. 1986) (1956).

189 *Id.*

190 Lest this allegation be deemed impolite, I note that Vermeule has made the same claim about liberalism. See Schwartzman & Wilson, *supra* note 172, at 1055 n.106.