

POLITICAL SCIENCE

The American Civil Religion:
A Critical Review of...

The Iranian Tinderbox vs
Rational Diplomacy

IHL Conflict Classification in
Modern Warfare

A Review of Indefinite
Immigration Detention and
The...

Discovering Thoughts, Inventing Future

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PREFACE

The Global Journal of Human-Social Science (GJHSS) is pleased to present this issue, bringing together a curated collection of high-quality research papers that explore diverse dimensions of human society, culture, and the social world.

This issue features research spanning topics including arts & humanities, sociology, history, anthropology, economics, political science, linguistics, education, and interdisciplinary social inquiry. Each paper has undergone a rigorous double-blind peer-review process to ensure scholarly rigor and originality.

We would like to express our sincere gratitude to the authors for entrusting their research with us, to the reviewers for their thorough and constructive evaluations, and to our readers for their continued engagement with the academic discourse.

We hope that the research presented herein inspires further inquiry and contributes meaningfully to the advancement of knowledge in the human and social sciences.

The Chief Editor
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The American Civil Religion: A Critical Review of its Nationalism

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Abstract

The modern concept of civil religion manifests its fundamental purpose through inculcating nationalism and diminishing loyalty to other local communities in the name of church/state separation. This article wishes to explore the roots of the modern concept in the work of Jean-Jacques Rousseau, Robespierre, and the French Revolution and their attempt to replace the church with the state. It proceeds to exemplify the new etatism or loyalty to the state through examining the Inaugural Addresses of US Presidents and displaying the many facets of the civil religion in America that promote its national identity. Some scholars fail to appreciate the intimate relation between the civil religion and nationalism and try to make this form of religion an ideal calling for the people, often centered upon their own political agenda. These scholars fail to recognize that its strict view of church/state separation loses the possibility of providing a prophetic witness outside the state or holding it accountable to a higher court. This article rejects the strict separation of the civil religion and finds true religion developing from below within the affections of the people, not from above in some civic establishment. It is these religious affections that hold the state accountable and must find expression in public.

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American Identity

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Abstract

The modern concept of civil religion manifests its fundamental purpose through inculcating nationalism and diminishing loyalty to other local communities in the name of church/state separation. This article wishes to explore the roots of the modern concept in the work of Jean-Jacques Rousseau, Robespierre, and the French Revolution and their attempt to replace the church with the state. It proceeds to exemplify the new etatism or loyalty to the state through examining the Inaugural Addresses of US Presidents and displaying the many facets of the civil religion in America that promote its national identity. Some scholars fail to appreciate the intimate relation between the civil religion and nationalism and try to make this form of religion an ideal calling for the people, often centered upon their own political agenda. These scholars fail to recognize that its strict view of church/state separation loses the possibility of providing a prophetic witness outside the state or holding it accountable to a higher court. This article rejects the strict separation of the civil religion and finds true religion developing from below within the affections of the people, not from above in some civic establishment. It is these religious affections that hold the state accountable and must find expression in public.

Keywords: *American Civil Religion, American Identity, Church and State, Etatism, Nationalism, Public Religion, secularization, Sports and Religion*

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1. Introduction

The purpose of this article is to provide a critical exploration of the civil religion in America. It starts with an examination of two leading scholars, who are associated with the concept and noted for advancing a certain version of it as representing the “better angels of our nature.” The objectivity of their analysis is subject to criticism as the study looks at the development of the concept in eighteenth-century France and its etatism. Here the study finds the civil religion rooted in an intense form of nationalism and considers its genealogy a means of criticizing the later manifestations of it, following the famous method of Michel Foucault, who criticizes present ideas or institutions based on their roots. In fact, the study proceeds to examine all the Inaugural Addresses of US Presidents as an efficient means of revealing its nature and discovers the same nationalism or patriotism in the American version corresponding to its roots. The historical analysis finds the most indelible characteristic of the civil religion in the willingness of the state to promote its power at the expense of the church or any prophetic witness outside of it that might question its authority. In this way, the study questions those who think of the civil religion as a positive good or a means of promoting their agenda. It questions the strict view of church/state separation in the civil religion and believes a genuine prophetic voice must come outside any established form of religion in the state. It prefers to find the voice within the religious existential life of the local community - a voice that must find expression in public to hold the state accountable and should no longer be condemned to silence. At the end, the study tries to illustrate the concern in the realm of sports, where the virtues of the state serve as an alternative to private religious values in the culture at large.

2. Bellah and Gorski

Robert Bellah wrote a seminal work in 1967 that described a “well-institutionalized civil religion in America.”¹ He tried to differentiate the concept from organized religion in the article and maintain the wall of separation between church and state that proved so popular with the Court in the middle of the twentieth century and his left-wing constituency ever since. At one point, he spoke of the “religious sphere” as “essentially private” or separate from the public domain in the typical rhetoric of the time, but this binary did not prevent him from saying much the opposite or recognizing a certain “religious dimension” within the public sphere that served as an indelible aspect of its existence. He believed America contained a “founding myth” that bound its society together and interpreted its experience in terms of a “transcendent reality.”² He described the religion as a certain “set of beliefs, symbols, and rituals” that he witnessed in a range of public practices like the people pledging allegiance to the flag, their officials swearing on the Bible, the nation observing a day of fasting and prayer, the erection of human rights above any political order, the apotheosis of certain leaders like Washington and Lincoln to represent the nation’s ideals, and so

¹Robert Bellah, “Civil Religion in America,” *Daedalus* 96/1 (Winter 1967): 1; David Noble, “Robert Bellah, Civil Religion, and the American Jeremiad,” *Soundings: An Interdisciplinary Journal* 65/1 (Spring 1982): 90; Clayton Fordahl, “A Tale of Two Civil Religions: Ritual, Transcendence, and the Crisis of Meaning in American Politics,” *Journal of Church and State* 66 (2024): 113.

²*Ibid.*, 3; Philip Gorski, *American Covenant: A History of Civil Religion from the Puritans to the Present* (Princeton, NJ and Oxford: Princeton University Press, 2017), 16; Sean Everton, “American Civil Religion in the Era of Trump,” *Religions* 14/633 (2023):1, <https://doi.org/10.3390/rel4050633>.

forth.³ Bellah saw the civil religion of America as a positive good for the most part in this early article on the subject.

Later on, Bellah became more critical in his analysis. He came to recognize certain “deformations and demonic distortions” usurping the original Puritan vision of a national covenant and found it necessary to employ “radically different traditions” in criticizing its blind spots and excesses.⁴ He continued to extol the civil religion “at its best,” but what was best began to coincide more with his left-wing ideals: his communal and socialist ideals against the individual self-interest of capitalism; his concerns about nationalism or the ethnocentric nature of the “American experience in the light of ultimate and universal reality.”⁵ These ideals led him to excoriate Richard Nixon’s Second Inaugural Address in 1974 for misusing civil religion, for inciting nationalistic pride and neglecting the egalitarian impulse of the nation to help the poor and the oppressed.⁶ This type of left-wing criticism continued in his later work and caused many to wonder about the objective nature of his sociological analysis. His critics thought the civil religion of America had more to do with individualism and free enterprise, more to do with nationalism, patriotism, and military power than Bellah would care to admit from his ideological perspective.

Unfortunately, no one came to replace the stature of Bellah in the academic community on this issue or develop a different paradigm. Too many simply followed his legacy and used the civil religion as a pretext for promoting their political point of view. Philip Gorski provides an all-too-typical example of this propensity in one of the more recent and influential works upon the subject, *American Covenant* (2017). Gorski puts on the image of a moderate and claims to represent the “vital center” of society,⁷ but his work clearly favors the interest of the left: the public over “private pleasure and consumption,” “tempering the capitalist economy with the powers of the nationalist state,” “democratizing freedom,” “counterbalanc[ing] the power of the wealthy,” and promoting collective self-government and egalitarianism against individual freedom—all in the name of the civil religion.⁸ His book spends much of its time lionizing the leaders of the left like Bill Clinton and Barak Obama for restoring the prophetic and communal voice of the civil religion, while offering only muted criticism of some of their policies. It demonizes the leaders of the right like Ronald Reagan and Jerry Falwell as “religious

nationalists” without much equivocation.⁹ Gorski only escalates the rhetoric in a more recent article on the subject, where the typical left-wing vitriol one might find on some blog or MSNBC is employed against the “juvenile libertarianism,” “loud-mouthed jingoism,” and “truculent secularism” of the Trump administration.¹⁰ One might excuse some of the rhetoric as an inevitable part of human discourse in the postmodern world. One might recognize the difficulty of addressing a highly charged subject that embraces both religion and politics in an objective manner, but the subjective nature of an account does not excuse its surrender to this level of bias. Gorski leaves us with the overall impression that the civil religion has become just a ruse or a surreptitious means of conducting an extensive diatribe against one’s political opponents.

3. French Etatism

Both Bellah and Gorski point to Jean-Jacques Rousseau as establishing the concept of civil religion in the modern world but want to distance their accounts from its nationalism. This desire has problems with the very origin and purpose of the idea in Rousseau as the concept seeks to inculcate nationalism at the expense of all else. This matter is made abundantly clear in his work on *The Government of Poland* (1772) a work that is neglected by Bellah, Gorski, and those who study or follow the civil religion. Here Rousseau makes it clear that the most essential matter in founding a state is to inculcate the “love of country” as the “governing passion” of the people.¹¹ In his mind, all is subordinate to the love of the fatherland or rule of the community over the rights of individual scruples and property.¹² He encourages erecting national institutions that provide form to the passions, customs, and tastes of the collective will, that celebrate the deeds of patriots who sacrifice everything for the country, that appeal to the ethnic pride and distinctive ways of its citizens over against the manner and nature of any other population, whether good or bad.¹³ He finds ceremonies, games, spectacles, and plays most valuable in this process, transforming the hearts of the people into a united nation and establishing order, above and beyond the coercive power of external law that people feel free to bend or twist whenever their passions are elsewhere.¹⁴ He includes a primary role for education, hoping to place it in the hands of civil servants and supply them with the commission to “shape the souls of the citizens in a national pattern,” so the students might learn from the people and about the people and become instinctively a part of the culture or willing subjects of its customs and laws from an early age.¹⁵ He says this program aligns with all the great legislators of the past - Moses, Lycurgus, and Numa - who made it their primary task to create an “indissoluble body” of the people through restrictive institutions before attempting to solicit obedience from any legal standard.¹⁶

To this end, Rousseau puts forth the idea of a “civil religion” in chapter 8, book IV of his work on *The Social Contract* (1762). He thinks of religion as necessary to the foundation of the state, as a means of enjoining adoration of the homeland and its laws

³Ibid., 4–7.

⁴Robert Bellah, “Civil Religion in America,” in *American Civil Religion* [ACR], Russell Richey and Donald Jones (eds.) (New York: Harper & Row, Publishers, 1974), 257, 266; “Civil Religion in America” (1967), 12; Noble, “Robert Bellah,” 97–98. On the other side, he can use and emphasize the concept of an “American Israel” as an important element of the civil religion - a Puritan notion that conceived of their plantation as the epicenter of divine activity in the world. Bellah, “Civil Religion in America” (1967), 7; Meranie McGuire, “The President as High Priest: A Contemporary Case of Civil Religion,” *Journal of Theta Alpha Kappa* 46/2 (2022): 64; Stephen Strehle, *The Egalitarian Spirit of Christianity: The Sacred Roots of American and British Government* (New Brunswick, NJ and London: Transaction Publishers, 2009), 56–57, 221–22.

⁵Ibid., 263, 267–69; “Religion and the Legitimation of the American Republic,” in *The Robert Bellah Reader*, Robert Bellah and Steven Tipton (eds.) (Durham, NC and London: Duke University Press, 2006), 259; Mona Harrington, “The Constitution and Civil Religion: Revisiting Robert Bellah,” *Religion and Intellectual Life* 5/1 (Fall 1987): 60, 63; Rhys Williams, Raymond Haberski, and Philip Goff, “Introduction,” 1, in *Civil Religion Today: Religion and the American Nation* [CRT], Rhys Williams, Raymond Haberski, and Philip Goff (eds.) (New York: New York University Press, 2021), 1; Rosemary Corbett, “Sacrifice, Service, and Civil Religion Now,” in CRT, 50–53, 56–57, 63; Artur Remillard, “Regions and Civil Religion(s) in America,” in CRT, 79; Wendy Wall, “Civil Religion and the Problem of Origins,” in CRT, 125, 135.

⁶Bellah, “Civil Religion in America” (1974), 260–62; Herbert Richardson, “Civil Religion in Theological Perspective,” in ACR, 164; Noble, “Robert Bellah,” 93–94. Of course, he expresses great appreciation for the inaugural addresses of Lincoln and Kennedy. Bellah had roots as a youth in left-wing thinking. Corbett, “Sacrifice, Service, and Civil Religion Now,” 50–51, 63.

⁷Gorski, *American Covenant*, 3, 233.

⁸Ibid., 36, 44, 82, 114, 188, 225.

⁹Ibid., 176–78, 182–83, 189–94, 200.

¹⁰Philip Gorski, “The Past and Future of the American Civil Religion,” in CRT, 19.

¹¹Jean-Jacques Rousseau, *The Government of Poland*, Willmoore Kendall (trans., intro., and notes) (Indianapolis, IND: Hackett Publishing Company, 1985), 4, 16.

¹²Ibid., 12; *The Social Contract*, Maurice Cranston (trans.) (New York: Penguin Books, 1968), 24; David Little, “The Origins of Perplexity: Civil Religion and Moral Belief in the Thought of Thomas Jefferson,” in ACR, 188.

¹³Ibid., 11–14.

¹⁴Ibid., xxx–xxxii; Mark Silk, “The Utilitarian Context of American Civil Religion,” in CRT, 136–37.

¹⁵Ibid., 19–20.

¹⁶Ibid., 6.

through divine worship.¹⁷ He rejects the diverse loyalties of modern Europeans to their various churches, organizations, and activities as representing a threat to the state and its demand for complete devotion. He particularly belittles Christianity for its disloyalty to the state or attachment to an otherworldly realm. He wants to replace it in the affections of the people, substituting the prince for the pontiff, magistrates for priests, patriots for saints, those who pay the ultimate sacrifice to their country for the holy martyrs of old.¹⁸ The new religion is meant to replace the church with the coercive powers of the state and its religion.¹⁹ All this comes in the name of “toleration,” as it permits only a few dogmas that speak in general about God and the judgment to come, hoping to ward off orthodox bigotries and polemics that cause division in society; but its real goal is to destroy other expressions of faith and replace serious confess with the “sanctity of the social contract and the law.”²⁰

The French Revolution came to embody much of Rousseau’s vision of church and state. Abbé Sieyès wrote the most famous pamphlet of the times, *What is the Third Estate?* (1789). The work follows Rousseau’s concept of the “general will” and declares, “The Nation is prior to everything. It is the source of everything. Its will is always legal.”²¹ The Revolution made a concerted effort to destroy any allegiance to the former religious identities. Abbé Grégoire and the National Assembly offered the Jews citizenship in the new Republic as long as they underwent a process of *régénération*, as long as they limited the power of rabbis, mandated the use of French in religious rituals, broke up communication with other Jews, scattered their dwellings among the French people, and let their children learn French ways and customs under the direction of the state.²² During the Reign of Terror, the National Assembly conducted direct assaults upon the church and the synagogue, desecrating and then nationalizing religious property, eliminating the old religious symbols and titles for a new patriotic identity, and secularizing the clergy through the Civil Constitution and oath of allegiance to the state.²³ Jacobins were willing to use the most brutal tactics to develop a homogenous social order, where “there is no longer in the Republic Jews, nor Protestants, nor Anabaptists, nor Catholics; there are only French republicans.”²⁴

Maximilien Robespierre was the leader of the Jacobins and particularly looked to Rousseau as the greatest political pundit of the Enlightenment and Voltaire “as worthy of the office of preceptor

of the human race.”²⁵ Voltaire was a vicious anti-Semite and anti-Christian. He spoke throughout his later works of extirpating the Judeo-Christian tradition using the famous battle cry *écraser l’infâme*.²⁶ In due time, Robespierre established a civil religion to help carry out the program of Rousseau and Voltaire, to encourage faith in enlightened metaphysical principles and undermine the superstitions of the church, without resorting to acts of further violence. He denounced materialism by breaking a bust of Helvétius and decreed on May 7, 1794 that the “French people recognize the existence of the Supreme Being and the immortality of the soul.” He then announced the establishment of a new annual festival of the Supreme Being, in which he will proceed to torch a monument of atheism and proclaim the dawning of a new state religion based on reason, alienating Catholics and atheists alike. At the initial festival on June 8, 1794, some 500,000 spectators were gathered in the *Champs de Mars* to experience a couple of grandiose columns, an awe-inspiring mountain, the singing of patriotic hymns, and symbols of the Revolution like a liberty tree and statute of wisdom. Robespierre, the newly elected president of the Convention, appeared at the head of the procession of deputies, all dressed in blue regalia and bearing a bouquet of berries, grain, and flowers, causing some to grumble about the new *pontifex maximus* and wondering about his new powers.²⁷ Robespierre went on to address the sacred gathering invoking the name of God to justify the principles of the Revolution, declaring that the Creator made all of us free and equal and has given a sacred mandate to bring “our wrath against tyrannical plots” and destroy the “impious league of kings” by using the “death sentence.” He particularly encouraged the people to follow the heroes and the martyrs of liberty in giving their lives to the cause, believing that those who die for the sake of freedom will live forever with God and receive the eternal gratitude of the nation.²⁸

From its beginning, civil religion seemed little more than an establishment of a certain ideology in public that finds its principal purpose in replacing the church with a commitment to the state or someone’s concept of it. It led to the later French concept of a strict separation between church and state that developed out of the Revolution in the Third Republic and deigned to replace the church with the power of the state, except this time naming its ideals “secular” (*laïcité*) and providing them with an established

¹⁷Rousseau, *The Social Contract*, 159–61; N. J. Demerath and Rhys H. Williams, “Civil Religion in an Uncivil Society,” *The Annals of the American Academy of Political and Social Science* 480 (July 1985): 55.

¹⁸*Ibid.*, 160–65; *The Government of Poland*, 8–9.

¹⁹Eric Morrow, et al., “Between Public Justification and Civil Religion: Shared Values in a Divided Time,” *Religions* 14/133 (2023): 8, <http://doi.org/10.3390/rel4020133>.

²⁰Rousseau, *The Social Contract*, 166; Bellah, “Civil Religion in America” (1967), 5; Clayton Fordahl, “A Tale of Two Civil Religions: Ritual, Transcendence, and the Crisis of Meaning in American Politics,” *Journal of Church and State* 66 (2024): 114–15; Silk, “The Utilitarian Contract,” 36.

²¹Emmanuel Joseph Sieyès, *What is the Third Estate?*, M. Blondel (trans.), S. E. Finer (ed.), Peter Campbell (intro.) (New York, Washington, and London: Frederick A. Praeger, Publishers, 1964), 18, 124–27, 146, 147, 151, 157, 170. See William Scott, “The Pursuit of ‘Interests’ in the French Revolution: A Preliminary Survey,” *French Historical Studies* 19/3 (Spring 1996): 823, 826. Like the National Assembly, he never renounced property rights and even contributed to the bourgeois distinction between active and passive citizens, which gave to male property owners the right to vote.

²²Grégoire, *Essai sur la régénération physique, morale et politique des Juifs*, in *La Révolution Française et l’émancipation des Juifs* (Paris: EDHIS, 1958), 5–7, 16, 17, 20, 44, 64, 71–80, 83, 86, 99–103, 108–112, 118–26, 131–32, 139, 145–55, 160, 166–67, 179, 183–90.

²³Stephen Strehle, *The Dark Side of Church/State Separation: The French Revolution, Nazi Germany, and International Communism* (New Brunswick, NJ and London: Transaction Publishers, 2014), 77–78.

²⁴*Discours prononcé par Balthazar Faure* (Nancy: P. Barbier, an II), 7ff. [as cited by Zosa Szajkowski, *Jews and the French Revolutions of 1789, 1830, and 1848* (New York: KTAV Publishing House, INC., 1970), 402].

²⁵*Oeuvres Complètes de Robespierre* [OCR] (Paris: E. Leroux, 1910–), 10.454–56; Hector Fleischmann, *Charlotte Robespierre et ses Mémoires* (Paris: Albin Michel, 1909), 290–92; Paul R. Hanson, *Contesting the French Revolution* (Malden, MA and Oxford: Wiley-Blackwell, 2009), 14–15; 27; John Hardman, *Robespierre* (London and New York: Longman, 1999), 14.

²⁶*Oeuvres Complètes de Voltaire* (Paris: Garnier Frères, 1877–85), 24.252; 42.186 [A Letter to Damilaville on July 26, 1762, where he says, “I finish all my letters by saying: Écr. L’inf. . . .”]; Norman L. Torrey, *Voltaire and the English Deists* (Hamden, Conn.: Archon Books, 1967), 8; Peter Gay, *Voltaire’s Politics: The Poet as a Realist* (New York: Vintage Books, 1965), 170, 239, 244–46, 252; David Friedrich Strauss, *Voltaire: Sechs Vorträge* (Leipzig: S. Hirzel, 1870), 277, 278; A. J. Ayer, *Voltaire* (New York: Random House, 1986), 27; Charles Gliozzo, “The Philosophes and Religion: Intellectual Origins of the Dechristianization Movement in the French Revolution,” *Church History* 40/3 (Sept. 1971): 275 (n. 12). There is some controversy over the precise interpretation of the phrase *écraser l’infâme*, but the apparent meaning is to extirpate Christianity. He says in his *Notebooks* (324) that if Frederick of Prussia, his patron, was more daring he could have destroyed the religion.

²⁷OCR 10.442, 463, 464, 480; Baubérot, *Histoire de la laïcité en France*, 15; John McManners, *The French Revolution and the Church* (New York and Evanston, IL: Harper & Row, Publishers, 1969), 102; Hardman, *Robespierre*, 122–24; Lewis, *French Revolution*, 97, 101, 102. There were a number of festivals throughout the land dedicated to reason, liberty, deism/atheism, etc., and the Directory will continue to sponsor/tolerate them. Jacques-Louis David, the friend of Robespierre and director of art during the Jacobin Republic, was put in charge of this particular festival. Robespierre provided for special commissions to write hymns in honor of the heroes/martyrs of liberty. OCR 10.459–61, 464, 480; Lewis, *French Revolution*, 97; McManners, *French Revolution and the Church*, 101, 102.

²⁸OCR 10.481–83. He also speaks of the tyranny of the priesthood.

or privileged status.²⁹ In either case, the state is intended to replace the church. Sometimes the two approaches are combined or made indistinguishable through employing esoteric transcendent categories that few recognize as religious. Here the God-talk is limited to represent an “inclusive” message, making the net effect much the same in both approaches, whether one wants to label it religious or not.³⁰ Here religion becomes diluted in a desire to please as many people as possible and lacks the serious confession of individual belief. Here it is only used as a vehicle to promote the patriotic cause and not an end in itself. The basic intent is to establish some form of etatism in the affections of the people, over against traditional religious expression in the communities.

4. Public Religion

This concept of the civil religion is much different than one that recognizes the right of individuals or the community to express their faith in the public forum and build a political consensus from their religious ideas. Both might think of the state as an expression of religious ideals, but the latter does not establish the authority of the state and starts from below, honoring the existential and developing faith of the people. It rejects establishing any form of religious ideas as a device of the state to guarantee its place with a priori privileges. Émile Durkheim is certainly right to speak of religion as an indelible part of the *civitas*, as a necessary means of bringing society together with a “collective conscious,”³¹ lifting up the individual above the material world and representing the highest moral ideal and intellectual reality;³² but it is important to remember the origin of the community in the spiritual life of the people if one wishes to respect their liberty. It is important to find the place

²⁹Jean-François Zorn, “La Division dans la Séparation,” *Études théologiques et religieuses* 82/1 (2007): 105–107. Jean Jaurès said, “We are fighting the church and Christianity because they are the negation of human right and contain the source of intellectual bondage.” Jaurès was particularly instrumental in developing the law of 1905 and constructing the French notion of *laïcité*. He viewed the Protestants as schismatics and wanted France to develop an organic unity in accordance with the designs of the French Revolution, not the pluralism/fragmentation of the sixteenth-century Reformation. Francis de Pressensé was also instrumental in developing the law. He was son of Edmund de Pressensé, who argued for church/state separation as a Protestant, and looked to the US and Scotland on the issue. Jean Baubérot, *Histoire de laïcité en France* (Paris: Presses Universitaires de France, 2010), 4, 87; “1905-2005: La Laïcité Française et les Minorités Religieuses,” *Études théologiques et religieuses* 82/1 (2007), 73; Steven Hause, “French Protestants, Laicization, and the Separation of the Churches and the State,” in *Religious Differences in France: Past and Present* (Kirkville, MO: Truman State University Press, 2006), 149, 150, 159. Aristide Briand, who served eleven times as Prime Minister, was also instrumental in developing the law, helping to defend it and nurture it through the political process. Émile Combe set the stage for the law as a radical Freemason and Prime Minister from 1902-1905. He wanted to emancipate public schools from religious influence and was instrumental in the law of July 7, 1904 barring religious orders from teaching. He closed thousands of religious schools, and thousands of priests and nuns left France. Baubérot, *Histoire de laïcité en France*, 78-80. His anti-clericalism was fueled by the Dreyfus Affair (1894-1906), where a Jewish army officer was falsely accused and punished for selling French military secrets to the German government. Combe and others blamed Catholics for this act of anti-Semitism, basically because of the high-profile of the Assumptionist Order and its anti-Semitic newspaper *La Croix*. The pope denounced anti-Semitism within France, ending any connection between the church and this type of bigotry. Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, Brace & World, Inc., 1966), 116–17.

³⁰Mona Harrington, “The Constitution and Civil Religion: Revisiting Robert Bellah,” 60, 63; Flavio Hickel, “Civil Religion and Religious Independents: Examining the Beliefs of Atheists, Agnostics, and the Unaffiliated,” *Journal of Church and State* 61/4 (2019): 635.

³¹Emile Durkheim, *The Elementary Forms of Religious Life*, Karen Fields (trans. and intro.) (New York: The Free Press, 1995), xix, xxxiv, xliii, xlvii–xlix, 4, 9, 169, 224–25, 429; Herbert Richardson, “Civil Religion in Theological Perspective,” in ACR, 166; “Introduction,” in CRT, 10–11.

³²*Ibid.*, 15, 229–30, 425. Durkheim does not emphasize the ideal as much as others. The Founding Fathers thought of religion as providing the foundation for society and moral life. Sometimes the civil religion does not lead to social unity but invites a backlash and polarization in society engendered by those who feel disenfranchised. Abigail Vegter, Andrew Lewis, and Cammie Jo Bolin, “Which civil religion? Partisanship, Christian nationalism, and the dimensions of civil religion in the United States,” *Politics and Religion* 16 (2023): 286, 297; Silk, “The Utilitarian Context,” 40–41; Fordahl, “A Tale of Two Cities,” 115.

and form of religion coming from their present existential life and arising in the midst of their communities of faith, not from the state or some permanent established form of religion from the top-down. In this way, public expressions of religion represent the faith of the people and negate the power of the state to impose some form of dead orthodoxy upon them, placing everything under an eraser.

Indeed, the proponents of civil religion seem to have some sympathy with these comments. Both Bellah and Gorski want to distant their position from the coercive and excessive approach of Rousseau, Robespierre, and the French *état*, but their fundamental position and approach proceed in much the same direction. From the beginning, Bellah wants to distinguish the “religious dimension” in the “political realm” from organized religion and discount the influence of the latter in society, calling for the same separation of the church and state as the French. He says, “The principle of separation of church and state guarantees the freedom of religious belief and association, but at the same time clearly segregates the religious sphere, which is considered essentially private, from the political one.”³³ He wants to establish this civil religious dimension as some sort of “institutionalized” or “founding myth” that has permanent authority to interpret and judge “historical experience in light of transcendent reality.”³⁴ This vision becomes only darker as it grows into a collective or socialist state in his and Gorski’s work encompassing more and more aspects of society and sentencing the church to its margins. The civil religion only expands its domain and adds to the A-list those who fulfil the left-wing mission (or are interpreted in this manner) - “heroes” and “saints” like Rosa Parks, Martin Luther King, John F. Kennedy, Frederick Douglass, and Jane Addams - everyone else on the right is discounted.³⁵

The fact is that a simple form of the civil religion does not exist as Bellah and Gorski want to portray it. John Wilson points out the difficulty of finding in American history a definitive “institutionalized, well-developed, and differentiated civil religion.”³⁶ The religion does not exist in a unified form like some orthodox creed with a list of dogmas that might be presented to the people. Martin Marty thinks many of its proponents simply make it up as they go along and pick and choose what represents their ideals, labelling whatever they believe the civil religion.³⁷ Much of this seems to be the case with Bellah and Gorski, who are clearly driven by ideological commitments.

Marty goes on to speak of two forms of the religion that are often mixed together in the accounts: One representing a “priestly” concern that brings comfort to the people through commending their place in the divine kingdom as anointed with the Spirit and chosen for a sacred mission; the other representing a “prophetic” concern that turns around and criticizes the people for failing to live up to their obligations in light of the religious calling.³⁸ Most scholars find the dichotomy helpful and particularly like to emphasize the prophetic role as most significant in preventing the apotheosizing of the nation.³⁹ Bellah and Gorski emphasize this role and use it to criticize the “deformations and demonic distortions” of the civil religion, the *bête noire* of nationalism, capitalism, militarism, and

³³*Ibid.*, 3.

³⁴Bellah, “Civil Religion in America” (1967), 4; Wall, “Civil Religion and the Problem of Origins,” 119–20; Gorski, *American Covenant*, 16.

³⁵Gorski, *American Covenant*, 31.

³⁶John Wilson, “A Historian’s Approach to Civil Religion,” in CRT, 137.

³⁷Martin Marty, “Two Kinds of Civil Religion,” 142.

³⁸*Ibid.*, 144–45; Robert Wuthnow, “Divided We Fall: America’s Two Civil Religions,” *The Christian Century* 105/3 (Apr 20, 1988): 398; “Introduction,” in CRT, 11; Morrow, et al., “Between Public Justification and Civil Religion,” 7.

³⁹“Introduction,” in ARC, 15–16; Sidney Meade, “The ‘Nation’ with the Soul of the Church,” in ACR, 60.

other right-wing notions.⁴⁰ The prophetic function allows them to criticize many dangers on the right; it just never turns around and challenges their ideological strictures or conception of the civil religion that they wish to impose on others.⁴¹ A true prophetic witness must come from below and challenge any establishment from above within the state.

5. Inaugural Addresses

Bellah's seminal work concentrated its study upon the Inaugural Addresses of the Presidents as a convenient place to start looking for the civil religion.⁴² The focus provided a helpful suggestion for revealing the hopes and dreams of the nation in the civil religion of a certain era but had limited value since it discussed only a few of the addresses that commanded its attention. To correct the problem, our study finds it necessary to search all the addresses and discuss the religious/political expressions within them as much as possible, instead of concentrating on a few cases or what suits a limited purpose.⁴³ In this way, the prescriptive analysis of Bellah and Gorski has the possibility of broadening its perspective and giving way to a more descriptive or objective point of view. The method remains within the limits of human subjectivity but hopes to exhibit more objectivity than most in broadening the understanding and escaping a pervasive bias that controls those who wish to inculcate a specific version of the civil religion.

The first observation worth mentioning concerns the God-talk. All the addresses refer to God in one way or another except the shortest of the addresses, the second inaugural address of Washington that contains very little worth noting in its two brief paragraphs. The Presidents make continual reference to divine providence⁴⁴ or the God who has protected us in the past and will protect us in the future if we continue to rely on the Almighty.⁴⁵ They speak about

the importance of faith⁴⁶ or the need to seek divine guidance and serve the divine will.⁴⁷ They sometimes assign attributes to the Almighty like power, justice, goodness, and love;⁴⁸ often mention the sacred nature of their oath before God;⁴⁹ refer to the significance of placing their hands on the Bible;⁵⁰ and quote from it now and then in parts of their addresses.⁵¹ Almost all of them ask the Almighty to bless and watch over the nation,⁵² to guide, protect, aid, strengthen, and lead it;⁵³ on certain occasions they exhort the citizens to lift up the administration in their daily lives and continue to pray that God might bring peace, unity, liberty, happiness, and prosperity to this great nation.⁵⁴

A few Presidents found it important to lead the nation in prayer. George Bush makes it a point to underscore his prayer as the "first act" of his presidency. Washington starts the precedent in his first inaugural address and prays for peace, unity, happiness, and wisdom. Polk prays for God to continue blessing the country. Eisenhower asks God to give his administration strength to serve the people and do good in a spirit of unity. Bush asks God for peace and the ability to serve the divine will through helping people. Both Reagan and Biden lead the nation in a moment of silence to honor those who have fallen of late.⁵⁵

A couple of the Presidents show some homage to the Christian faith, but most make only general references to religion. Adams thinks it is important to respect Christianity in the public square, and Harrison mentions his "profound reverence for the Christian religion"; but other Presidents emphasize pluralism and make no serious mention of the Christian foundation of the nation. Jefferson wants to banish the bigotry of sectarianism that has caused so much suffering through the years and suggests proceeding toward a more general "benign religion" that embraces all true faiths and their common belief in divine providence and the practice of honesty, truth, love, and other basic moral virtues. Clinton also finds religious or sectarian prejudice responsible for much of the evil in the world and extols religious, racial, and political diversity working together to accomplish common objectives. George W. Bush finds the "edifice of character" sustained by a variety of faiths and sacred documents like the Mosaic law, Sermon on the Mount, and the Koran. Obama goes so far as to include atheists in the mix, declaring we are a nation of all sorts of believers and unbelievers.⁵⁶

Christianity receives no credit for providing the spiritual matrix of the nation and its government. The addresses ignore the many sectarian groups who first came to this country in the sixteenth and seventeenth centuries and concentrate upon the leading figures of the Revolutionary War, the authors of the subsequent Constitution, and future Presidents, exalting them as the "founding fathers" of the nation.⁵⁷ In this myth, George Washington's name arises above all

⁴⁰Bellah, "Civil Religion in America" (1967), 12; Gorski, *American Covenant*, 176–78, 182–83; Fordahl, "A Tale of Two Civil Religions," 16; "Introduction," in CRT, 11; Hickel, "Civil Religion and Religious Independents," 61.

⁴¹Richardson, "Civil Religion in Theological Perspective," 164.

⁴²The study of Inaugural Addresses tells us more about the popular will of the people at the time or their hopes and dreams in electing a President than what the President believes on specific issues. It provides a sententious way to find what the people believe about the civil religion at least after listening to the dominant themes, the many sides, and the fundamental movement of the addresses down through the years. The study might supply some glimpse into a President's vision, but it hardly constitutes an overall assessment of what a President actually believes on the various themes or individual issues.

⁴³There are some scholars who provide an exhaustive study of the Inaugural Addresses and develop a list of the basic themes. Most studies try to develop a fair assessment, but they all have some focus in generating categories to study and find or not find the material to fit into the boxes. Our study is no different. It might be open to what is present in the addresses, but it is also looking for certain matters like nationalism or the balance of policies and missing other ways to classify and interpret the material. David Ericson "finds" the following list: civic virtue, nonpartisanship, national unity, general policy principles, cooperation with Congress, popular support, a providential supreme being, the American mission, political continuity, the president's role as defender of the Constitution and union, and federalism. Richard Kinnier lists these values: liberty, belief in God, patriotism, justice, personal responsibility, peace, prosperity, caring for others, domestic tranquility, truth/honesty, courage, equality, happiness, and lower taxes. David Ericson, "Presidential Inaugural Addresses and American Political Culture," *Presidential Studies Quarterly* 27/4 (Fall 1997): 728–730; Richard Kinnier, et al., "Values Extolled in U.S. Presidential Inaugural Addresses," *Counseling and Values* 48 (Jan. 2004): 129.

⁴⁴WW2 1917, 4; USG2 1873, 1; USG1 1869, 2; JBC 1857, 8; FP 1853, 3; ZT 1849, 3–4; JT 1841, 1, 5; JQA 1825, 7; JM1 1817, 8; JA 1797, 1. The references come from the online website of "The American Presidency Project." The first two or three letters are the President's initials, then an indication of the number of the address in the case of those who delivered more than one address, next the year, and then finally the page number(s) at the website.

⁴⁵AJ1 1829, 4; JM2 1821, 11. The references to God are inclusive and vague. Most think of the Almighty as active in history and attentive to their appeals. Ioana Iancu and Delia Cristina Balaban, "Religious Influences in Inaugural Speeches of U.S. Presidents," *Journal for the Study of Religions and Ideologies* 12/34 (Spring 2013): 105; Ericson, "Presidential Inaugural Addresses," 736.

⁴⁶DJT2 2025, 3; RN2 1973, 6; HST 1949, 8; GC2 1893, 6.

⁴⁷BO2 2013, 6; RN2 1973, 6; FDR4 1945, 2–3; FDR3 1941, 5; CC 1925, 10.

⁴⁸GB 1989, 6; GC1 1885, 5; WHH 1841, 17; JM2 1821, 11.

⁴⁹JB 2021, 1; LBJ 1965, 1; JFK 1961, 1; FDR4 1945, 1; HH 1929, 1; WM1 1897, 10; GC2 1893, 1; JQA 1825, 1.

⁵⁰JC 1977, 1; WGH 1921, 9.

⁵¹JB 2021, 5; WJC1 1993, 5; JC 1977, 1; JFK 1961, 3–4; WGH 1921, 9.

⁵²DJT2 2025, 9; JB 2021, 7; DJT1 2017, 5; GWB2, 2005, 6; GWB1 2001, 5; WJC2 1997, 6; WJC1 1993, 6; GB 1989, 6; RR2 1985, 1, 8; RR1 1981, 7; JFK 1961, 5; DDE2 1957, 1; FDR1 1933, 6; JG 1881, 8; JB 1857, 8; JM1 1817, 9; JA 1797, 6.

⁵³RR1 1981, 4, 7; JFK 1961, 5; HST 1949, 8; FDR 1933, 6; HH1929, 11; WW2 1917, 4; WW1 1913, 4–5; WHT 1909, 14; WM2 1901, 2; WM1 1897, 1; GC2 1893, 6; BH 1889, 2; CAA 1881, 2; RBH 1877, 7; JP 1845, 2, 12; MVB 1837, 10; AJZ 1833, 4; TJ1 1801, 5.

⁵⁴RN2 1973, 6; DDE1 1953, 8; USG1 1869, 4; JM2 1821, 2.

⁵⁵GW1 1789, 4; JP 1845, 12; DDE1 1953, 1; GB 1989, 2; RR2 1985, 1; JB 2021, 6.

⁵⁶JA 1797, 6; WHH 1841, 19; TJ1 1801, 3; WJC2 1997, 3; GWB2 2005, 5; BO1 2009, 4. The "benign religion" of Jefferson just happens to coincide with his own. Stephen Strehle, *Forces of Secularity in the Modern World* (New York, Peter Lang, 2018–20), 1.188–89, 195–96.

⁵⁷WH 1921, 1; TR 1905, 3; JG 1881, 1–2; FP 1853, 2–8; MVB 1837, 7; JQA 1825, 1–2.

else as setting the greatest example for his compatriots and receiving the most exalted status as the father of the country.⁵⁸ Here the civil religion provides the clearest testimony to its dark side or desire to replace organized religion with a new devotion to a different set of ideal forms. The new religion creates a myth that makes no mention of the Puritans, no mention of those who served at the epicenter of the Revolution and brought the basic elements of the American form of government to these shores, no mention of their monumental contributions to democratic and egalitarian values, federal or covenant-based polity, the separation and balance of powers, natural rights and local rule or liberty.⁵⁹ It makes no mention of other groups like the Quakers who first expanded the democratic and egalitarian message on the grassroots level to include blacks and women.⁶⁰ It makes no mention of any sectarian group and prefers to replace them with people like Washington, Jefferson,

and Lincoln.⁶¹ It makes the sectarian groups appear irrelevant to corporate life and revises the history of the country to make the people focus elsewhere and replace religious patriarchs of old with a new set of saints, just like the vision of Rousseau and the French model.

Of course, this outward testimony does not prevent the underlying sectarian groups from exerting their influence. The Puritan texture is most visible in the country's exaltation of its place in the world as a "City on a Hill," bringing the light of its ideals and progress to other nations. Much like the Puritans, the Presidents often think of America as the epicenter of God's activity and burdened with a commission to lead the rest of humankind to a brighter tomorrow.⁶² The Presidents feel that God has "singularly favored" the nation, leading it "every step" along the way toward its position of responsibility in the world.⁶³ Heaven bestowed upon it the "richest blessings" of any nation, the "most perfect form of government and union ever devised," "far exceed[ing] in excellence those of other people."⁶⁴ Nixon says,

"America's record in this century has been unparalleled in the world's history for its responsibility, for its generosity, for its creativity, and for its progress. Let us be proud that our system has produced and provided more freedom and more abundance, more widely shared, than any system in the history of the world."

Clinton agrees and sees America on a "long, heroic journey,"⁶⁵ commissioned "to go forever upward" in leading the world into the future.⁶⁶ Many Presidents join the chorus and see no limit to human potential, finding nothing "we cannot do" to fulfil our dreams, "nothing stand[ing] in our way."⁶⁷ They particularly believe that our freedom and democracy are always on the march throughout the world, reconstructing civilization with an infinite potential for progress in all areas of life.⁶⁸ Lincoln feels the march of history reveals the will of God, as if truth is related to the outcome of events.⁶⁹ Obama does not "want to be on the wrong side of history," believing that the culture is always progressing in a Hegelian manner toward higher and higher forms and condemning those who are left behind.⁷⁰ Harding speaks of the "God-given destiny of our Republic"—a manifest destiny of progress that justifies America's desire to civilize those who are standing in the way.⁷¹ In this scenario,

⁵⁸TR 1905, 3; BH 1889, 2; GC1 1885, 2; ZT 1849, 2; TJ1 1801, 5; JA 1797, 4; Cynthia Toolin, "American Civil Religion from 1789 to 1981: A Content Analysis of Presidential Inaugural Addresses," *Review of Religious Research* 25/1 (Sept. 1983): 43. Adams seems to be the only one who recognized the basic principles of the Constitution were already established in some states, especially his own. JA 1797, 2. After all, he finished the first volume of *Defence of the Constitutions of the United States* just before the Constitutional Convention. It enjoyed a wide circulation among the delegates. The Constitution of Massachusetts (1780) is a Puritan-based document. Strehle, *Egalitarian Spirit of Christianity*, 61; *Forces of Secularity*, 1,221

⁵⁹M. Stanton Evans, *The Theme is Freedom: Religion, Politics, and the American Tradition* (Washington, DC: Regnery Pub., 1994), 201; Strehle, *The Egalitarian Spirit of Christianity*, passim; *The Rise and Fall of Christian Civilization in the Modern World* (Abingdon, Oxon, UK: Routledge, 2026), chaps. 1–5. David Hume gives the Puritans the sole credit for the present liberties in England and its modern system of government. David Hume, *The History of England from the Invasion of Julius Caesar to the Revolution in 1688* (Indianapolis, IN: Liberty Fund, 1983), 2,522–25; 4,124, 144–45, 368; 5,215–16, 256–57. The story of democracy coming to America is not difficult to tell or understand. In the seventeenth and eighteenth centuries, the churches served at the center of the communities. Town meetings and church meetings in New England were one and the same. There was no Machiavellian divide between the church and state in their mentality to separate life into separate compartments. The Reformed believed in reforming all levels of society beginning with the church and continuing throughout all of society. During the Puritan Revolution, all sides of the conflict speak of the intimate relation between the various factions' view of church polity and state polity. The factions or sectarian groups are often named after their view of polity, showing how significant the polity is to their identity. There is Catholicism, where there is one "universal" church and factions are forbidden; there is Episcopalianism, where a hierarchy of "bishops" (Gk. *episcopoi*) are in charge; there is Presbyterianism, where the presbyters or elders are elected by the people and rule as an aristocracy; there is Congregationalism, where the congregation or people rule in autonomous churches that are fiercely committed to independent local rule or liberty. At the beginning of the American Revolution, three-quarters of the country was Reformed; nine-tenths of the churches were Congregationalist in Massachusetts, the epicenter of the revolution. Strehle, *Egalitarian Spirit of Christianity*, 49, 56–57, 62; Thomas Case, *Two Sermons Lately Preached at Westminster* (London: I. Raworth, 1642), 2,13, 16; Ernest Barker, "The Achievement of Cromwell," in *Cromwell*, Ivan Roots (ed.) (New York: Hill and Wang, 1973), 8; Austin Woolrych, "Oliver Cromwell and the Rule of the Saints," in *Cromwell*, 52; "A Whisper in the Ear of Mr. Thomas Edwards, Minister," in *The Writings of William Walwyn*, in J. R. Michael and B. Taft (eds.) (Athens, GA and London: The University of Georgia, 1989), 176–77; Clarendon, *The History of the Rebellion and Civil War in England* (Oxford University Press, 1840), 1,387; R. N. Stromberg, *Religious Liberalism in Eighteenth-Century England* (London: Oxford University Press, 1954), 124; Mather, *Magnalia Christi Americana*, 1,28, 29, 70, 107ff.; Robert Brown, *Middle-Class Democracy and the Revolution in Massachusetts, 1691–1780* (Ithaca, NY: Cornell University Press, 1955), 109–110; Evans, *The Theme is Freedom*, 200–201; H. S. Stout, "Preaching the Insurrection," *Christian History* 15/2 (1996): 17; Howard Miller, "The Grammar of Liberty: Presbyterians and the First American Constitution," *Journal of Presbyterian History* 54 (1976): 151–56; Hall, *The Geneva Reformation and the American Founding*, 310, 340, 342, 393, 394, 396; Marilyn Westerkamp, *The Triumph of the Laity: Scots-Irish Piety and the Great Awakening, 1625–1760* (New York and Oxford: Oxford University Press, 1988), 137, 142–43; J. C. D. Clark, *The Language of Liberty, 1660–1832* (Cambridge and New York: University Press, 1994) 208, 290–91. 155; Darrett Rutman, *Winthrop's Boston* (New York: W. W. Norton, 1965), 62, 65; Joshua Miller, *The Rise and Fall of Democracy in Early America, 1630–1789: The Legacy of Contemporary Politics* (University Park, PA: Penn State University Press, 1991), 27, 34. The notions of a "general parish meeting" and a "general town meeting" were synonymous in early colonial times. These notions have antecedents in East Anglia, a stronghold of Puritan sentiments in England, and were transplanted to America. David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York: Oxford University Press, 1989), 196.

⁶⁰Stephen Strehle, "The Priesthood of the Believers: Quakers and the Abolition of Slavery," *Religions* 14/11 (Nov. 2023).

⁶¹TR 1905, 3; WHH 1841, 10; Lloyd Warner, "An American Sacred Ceremony," in ACR, 96. Washington founded the Republic and Lincoln preserved it.

⁶²Strehle, *The Egalitarian Spirit of Christianity*, 213–23. E.g., Jonathan Edwards, , *Polypoikilos Sophia. A Compleat History Or Survey Of all the Dispensations and Methods of Religion* (London, 1699), 610–15, 621, 634, 637, 642, 665–72, 689–9, 695, 724–25, 731–35, 744. Christopher Hill finds this westward movement in Herbert, Sibbes, Ward, Vaughan, Trapp, Winstanley, and Twisse. According to Twisse, "many divines saw a westward movement, and he himself wondered whether New England might not become the New Jerusalem." *The English Bible and the Seventeenth-Century Revolution* (London: Allen Lane, 1993), 139, 140. Toolin finds the theme of destiny and light to the nations in 45 of the 49 addresses she examines. "American Civil Religion," 43–44.

⁶³WM1 1897, 1; GW1 1789, 2; RN2 1973, 1–3; TR 1905, 2; JB 1857 1, 4; FP 1853, 2–3, 8; JM1 1809, 3–4.

⁶⁴JB 1857, 1; JP 1845, 2–3; WHH 1841, 19; JM1 1817, 8.

⁶⁵RN2 1973, 2.

⁶⁶WJC1 1993, 4; WJC2 1997, 6.

⁶⁷DJT2 2025, 8.

⁶⁸GB2 2005, 2, 6; GB1 2001, 2; GB 1989, 2; JFK 1961, 2; FDR3, 1941; BO1 2009, 6; RR2 1985, 2; RN1 1969, 1–23; FP 1853, 4; FDR4 1945, 2; HH 1929, 7, 11; WGH 1921, 3, 7; WM2 1901, 3; WM1 1897, 5; JM1 1809, 1–2; TJ2 1805, 4–5.

⁶⁹AL1 1861, 9; AL2 1865, 2. Cleveland also finds God "revealed in our country's history."

⁷⁰BO1 2009, 5.

⁷¹WGH 1921, 9.

America's values belong to the world.⁷² Some early Presidents speak with great pride of expanding territory, adding stars to the flag, and populating the land between the "two great oceans."⁷³ Jefferson thinks the Indians will be run over in the process if they do not stop their obstinacy toward change and adopt the superior ways of the settlers in agriculture, housing, morality, and every other area of life.⁷⁴

The only President to provide a sustained prophetic criticism of the country and its founding is William Henry Harrison. He uses the occasion to analyze the Constitution fifty years down the road and ask whether the hopes and dreams of the founders are coming to fruition. He finds the experiment successful for the most part in many significant areas, allaying some of the original fears over issues like the place of states' rights in the union, but he also finds other areas that need addressing - some coming from serious "defects" in the original document; others from a subsequent misconstrual of its provisions.⁷⁵ He expresses particular concern about the amount of power the framers invested in his own executive branch, with its control over officers in the treasury and the "whole resources of the country," with its authority over the bureaucracy of civil servants as the "sole distributor of all patronage of government," hoping to assign more of this authority to the legislature and prevent the possibility of corruption in the future.⁷⁶ His analysis represents the longest and most scholastic address in the nation's history; it also represents the most prophetic of all the addresses in challenging the founding myth of American perfection.

The other Presidents are not so prophetic but still offer an ethical point of view. They conceive of the country as performing a "spiritual" mission, serving certain ethical ideals or natural rights that unite the country together and transcend the typical underlying rationale for forging a national identity around "blood or birth or soil."⁷⁷ Carter says the nation's international affairs are dedicated to ethical principles more than the exhibition of military strength.⁷⁸ Madison speaks of following the dictates of just war theory when confronting foreign hostilities, only going to war for a just reason (*ius ad bellum*) and only conducting a war in a just manner (*ius in bello*).⁷⁹ Franklin Roosevelt wants to apply moral or social principles to the economy and move away from the self-interest of capitalism or the profit incentive in business.⁸⁰ Even a Republican like George Bush finds service to others more important and fulfilling than material possessions.⁸¹ Kennedy offers some of the most inspiring ethical exhortations. He offers aid to help mitigate the crippling poverty in foreign nations, "not because we seek their votes, but because it is right." He says, "[W]e shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival

and the success of liberty." He asks his "fellow Americans" to "ask not what your country can do for you—ask what you can do for your country."⁸² Most Presidents stick to this script, but a few mitigate the ethical and altruistic commission under certain circumstances. A few mention the advice of Washington in his famous Farewell Address and refuse to entangle the nation in foreign affairs.⁸³ The current President might represent the biggest departure from the commission with his "America first" policy, feeling other nations have "taken advantage" or ripped us off, pouring through our borders, conducting unbalanced trade policies, and asking us for aid to support their problems and conflicts.⁸⁴

The ethical high ground becomes a particular problem for the nation when discussing the ill-treatment of African Americans. Early on, Presidents find it necessary to justify the institution of slavery as a matter of states' rights under the Constitution and a means of keeping the peace, but offering no particular ethical argument to continue the practice.⁸⁵ Even Lincoln recognizes the Constitutional rights of slaveowners in his First Inaugural Address and expresses his willingness to return fugitive slaves to their masters and sign a law pledging the federal government will "never interfere" in the domestic rights of the slave states, just to keep the peace and preserve the union.⁸⁶ After the end of slavery, the Presidents speak of "equality before the law" for all citizens regardless of one's race or the color of one's skin, often following the language of the Gettysburg Address that declares "all men are created equal."⁸⁷ In the late nineteenth and early twentieth centuries, they recognize that racism is a fact of life in parts of the South and hope the passing of the Fifteenth Amendment will bring some relief to the problem with the right to vote,⁸⁸ but the Presidents are not so aggressive about civil rights at this time and express some sympathy for certain southern districts restricting "uneducated negroes" from voting, as long as the same standard of education is applied equally to all potential voters.⁸⁹ In modern times, right-wing Presidents embrace the more passive approach and dream of a colorblind society citing the words of Martin Luther King;⁹⁰ the left propose enacting a more affirmative policy of action and wish to expand the doctrine of equality to an increasing number of other people - women, gays, immigrants, and the poor.⁹¹

The addresses exhibit a tension between the left-wing interest to unite the country together for a common purpose under the collective whole and the right-wing interest to liberate individuals from excessive government power. Many Presidents represent left-wing interests in calling the country to act together and wishing to take collective action or increase government involvement as a more efficient way to resolve social problems.⁹² Lincoln thinks the union is a "perpetual" bond that exists above the Constitution and recognizes no right for a state or future generation of Americans

⁷²WW2 1917, 3. Truman wants to improve the standard of living for all people, not just Europeans. Clinton and Obama sees no clear distinction between domestic and foreign responsibility when it comes to the global economy, the environment, poverty, hunger, the arms race, the AIDs crises, etc. TR 1949, 4–7; WJC1 1993, 3; BO2 2013, 3–4; BO1 2009, 2.

⁷³FP 1853, 3; JP 1845, 9–11.

⁷⁴TJ2 1805, 3–4. Of course, other Presidents have a different opinion. Monroe discusses the problem of driving Indians off their land as the nation proceeds westward and proposes providing some recompense, treating them as a sovereign nation, giving them individual tracts, etc. JM2 1821, 1–2.

⁷⁵WHH 1841, 8.

⁷⁶WHH 1841, 9–11, 16.

⁷⁷GWB1 2001, 1–2; JC 1977, 2, 4; JFK 1961, 1–2; DDE1 1953, 3–4; HST 1949, 3; CC 1925, 5; BH 1889, 11; WHH 1841, 15. Ericson says, "More than three-fourths of the inaugural addresses (77 percent) refer to the nation's special mission in history to spread the blessings of popular government around the world." "Presidential Inaugural Addresses," 736.

⁷⁸JC 1977, 4.

⁷⁹JM1 1809, 2; JM2 1813, 2.

⁸⁰FDR1 1933, 2.

⁸¹GN 1989, 2.

⁸²JFK 1961, 2, 4.

⁸³GC1 1885, 4; RBH 1877, 2; ZT 1849, 3.

⁸⁴DJT2 2025, 1–2; DJT1 2017, 1–3; McGuire, "The President as High Priest," 66–71.

⁸⁵FP 1853, 7–8; MVB 1837, 7.

⁸⁶AL1 1861, 1–9. Lincoln says he just does not want to extend the institution into new territories. In his Second Inaugural Address, he blames the South for starting the war over their desire to "strengthen, perpetuate, and extend" slavery. AL2 1865, 2.

⁸⁷BO2 2013, 1, 5; GWB1 2001, 2; WJC2 1997, 2; RN1 1969, 5; DDE1 1953, 3; HST 1949 1949, 2; CG2 1893, 4; GC1 1885, 5; JG 1881, 4; RBH 1877, 2–3; USG2 1873, 2.

⁸⁸BH 1889, 5; USG1 1869, 4. McKinley expresses some indignation about lynchings and wants the practice confined to the courts, not mobs. WM1 1897, 6.

⁸⁹WHT 1909, 10–12; JB 1881, 4–5; RBH 1877, 4. Presidents sympathize with this type of discrimination. Immigrants who are ignorant of our ways and laws, hostile to our institutions, replacing American labor with a service class, or otherwise a financial burden to us do not belong in this country. WM1 1897, 6; GC1 1885, 4; BH 1889, 6.

⁹⁰DJT2 2025, 4, 6; RN2 1973, 3; WGH 1921, 7.

⁹¹BO2 2013, 1, 3–5.

⁹²JB 2021, 3; BO2 2013, 3; BO1 2009, 3; LBJ 1965, 9.

to rebel against it. The “chorus of union” represents the “better angels of our nature.”⁹³ Franklin Roosevelt finds ultimate truth within the democratic “will of the people” and wants to subject “private autocratic powers” to serve the general welfare, rejecting the self-interest of capitalism or the individual incentive for profit. He wants to expand his executive power over Congress as the “perfect instrument of their wishes” to take federal “action” and get things done.⁹⁴ Most Presidents do not proceed so far with their rhetoric or policies as Roosevelt, but many sympathize with some of his concerns. They come to recognize even before the Great Depression the damage a dogmatic form of capitalism brings to the American people without some type of reform or regulations to temper its excesses. They address concerns about unsafe working conditions, overburdened and underpaid labor, unhealthy food supply, damage to the environment, risky investments, unfair monopolies, and so forth.⁹⁵

On the other side, many think like Reagan that “government is not the solution to our problems; government is the problem.”⁹⁶ These Presidents wish to empower the people who built this country through reducing government control over them, letting the people spend and invest their own money, eliminating wasteful spending, trimming the size of government, and cutting unnecessary taxes.⁹⁷ In the nineteenth century, the Presidents continually complain about the burgeoning bureaucracy of civil servants, who represent little more than partisan activity and wasteful spending, receiving paternal appointments and handing out favors to expand their domain.⁹⁸ Some express concern about protecting property rights and individual freedoms against the will of the majority or the power of the government to intrude into the private sector,⁹⁹ but most seem less than concerned about this problem. In the Cold War, communism becomes the principal enemy of the country and its freedoms and finds the Presidents rejecting the extreme left-wing march toward a totalitarian state,¹⁰⁰ while retaining some balance between the interests of unity and diversity. Most wish to identify the country more with the side of freedom and individual rights than whatever constituted a “perfect union,” fearing the tyranny that comes from a large central government and living under the will of the collective whole or a planned economy.¹⁰¹

The Presidents provide the strongest identification of the nation with religion in speaking of the God-given rights of individuals as the quintessential feature of its foundation and front-line defense against the tyranny of the state. The Presidents tend to think of the nation as living “under God” and serving the divine will as the fundamental mission, although some of their addresses are more outwardly religious than others.

Perhaps, the most direct religious messages are delivered by Washington, Lincoln, and Kennedy, and deserve special mention as inspiring the nation more than others.

At the very beginning of the country (1789), Washington provides an address that reads much like a sermon or a prayer pointing to the “Invisible Hand” with heart-felt gratitude for leading the nation, overcoming every defect along the way, and bringing the blessings of liberty to the American people. He spends time exhorting the nation to look unto God with “pious gratitude” and ends making a “humble supplication” that God will continue to reward their efforts in an “equally conspicuous” manner here on out.¹⁰²

At the close of the Civil War (1865), Lincoln provides another inspiring address that sounds much like a sermon. It recognizes that both sides of the conflict “read the same Bible and pray to the same God”; it recognizes that neither side has received an answer to their prayers “fully”; but it also views the outcome of this dark moment in the nation’s history as a revelation of the divine will particularly revealing the judgment of God upon slavery and those who brought this “offense,” as if truth and justice will prevail in the end.¹⁰³ Here Lincoln so accentuates divine providence that he sounds much like Georg Hegel, a God-intoxicated philosopher who believed the march of history justified itself.¹⁰⁴

During the Cold War (1961), Kennedy provides the last example of a sermon-like address. It combines the soaring idealistic rhetoric of the “new generation of Americans” with the metaphysical ideals of a cold warrior, who will not surrender his God-given rights to the state, who will “pay any price, meet any hardship, support any friend” to promote the cause of liberty, who seeks to do what is “right” and sacrifice what is expedient for altruistic purposes in doing the “work of God.”¹⁰⁵ This sermon-like address displays the national religious ideals of the time *par excellence*, in a much more graphic form than the typical Inaugural Address that might mention God here and there or give homage to some aspect of the civil religion in a less direct manner but lacks the same passion and conviction.

None of the Presidents fail to acknowledge the Almighty in one form or another, but some mention elements that might proceed toward atheism or make their confession of theism seem less than consistent or sincere. Some place the onus for creating a good society upon human beings in the manner of an atheist or deist, preferring to rely upon the “virtue, patriotism, and intelligence of the American people.”¹⁰⁶ Adams sounds much like an enlightened philosopher when he credits “good heads prompted by good hearts” for creating the Constitution, rather than deeming it the product of divine providence or inspiration.¹⁰⁷ Some sound much the same when they address the issue of ethics, reducing it to a simple calculating

¹⁰²GW1 1789, 2, 4.

¹⁰³AL2 1865, 2–3; AL1 1861, 9.

¹⁰⁴Washington’s first address also broaches a similar idea when he states that there exists an “indissoluble union between virtue and happiness.” GW1 1789, 3. The Puritans find divine providence revealing the will of God more than other Christian groups. Ralph Wald Emerson finds nature “ancillary” to human beings, punishing the wicked and rewarding the righteous. Strehle, *Forces of Secularity*, 1.150–54; Ralph Waldo Emerson, *Selected Essays* (New York: Penguin Books, 1985), 46ff., 110. No one is more significant than Georg Hegel in developing this liberal progressive point of view in his *Phenomenology of Spirit*. He even says, “World history [is] the world court of judgment.” *Elements of the Philosophy of Right*, H. B. Nisbet (trans.), Allen W. Wood (ed.) (Cambridge: Cambridge University Press, 1991), 371 (340).

¹⁰⁵JFK 1961, 2–5. Of course, this assessment of inaugural speeches hardly represents the overall religious passions of the various Presidents. After all, Kennedy emphasized the strict doctrine of church/state separation in his campaign to gain support from the south and become the first Catholic President.

¹⁰⁶CAA 1881, 2; LBJ 1965, 4.

¹⁰⁷JA 1779, 2. Elsewhere, Adams claims that the American government resulted from rational inquiry and scientific reasoning and not “interviews with the gods” or the “inspiration of Heaven.” *The Works of John Adams* (Freeport, NY: Books for Libraries, 1969), 4.292–93, 559.

⁹³AL1 1861, 3–4, 6–7, 9. Others like Jackson defended state’s rights. AJ2 1833, 2; AJ1 1829, 1. John Locke felt that the past cannot bind future generations to its decisions. Its laws were always subject to the consent or revision of the people. John Locke, *Concerning Civil Government, Second Essay*, in *Great Books of the Western World*, Robert M. Hutchins (ed.) (Chicago: Encyclopaedia Britannica, Inc., 1978), 52 (116).

⁹⁴FDR2 1937, 1–3; FDR1 1933, 2–3, 5–6.

⁹⁵HH 1929, 10; WW1 1913, 2, 4; WHT 1909, 2, 12–13; GC2 1893, 4.

⁹⁶RR1 1981, 2.

⁹⁷RR1 1981, 3; RN2 1973, 4; CC 1925, 7–8; GC1 1885, 4; TJ2 1805, 2. Republicans mention the theme of lowering taxes more than Democrats. No Democrat mentions this theme in the twentieth or twenty-first century. Kinnier, et al. “Values Extolled,” 129.

⁹⁸GC2 1893, 3; BH 1889, 8; GC1 1885, 4–5; RBH 1877, 4; JT 1841, 3; WHH 1841, 9–11, 16.

⁹⁹CC 1929, 7–8; FP 1845, 3–4.

¹⁰⁰DDE2 1957, 2–3; DDE1 1953, 6; HST 1949, 2.

¹⁰¹Kinnier finds liberty the most extolled virtue. Toolin finds it in all but four of the addresses, usually as a God-given right. Kinnier, et al. “Virtues Extolled,” 128–29; Toolin, “American Civil Religion,” 42.

sum of the human intellect.¹⁰⁸ Here they follow the utilitarian scheme of a philosophe or deist, a scheme that moves the ethical life away from its dependence upon divine revelation and accents the abilities of autonomous human beings to figure out what is right and wrong apart from the will of God. Others proceed in another enlightened direction and consecrate their presidency to serve the will of the people in the manner of Rousseau and Robespierre, as if finding within that will of the people the “voice of God.”¹⁰⁹ Franklin Roosevelt is the most suspect of atheism in this regard. He finds the “spirit” of the people the highest justification for his actions and says, “[D]emocracy alone has constructed an unlimited civilization capable of infinite progress in the improvement of human life.”¹¹⁰ He finds the ultimate end of his policies in serving the “will of the people” and seems to marginalize the significance of what is most associated with the religious foundation of the country—the individual or inalienable rights of the people.¹¹¹

Whatever the spiritual status, all the Presidents profess or feign some sort of religious belief to pacify the spiritual sensibilities of the nation. All of them engage in God-talk, typically appealing to divine providence and asking for its blessings to sustain the country ahead. Their theology appeals to the masses containing few specifics and hoping to include as many citizens as possible in the confession and promote a pluralistic vision of society; but in doing so, they acknowledge no serious political differences between sectarian expressions of faith and marginalize the role of Christianity in developing the country. Here the civil religion fulfils its fundamental purpose since the days of Rousseau and Robespierre, presenting itself as an alternative to organized local religious expression, creating its own myth about its self-importance, and marginalizing sectarian groups like Puritans and Quakers as containing no relevant theological ideas that affect real corporate existence, except in a negative way as the source of persecution. Here the civil religion concocts a version of reality that practices the worst sort of revisionist history and pretends its “Founding Fathers” created the nation out of whole cloth, outside of any relation to the Massachusetts Bay Colony and similar religious/political/democratic plantations at the beginning of the settlement. Here the civil religion feigns a binary between church and state that has little to do with a sober account of history or reality.

Beside all the smoke and mirrors, the Presidents seem to present a vision of the country that aligns in many of its features with the original Puritan concept. The Presidents appear to follow the legacy of the “City on a Hill,” with the same manifest destiny to lead the march of democracy and freedom around the world and bring progress to all civilizations in all areas of life.¹¹² The Puritan vision provides the nation with great energy as the epicenter of divine activity in the world, but its reality is not always so bright apart from other counterbalancing ideas. In the hands of the civil religion, it often becomes a pretext for developing an extreme form of patriotism and nationalism that replaces loyalty to all else and tramples the cultural values of others. Many critics recognize the problem and complain about the Presidents spending too much time lauding American greatness and broadcasting its superior virtues as justification for their policies and dealings with others; but the rhetoric only matches the very purpose of the civil religion. Those

who want to define the civil religion in some other way outside its nationalism are just wrong.¹¹³ The Presidents might mitigate the fervor of the civil religion. They might recognize some problems in the country with extending the doctrine of equality to everyone or finding the right balance between private and public interests, but there is nothing in the civil religion to upset the applecart and provide a real prophetic criticism of the people and their institutions at least not in the manner of an OT prophet. The country remains much too confident within its religious fervor or the basic veracity of its underlying ideas and greatness to permit this type of criticism. The civil religion fulfils its basic and original mission in the work of Rousseau, promoting loyalty to the state above all else, diminishing the values of any other institution like the church, and creating an ethnocentric and nationalistic people.

6. Sports

The civil religion is reinforced throughout the country with a wide array of ceremonies, parades, symbols, monuments, and memorials.¹¹⁴ Perhaps, sports provides the most important venue for these patriotic displays going all the way back to ancient Graeco-Roman times. Even Pierre de Coubertin, the founder of the modern Olympic movement, made sure that patriotism stood at the center of the games as the “equivalent of what the ancients called the gods.” He spoke in a recorded message at the opening ceremony of the Berlin games (1936) about “patriotic piety” and stressed how significant it was for each athlete to glorify “his country,” “his race,” and “his flag.”¹¹⁵ Today no major American sporting event starts without playing the “Star Spangled Banner.” This tradition began during the seventh inning of the World Series in 1918 as a way of honoring American soldiers who were fighting abroad in WWI.¹¹⁶ Lately, football games have become a favorite venue of the Pentagon to fund flyovers, field-size flags, and tributes to the troops - all meant to inculcate patriotism and military prowess, without any serious mention of God or moment of prayer to rival or question the complete loyalty.¹¹⁷ At all sporting events, coaches and players are expected to stand in proper formation and pious devotion during the National Anthem; and those who have religious objections or want to use the time for political demonstrations are subject to discipline and ridicule.

Sports provides an important platform for the civil religion, but its relation goes beyond the mere performance of patriotic ceremonies in its arenas. Sports has a natural link to the civil religion as it also comes to embody the state or the values of the nation through the

¹¹³The emphasis upon egalitarian values and collective living also has problems. The emphasis certainly increases after the Civil War, but these left-wing concerns hardly represent the sum and substance of the “founding myth.” The civil religion has deeper roots in the God-given rights and liberties of individuals.

¹¹⁴E.g., Arthur Farnsley, “Civil Religion in Indianapolis,” in CRT, 187–88.

¹¹⁵William Baker, *Playing with God: Religion and Modern Sport* (Cambridge, Mass.: Harvard University Press, 2007), 121; John MacAloon, *This Great Symbol: Pierre de Coubertin and the Origins of the Modern Olympic Games* (Chicago and London: The University of Chicago Press, 1981), 140–42, 258–59.

¹¹⁶*Ibid.*, 108; Michael Butterworth, “Fox Sports, Super Bowl XLII, and the Affirmation of American Civil Religion,” *Journal of Sport & Social Issues* 12/3 (Aug. 2008): 318.

¹¹⁷Harry Edwards, *Sociology of Sport* (Homewood, ILL: The Dorsey Press, 1973), 94–96; Jeremy Sabella, “Postures of Piety and Protest: American Civil Religion and the Politics of Kneeling in the NFL,” *Religions* 10/8 (Aug. 2019): 3–4; Farnsley, “Civil Religion in Indianapolis,” 202–203. For example, the NBA had a policy in 1996 that a player must assume a “dignified posture” during the flag ceremony. A Muslim player on the Denver Nuggets became embroiled in a controversy when he refused to stand that year considering the flag a form of national idolatry and a symbol of oppression. For this reason, he was immediately suspended from the team without pay and later traded to the Sacramento Kings. Baker, *Playing with God*, 229–32. The action of the league appears contrary to SCOTUS rulings that allow sects like the Jehovah’s Witnesses to abstain from saluting the flag for much the same reason. Almost all would allow a person to abstain from prayer, but it appears as if etatism is more obligatory to most Americans.

¹⁰⁸USG1 1869, 2; WHH 1841, 2. Johnson rejects this view of ethics, sounding much like Kant and leaving the results to God. AJ 1865, 1–2.

¹⁰⁹GC1 1885, 12.

¹¹⁰FDR 3 1941, 2–5. The Presidents often appeal to popular support as a confirmation of their policies but hardly make it the sole criterion as FDR seems to do in this address. Ericson, “Presidential Inaugural Addresses,” 734–35.

¹¹¹FDR 2 1937, 1–3.

¹¹²See n.60.

process of secularization that envelops all of society. It provides a clear example of what happens to other institutions in the process - an example of how the civil religion tends to expand outside the government and envelop the rest of society into its communal ethos as an alternative to the church and other normative religious expressions.

Many understand this relation and use religious language to describe sports; they compare its stadia, arenas, and halls of fame to sacred shrines, its souvenirs to holy relics; its uniforms to vestments; its ceremonies to sacraments; its rules to commandments; its superstars to saints; its chants to hymns of praise, its fan-base to some cult or *communitas* of believers.¹¹⁸ They also speak of the value athletes derive from participation in sports, making it comparable to a religious or moral perspective. Those who participate in the games learn a sense of honor, fairness, teamwork, and "sportsmanship" in living by the rules and accepting the outcome of a match. They learn the value of discipline, sacrifice, and perseverance, much like some ascetic monastic figure on the road to achieving ultimate bliss.¹¹⁹ Locker rooms are plastered with slogans, extolling the virtue of hard work, contending that a "quitter never wins, a winner never quits;" "When the going gets tough, the tough get going."¹²⁰

Some think of athletics as compatible with Christian teaching, but it no longer contains any serious connection to the faith and serves these days more like an instrument of the state to mold the character of its citizens than instill any spiritual or biblical values. The attempt to preserve a relationship represents the delusions of a bygone era. T. C. Sandars coined the popular phrase "muscular Christianity" to describe the attempt during the middle of the nineteenth century. He used the term to describe a movement associated with Charles Kingsley that impelled participants toward a more hearty, robust, and manly form of the faith. Kingsley thought competitive sports was a good way to teach moral or spiritual values and mold young men, much better than forcing them to read books and sit through boring rituals. The YMCA picked up on this philosophy and began to erect gymnasiums at the end of the nineteenth century, adding swim meets, volleyball tournaments, football and baseball teams, and the new sport of basketball, invented by James Naismith, who was teaching at the International YMCA Training School.¹²¹ The YMCA kept the Christian vision of the organization for some time but eventually lost the original purpose, letting mere athletics dominate the spiritual and moral concerns, fading into another secular society, and representing much the same decline that occurred elsewhere in the relationship between the traditional religion and sports. Today, any direct relation to the Christian faith is found mainly in ad-hoc procedures that have nothing to do with the actual playing of the game, where athletes cross themselves before batting, point to the heavens after circling the bases, gather at mid-field to offer prayer, join Athletes in Action and testify to their faith.¹²² All of this is

done outside the course of the actual athletic competition. Sports follows the tendency of the modern state to lose its connection with the religion and become increasingly secular or a part of the civil religion.

Other scholars think it is heresy to try and equate sports with real religious expression in the first place. Sports has become its own civil religion with its own separate set of values. Sports has a clear focus upon worldly success, as it sets its sight on competition, glory, and financial gain here on earth. It was invented for and by males to encourage the male ego and its desire for competition and dominance. It prizes victory over others, encourages tough, muscular, and violent behavior, and promotes "hatred, jealousy, [and] boastfulness" between fellow human beings as an unavoidable by-product of its contests.¹²³ The totems of the teams abet this behavior, representing and instilling the depravity of predators through their mascots, choosing nicknames like Tigers, Lions, Hornets, Yellow Jackets, Eagles, Falcons, Pirates, and Raiders.¹²⁴ None of this really represents real religion. None of it represents the meekness and gentleness of Christ and his gospel that brings peace and reconciliation to others, that nurtures the sick and shepherds the flock, that serves in a spirit of quiet meditation and prayer.¹²⁵ None of it even displays any basic religious concerns that ask ultimate questions or seeks some transcendent reality or heavenly reward.¹²⁶ These and other problems make critics wonder about sports and view it as serving the civil religion as a substitute for genuine spirituality and inculcating alternative nationalistic values like pride and dominion. The criticisms are sometimes harsh and fail to appreciate some positive connection of real religious value in sports,¹²⁷ but the overall point remains valid for our purposes in showing the clear distinction. The critics are right to point out a clear difference between the public expression of religion in sports and what is now limited to the perimeter of society or the private self-consciousness of the individual.

7. Conclusion

This is not to say that no hope remains for those who express concern about nationalism or the process of secularization absorbing the church and other local religious communities. This does not make it impossible to bring redemption to what has become a part of the world. The Bible thinks of God meeting humans in a fallen world and transforming their devices into a more sublime image, even using a contrivance like astrology to guide the wise men and show the way to ultimate redemption. The church has followed this commission in the past during the days of the Holy Roman Empire, transforming the winter solstice into a celebration of Christ's birth, the day of the sun into a time of worship each week. The mission might look different in a pluralistic society, but many see the impetus as much the same enjoining the church to ally with those of similar faith in other religious communities and work to transform the manifestations of

¹¹⁸Joseph Price, "The Emergence and Evolution of the Study of Sport and Religion," 1/1 (2023): 17–19; "Fervent Faith: Sport as Religion in America," in *From Season to Season: Sports as American Religion*, Joseph Price (ed.) (Macon, GA: Mercer University Press, 2001), 8; Eric Bein-Selbo, *Game Day and God: Football, Faith, and Politics in the American South* (Macon, GA: Mercer University Press, 2009), 51, 85, 213; Michael Novak, *The Joy of Sports: End Zones, Bases, Baskets, Balls, and the Consecration of the American Spirit* (New York: Basic Books, 1976), 29–31; Robert Higgs and Michael Braswell, *An Unholy Alliance: The Sacred and Modern Science* (Macon, GA: Mercer University Press, 2004), 153.

¹¹⁹Edwards, *Sociology of Sport*, 90; Baker, *Playing with God*, 32; Novak, *The Joy of Sports*, 29; Bein-Selbo, *Game Day and God*, 42–43. Others disagree and find no clear evidence that sports builds character. Bruce Ogilvie and Thomas Turner, "Sports Don't Build Character," *San Francisco Chronicle* (Thu Sept. 23, 1971): 63–64.

¹²⁰*Ibid.*, 117.

¹²¹Baker, *Playing with God*, 50, 55, 63.

¹²²Douglas Hochstetler, "Striving towards Maturity: On the Relationship between Prayer and Sport," *CEJ* 3/6/2 (Fall 2009): 325, 330; Edwards, *Sociology of Sport*, 122–23.

¹²³George Orwell, "The Sporting Spirit," The Orwell Foundation, <https://www.orwell-foundation.com/the-orwell-foundation/orwell/essays-and-other-works/the-sporting-spirit/>; Higgs and Braswell, *An Unholy Alliance*, 7, 92–95, 366; William Phillips, "A Season in the Stands," *Commentary* (July 1969), <https://www.commentary.org/articles/william-phillips-3/a-season-in-the-stands/>; Novak, *The Joy of Sports*, 88–89, 192, 334; Bein-Selbo, *Game Day and God*, 47. Early criticisms of sports often centered around its violation of the Sabbath - as a time of rest and worship. Baker, *Playing with God*, 15–18, 149, 154–55.

¹²⁴Higgs and Braswell, *An Unholy Alliance*, 94, 128.

¹²⁵*Ibid.*, 139, 262; Bein-Selbo, *Game Day and God*, 221.

¹²⁶*Ibid.*, x - xi, 27; Bein-Selbo, *Game Day and God*, 214–16.

¹²⁷There is more of a dialectical tension in religions like Christianity than the critics seem to recognize. Higgs and Braswell make Christianity sound much too effeminate (262–63). They emasculate its material presence or earthly form for a mystical experience that lives beyond its incarnation within revelation, theology, and the body of Christ (39–40, 46–48, 210, 384).

the civil religion in the government and sports into a more sublime image. To follow this commission, the church will need to accent the prophetic nature of its calling, starting with the significance of living under God and pointing society to what is transcendent first and foremost as the ultimate purpose and judge of all human activities. It will need to renounce the tradition of Rousseau, the strict binary between the church and the state, and the establishment of etatism or any other form of religion/idolatry. It will need to let the Spirit breathe and allow the existential and religious life of the community to arise and find representation, not as wards of the state but as members of society that deserve a place and voice for their faith to speak within the public domain. In this way, patriotism will have a proper role to play in the lives of the citizens as it points to the authority of God in their communities and shows deference to a state that serves the divine will and lives under prophetic judgment. The virtues of the citizens, fans, and athletes will find a higher purpose to fulfil than any temporal and earthly reward.

One might achieve the end in various ways. I particularly suggest a couple of practical measures like offering a public prayer at sports events before playing or singing the National Anthem; like developing lessons and monuments that speak of the importance of Puritans, Quakers, and other sectarian groups in the nation's history. These and other possibilities might prove valuable in restoring the proper place of religion and fending off the present march of secularism that is establishing the godless worship of the state. Rousseau is certainly right about the power of ceremonies, games, spectacles, and education to transform the hearts of people and promote etatism; it is just that these methods might find another purpose in providing some space for the people to represent their religion and place the state under God, rather than exalt the state as the "absolute power on earth."¹²⁸

The American form of the civil religion has roots in French culture, but the state has not proceeded so far to enact the complete secularization of the public forum. It has not used the doctrine of church/state separation in a direct way or employed the nefarious means to marginalize the church like Nazi Germany, Communist Russia, and the Third Republic of France. It does not conduct meetings of the Hitler Youth during Sunday-School hours or murder priests who protest these and other incursions into the church; it does not form a "League of the Militant Godless" to conduct anti-Christian campaigns and distribute atheistic literature; it does not ban religious symbols in public schools or coerce conformity to national ideals in the name of *laïcité* or anti-clericalism. The country does not implement secularity with these direct measures or express some socialist longing for etatism or a godless totalitarian state - at least not in any explicit way. It still celebrates the private sector, the rights of free individuals, and a pluralistic vision of society, even if the power and the presence of the state has grown in recent times and replaced the former position of the church as the center of devotion in society.

The Court has moved away from the strict position of church/state separation of late. In the 1940s and 1960s, the Court followed the French position and tried to erect a "wall" between church and state that was "high and impregnable," but it had difficulty maintaining a consistent secular position in a country that was steeped in religious traditions. In fact, many of the jurists came to think that the strict position was "hostile" to religion and sought to accommodate some

of its concerns in their decisions, reducing the "wall" to a "line" in *Lemon v. Kurtzman* (1971), a line that is "blurred, indistinct, and variable." The new metaphor recognized the inconsistent nature of their decisions that sometimes sought to accommodate religion and sometimes did not. Lately the more conservative members have expressed dissatisfaction with the inconsistency of past decisions in an attempt to favor the religious side of the equation. They have come to question the "line" and "prongs" of the so-called Lemon Test in wanting to provide the religion of the people with even more accommodation than is found under its guidelines.¹²⁹

The present direction of the Court provides an atmosphere that is more conducive to making the faith of the people an integral part of the public forum. It might make it possible for the country in the future to accommodate the suggestions of this study to offer prayer at sporting events and represent religious people as principal actors in the nation's history. Of course, the Court has never excluded public prayer from professional sporting events, but it has created an atmosphere in the past for excluding it given its policies of strict separation in the public school system—policies that exclude even the mention of prayer, while inculcating the rituals of the civil religion; policies that create a secular mentality in education and end up permeating the rest of society. Of course, the Court has not completely excluded all religious monuments in public but clearly favors inculcating the civil religious message in its displays. It clearly favors the Declaration of Independence with its emphasis upon God and inalienable rights over sectarian religious document like the Ten Commandments and its God-talk. This privileged status might change with the new direction of the Court and give way to providing more space for the community to express its religious passions in public. Those who favor this move recognize it as an expression of the democratic spirit or the voice of the people. They might consider it a sacred right but not so absolute as to infringe upon minority interests. Most recognize the problems and acknowledge that whatever place or space it might find in society the government should not follow the way of an establishment but allow for as much freedom as possible among the people to lead their own lives and participate or not participate in the actions, rituals, and ideals of the culture at large. The people should be free to participate or not participate in saluting the flag, reciting the Pledge of Allegiance, or bowing their heads before the Lord God in prayer.

This balanced approach finds a tension between the right of the community to express its faith or religious passions in public and the freedom of the minority to dissent from the will of the majority. The approach rejects proceeding to the secular extreme of the Court in the 1940s that erected a wall against the meaningful participation of the religious community in shaping society to protect minority interests. It rejects the criterion of offense that the Court began to use at the time to shut down all references to religion in public.¹³⁰

¹²⁹Justices Samuel Alito, Brett Kavanaugh, Clarence Thomas, and Neil Gorsuch are the most vocal critics of *Lemon*. *American Legion v. American Humanist Assn.* 588 US 39, 53–56, 64, 69–71; *Kennedy v. Bremerton School District* 597 US ____ (2022), 22 (Gorsuch), https://www.supremecourt.gov/opinions/21pdf/21-418_i425.pdf?bcs-agent-scanner=f092fda5-f4fa-a14e-a2bf-5c59e155354b; *Shurtleff et al. v. City of Boston et al.* 596 US ____ (2022), 8 (Gorsuch), https://www.supremecourt.gov/opinions/21pdf/20-1800_7lho.pdf?ftag=MSF0951a18.

¹³⁰The Court struck down a program in Champaign, Illinois (1948) that provided space during regular school hours for students to receive religious instruction in the faith of their choice. Students could opt out of this instruction if their parents objected to their participation, but these students would need to attend secular classes during that period. Despite the voluntary nature of the program, the Court struck it down in the name of its wall, maintaining that non-participating students would feel a sense of alienation from their classmates. By using this rationale, the Court clearly moved away from the democratic process in expressing the will of the majority toward emphasizing the "rights" of minorities or non-conforming individuals who feel excluded from the basic religious sentiments of the community. *McCollum v. Board of Education* 333 US 203, 227–28. In fact, this argument became normative and fundamental to the Court in

¹²⁸George Hegel, *The Philosophy of Right*, T. M. Knox (trans.), in *Great Books of the Western World*, Mortimer Adler (ed.) (Chicago: Encyclopaedia Britannica, Inc., 1977), v, 80–83, 92–95, 108–11, 231 (257–62, 275–81, 329–31, 342–43, 347, 351); *Phenomenology of the Spirit*, A. V. Miller (trans.), J. N. Findlay (foreword and analysis) (Oxford: Oxford University Press, 1977), 267–70 (447–52).

It respects the rights of minorities but finds this criterion unfairly picking on religion for special ill-treatment. To accept the criterion with any consistency and apply it to the rest of society, it would be necessary to let minority groups like the Jehovah's Witnesses shut down the raising of the American flag, the saying of the Pledge of Allegiance, and the erecting of a Christmas tree. In a more balanced view, it might be necessary to accept the inevitable place of some offence in society and recognize that whatever the majority wants to express in public is going to offend or exclude someone.

The problem of minority rights causes some to demand an alternative to the will of the majority that tries to include everyone in all public expressions, but this noble sentiment toward the inclusion of everyone represents a practical impossibility. Those who want all religions included in any public display typically recognize the impossibility of meeting the demand and often use it as a ruse to exclude all public displays of religion in the name of a strict doctrine of separation. Even a display that tries to include everyone, only ends up pleasing liberal or unitarian sensibilities and discounts conservative points of view that have a narrower focus. This means the problem with balancing the will of the people and the rights of the minority makes the public display of religion more of an art than a science. It means public religion must be "inclusive as possible but substantive as necessary" in balancing the concerns of both groups. The balance might lead to difficult choices. It might be necessary to discourage ministers from praying "in the name of Jesus" or invoking too much sectarian rhetoric, but it cannot proceed too far in this direction and so emasculate the force of religious language in an attempt to please everyone. It cannot engage in such vacuous God-talk as to lose its prophetic calling and exclude a transcendent deity from judging the state. Our study does not consider it an option to condemn the religion of the people to innocuous platitudes or silence and just let the state absorb their souls.

The state has the power to forward devotion to itself, and our study has placed a question mark on what it considers an excessive abuse of this power to promote nationalism at the expense of the church or the religious affections of the community. The study began with an analysis of two modern scholars, who wanted to use the civil religion for their own purposes to promote their view of the ideal state. Both failed to appreciate the varying aspects of the civil religion in the United States, ignoring the elements that did not match their agenda, especially the nationalism that withstands any serious attempt to provide a transcendent or prophetic witness to challenge its beliefs. The promotion of nationalism serves as the indelible purpose of the civil religion going back to its origin in the French Revolution and the writings of Rousseau, found in its most telling form within his work on *The Government of Poland*. This work is neglected by scholars but needs to find a more prominent place in the study of the civil religion, as it reveals more than other sources the fundamental purpose of the religion in seeking to replace local religious affections of the community with devotion to the state through various ways and means. To confirm the ongoing influence of this understanding, the study proceeded to take the unusual step of reading and interacting with all the Inaugural Addresses of Presidents, just to avoid the appearance of bias that seems to

dog past studies and their choice to analyze only a few of them for the limited purposes of the author. Through this exhaustive method, the civil religion was seen to follow the basic parameters of Rousseau's program: showing a distinct propensity to exalt the nation as the leading place of devotion for the people and source of good in the world, making only a vague reference to spirituality as the source of its strength, goodness, and success, marginating the place of the church in society, ignoring the spiritual matrix of its ideas in the work of sectarian groups like the Puritans and Quakers, and preferring to exalt a new set of "Founding Fathers" that end up replacing the saints of old. The study thought it was a mistake to follow the lead of past studies and try to fix the intense nationalism through emending or reinterpreting what remains an indelible and major component of civil religion. It thought the challenge to the state must come outside the state. It must come from below in the local communities of the people through a policy that allows them to serve as a prophetic witness and express in the public forum their belief in a transcendent reality that judges all the institutions of humankind. The policy of restricting the church to the private sphere creates the problem of nationalism. Its concept of separation does not free the people from religious oppression. It just exchanges the old-time religion for a new form of idolatry that enslaves the people to the public sphere and its many institutions.

subsequent decisions and was sure to shut down any expression of religion if carried out with draconian precision. In rejecting any civil expression or endorsement of religion, Justice Sandra Day O'Connor attempted to make offense the sole criterion. "Endorsement sends a message to nonadherents that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community." *Lynch v. Donnelly* 465 US 688, 695; *Elk Grove Unified School District v. Newdow* 542 US 34; *Allegheny v. ACLU of Pittsburgh* 492 US 628–29; *Wallace v. Jaffree* 105 S. Ct. 2479, in Robert T. Miller, *Toward Benevolent Neutrality: Church, State, and the Supreme Court* (Waco, TX: Baylor University Press, 1987), 439



The Iranian Tinderbox vs Rational Diplomacy

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Examining U.S. fiscal instability and confrontation with Iran, this article argues that military escalation in 2026 risks systemic collapse. It analyses three domains: America's structural debt fragility, now at \$38.5 trillion; market signals—record gold prices and dollar weakness—indicating eroding confidence in fiat regimes; and Iran's geostrategic position as an energy chokepoint and 'mountain fortress' resistant to invasion. Drawing on historical precedents, it concludes that regime-change strategies could end up in catastrophic miscalculations. Only a return to multilateral diplomacy can avert an economic and security disaster with severe global consequences.

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Examining U.S. fiscal instability and confrontation with Iran, this article argues that military escalation in 2026 risks systemic collapse. It analyses three domains: America's structural debt fragility, now at \$38.5 trillion; market signals—record gold prices and dollar weakness—indicating eroding confidence in fiat regimes; and Iran's geostrategic position as an energy chokepoint and 'mountain fortress' resistant to invasion. Drawing on historical precedents, it concludes that regime-change strategies could end up in catastrophic miscalculations. Only a return to multilateral diplomacy can avert an economic and security disaster with severe global consequences.

Keywords: *Geopolitics, multipolarity, fiscal instability, international markets*

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1. INTRODUCTION

The year 2026 began with the Trump administration breaking all sorts of international and constitutional rules by illegally and extra-judicially kidnapping President Maduro; by unilaterally withdrawing from international climate change agreements; by hijacking ships in international waters; and by facing national turmoil, when the Immigration and Customs Enforcement (ICE) agency allegedly executed innocent bystanders in Minneapolis. Its next adventure, or shall we call it project, is to potentially attack Iran with the idea of regime change. All of this is occurring amid a global economic and political landscape which stands at various economic and geopolitical junctures. On one side, the internal mechanics of the United States economy are showing signs of what can be described as a very sick condition, characterized by unsustainable debt and institutional fragility. On the other, a looming geopolitical confrontation with Iran threatens to act as the catalyst for a worldwide economic collapse.

In this article, I examine the structural faultlines of the Western economic system, the geoeconomic strategic position of Iran relative to the rest of the world, the market signals warning of a systemic shift, and the potentially terminal consequences of a shift from economic warfare to kinetic conflict in the Middle East.

The analysis situates current U.S. policy choices within the broader context of global energy markets, financial vulnerability, and regional balance-of-power dynamics. It argues that the convergence of economic weakness at home and escalating geopolitical risk abroad amplifies the likelihood of contagion. The study also considers how sanctions, disrupted trade routes, and military escalation could undermine the fragile recovery of interconnected markets.

The paper is structured as follows: Section 2 examines the structural stresses facing Western economies, followed by an analysis of declining governance in Section 3. Section 4 evaluates market indicators and gold prices, while Section 5 explores Iran's

geoeconomic significance. Section 6 critiques Trump's strategic miscalculations, leading into an assessment of the geopolitical and economic fallout of potential kinetic conflict in Section 7. Finally, Section 8 concludes with policy recommendations aimed at averting a global economic crisis, or worse.

2. The Sick Patient: The State of the US Economy

A major driver of economic instability in the U.S. is debt. As of January 2026, U.S. federal debt exceeded \$38.5 trillion growing rapidly at around \$1 trillion every 100 days pushing the debt to GDP ratio to roughly 126% - a level widely viewed as a fiscal risk. Compare this to Argentina's broken economy with a debt to GDP ratio in 2024-2025 estimated at 73-84%, with significant volatility driven by currency instability and ongoing debt restructuring.

Ray Dalio's warnings in 2025-2026 reflect his longstanding view that the U.S. is entering the late stage of a "Big Debt Cycle", where excessive government borrowing undermines financial stability. Put simply, rising debt and persistent fiscal deficits restrict policymakers' ability to respond to shocks, increasing the risk of systemic disruption rather than a normal recession. Dalio likens this to an impending "economic heart attack" where the level of debt starts to clog the financial system and weakens capital flows.

Historically, such unsustainable levels of debt create what is known as a 'debt spiral', whereby higher borrowing leads to higher interest costs, greater money creation, and declining confidence in the monetary system. In this environment, governments face only difficult tradeoffs (e.g. spending cuts, inflation, or default) none of which are politically or economically benign. Based on the history of the world economic collapse of the 1930s, such conditions often precede major changes in the monetary and financial order rather than short term downturns.

As a result of this, Dalio's book warns of emerging 'capital wars', where foreign holders of U.S. dollars and Treasuries become less willing to finance U.S. deficits. A loss of confidence in U.S.

debt would raise borrowing costs and destabilize credit markets, indirectly amplifying risks across leveraged and derivatives based financial systems. No wonder Bessent's claim that "the US always has a strong dollar policy" seems strange, given that a related report warned that nations considering decoupling face further tariffs.

While Dalio does not focus narrowly on derivatives, his framework aligns with broader concerns (famously echoed by Warren Buffett and Nouriel Roubini) that high leverage and interconnected markets can magnify shocks when confidence in the underlying debt system erodes. Is a 2008 economic scenario or worse still, the 1930s around the corner? Time can only tell. This fiscal trajectory is not merely a domestic concern. It basically represents a fundamental instability in the world's reserve currency.

3. The Erosion of Governance and the 'Deep State'

History suggests that economic crises are rarely isolated events. They are fundamentally tied to prolonged periods of ineffective governance. In a recent interview, Jeffrey Sachs argues that the American democratic system has been "hollowed out" by what he calls the "military-industrial-digital complex." This shift, he argues, has degraded the quality of Western leadership, as politicians increasingly prioritize corporate interests over the welfare of the general public. He contrasts today's figures with historically significant leaders like John F. Kennedy, Charles de Gaulle, and Helmut Kohl, arguing that modern politicians lack intellectual substance, moral seriousness, and a willingness to engage in genuine diplomacy, let alone genuine policy discourse. He expresses strong disapproval, arguing that in the United States and across the Western world, elections have become tactical exercises rather than policy debates, providing clear visions to the future. Sachs uses Barack Obama as a primary example of this phenomenon: a leader who offered rhetorically inspiring campaigns but ultimately pursued foreign policies that were substantively continuous with his predecessors, suggesting that the 'system' overrides individual presidential intent.

In essence, he argues that wealthy elites and corporate entities have effectively commodified the electoral process, exerting disproportionate influence over outcomes. As a result, foreign policy is no longer shaped by the common good, but is instead steered by a coalition of the tech sector, defense contractors, and the intelligence community.

4. Market Signals: Gold, the Dollar, and the Return of Price Discovery

Financial markets are already signaling that the global system is entering a period of extreme instability. According to market analyst Gareth Soloway, even the Federal Reserve has begun to acknowledge that the United States' fiscal trajectory is unsustainable—a rare and unusually direct critique of Treasury policy from the central bank itself. Historically, such admissions only surface when pressures inside the system have reached a critical threshold.

The clearest market expression of eroding confidence in the U.S. dollar is the extraordinary surge in gold. Gold has now entered what traders describe as 'full price discovery mode', having broken decisively above all longterm technical resistance. Soloway points out that this means that markets are no longer anchored to historical valuation frameworks; instead, gold is being repriced in response to systemic risk rather than cyclical inflation, having broken the \$5,000 mark on 26 January. Another way of viewing

this is that investors no longer treat gold as a speculative hedge or portfolio diversifier. Instead, it can be regarded as an insurance against systemic failure—a store of value outside the banking system and beyond political discretion. This shift marks a profound change in investor psychology.

From a technical perspective, analysts now identify strong structural support near the \$4,750 level. Beyond that, the next major psychological threshold is \$6,000 per ounce, with some longer term projections extending toward \$10,000. While such figures may sound extreme, a move toward \$10,000 gold would not represent enthusiasm for the metal itself so much as a 'loss of confidence in fiat currency regimes', partial dedollarization, and a fundamental deterioration in global economic stability.

Meanwhile, the U.S. Dollar Index (DXY) has experienced one of its sharpest declines in years, raising the specter of 'imported inflation' as commodities, energy, and industrial inputs become more expensive in dollar terms.

5. Why Iran is so important?

In the grand strategy game of international power politics, Iran represents the most coveted real estate on the board, serving as the pivot point for the world's most important geopolitical maneuvers.

Iran's strategic geography is arguably incomparable, built upon three pillars of power. First, it serves as a continental bridge, a rare terrestrial link between Asia and Europe that shares borders with seven distinct nations. Second, it functions as a dual-coast maritime hub, anchored by the Caspian Sea to the north and the Persian Gulf to the south. Collectively, these factors transform Iran into the world's ultimate economic gatekeeper. By commanding the Strait of Hormuz (the world's most vital oil artery) Iran monitors 20% of global seaborne petroleum. This unique positioning grants Tehran immense geopolitical leverage, allowing it to influence both its immediate neighbors and the world's reigning superpowers (Sugihartono, 2024).

Moreover, this leverage is inseparable from Iran's physical landscape, which serves as both a shield and a cage. Paradoxically, Iran is a natural fortress that both protects and confines its inhabitants. Historically, it has been besieged from the northeast by Central Asian powers and from the west by Greeks, Arabs, Ottomans, Russians, and the British. Yet its western frontier remains a graveyard for invaders; the Zagros Mountains present such immense logistical hurdles that both Saddam Hussein's forces and Iran's own counteroffensives famously stalled within their peaks (Friedman, 2008). These geographic advantages would present a major roadblock if the United States and Israel decide to attack Iran.

The danger is that any attempt to breach this "mountain fortress" would not remain a localized affair. In fact, it would likely trigger a global economic and security collapse. If the U.S. economy represents dry tinder, a direct confrontation with Iran may be the spark capable of igniting a global conflagration. This assessment is shared by U.N. Secretary General António Guterres, who last year warned: "I am gravely alarmed by the use of force by the United States against Iran today. This is a dangerous escalation in a region already on the edge - and a direct threat to international peace and security. There is a growing risk that this conflict could rapidly get out of control - with catastrophic consequences for civilians, the region, and the world. I call on Member States to de-escalate and to uphold their obligations under the UN Charter and other rules of international law." (Guterres, 2025).

6. Strategic Miscalculation

The prevailing narrative in Washington assumes that Iran could be rapidly subdued or strategically isolated. Iran is not Iraq or Libya; it is a massive country, spanning approximately 1.65 million square kms, a population of more than 90 million people, a technologically capable regional power, with deep strategic ties to both Russia and China. For these reasons, any attempt at regime change would reverberate far beyond the Middle East.

The clear danger here, is that U.S. policy has become increasingly reactive, pulled toward a conflict it may in the longer term be unable to manage or control. Economic sanctions, characterised as deliberate economic strangulation, resemble the tactics used against Iran in the 1950s, when external pressure helped pave the way for the overthrow of Prime Minister Mohammad Mosaddegh on 19 August 1953. This episode of the 1953 coup was known as Operation Ajax. Similarly, Maduro's kidnapping evokes Cold War era interventions in Latin America, echoing the CIA-supported coup against Salvador Allende and the transnational repression that later became known as Operation Condor. History suggests such strategies tend to escalate rather than resolve conflict.

7. The Economic Aftermath: A Global Shock

A prolonged attack on Iran in 2026 would likely unleash an economic shock that dwarfs the 2008 financial crisis. Oil prices would almost certainly experience a violent breakout as Middle Eastern supply chains are disrupted. J.P. Morgan warns oil could hit USD 130 if Iran-Israel war escalates. At these price levels, severe global economic pain will not be uncommon, particularly for energy dependent countries both in the global south and western Europe.

Additionally, even more concerning would be a closure of the Strait of Hormuz. It is estimated that this would trigger a seismic shock on a global scale, as approximately 21 million barrels per day-around 20% of global daily consumption-passed through this strategic chokepoint in early 2026. In macroeconomic terms, this crisis would likely plunge the world into a synchronized recession. Extremely high energy costs act as a regressive tax, crushing consumer spending and forcing central banks to fight runaway inflation.

Sachs and other like-minded economists predict a weakening dollar would accelerate inflation globally, particularly in energy-dependent economies. Equity markets would face a high probability of a 15-20% correction, if not a fullscale risk-off liquidation. International trade could fragment further, echoing the breakdown of global cooperation seen in the 1930s. In short, the world would become a very uncomfortable and expensive place to live in.

8. Conclusion

The evidence from markets and geopolitics points toward a world drifting dangerously close to a catastrophic war. The internal sickness of the U.S. economy marked by debt, speculation, and declining institutional legitimacy has made foreign confrontation an increasingly tempting, if suicidal, tactical diversion for entrenched security interests.

Yet disaster is not inevitable. Sachs argues that the United Nations, weakened though it is, remains indispensable in a nuclear age. A revival of diplomacy, an end to economic warfare, and a recommitment to multilateral restraint are the only viable alternatives to global ruin.

As market data increasingly suggests, confidence in fiscal and monetary stability is eroding. Whether the world chooses to restore

that confidence through diplomacy, or watches it disappear in the fires of a Middle Eastern war, may define the course of 2026. Hopefully, we may avoid the so-called Chinese curse of "living in interesting times".

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Reassessing the Classification of Armed Conflicts in Contemporary Warfare

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Abstract

Considering modern forms of warfare, the categorization of armed conflicts under IHL has grown more complicated. IHL has historically made a distinction between NIACs & IACs, each of which is subject to different legal frameworks and degrees of protection. Although this binary framework worked well in traditional interstate or purely internal conflicts, hybrid configurations, cross-border operations, proxy warfare, and the involvement of both state & non-state actors are common in contemporary hostilities. By analyzing treaty law, customary international law, and jurisprudence—with a focus on the interpretive strategies used by international courts and tribunals, such as the International Criminal Tribunal for the former Yugoslavia—this paper critically assesses the sufficiency of the current classification framework. The research identifies enduring ambiguities regarding the thresholds for the start and end of IACs and NIACs, as well as the legal ramifications of foreign intervention and internationalization, through doctrinal analysis and a few chosen case studies, most notably the conflicts in Syria, the Democratic Republic of the Congo, and Ukraine. According to the study, strict adherence to the conventional dichotomy runs the risk of fragmenting the law, delaying court decisions, and providing uneven protection for those impacted by hostilities. In the end, it suggests that to maintain legal certainty, operational viability, and the humanitarian goal of IHL, conceptual clarity should be improved rather than completely abandoned.

IHL

Armed Conflict Classification

International Armed Conflict

NIAC

Hybrid Warfare

Conflict Internationalization

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Reassessing the Classification of Armed Conflicts in Contemporary Warfare

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Abstract

Considering modern forms of warfare, the categorization of armed conflicts under IHL has grown more complicated. IHL has historically made a distinction between NIACs & IACs, each of which is subject to different legal frameworks and degrees of protection. Although this binary framework worked well in traditional interstate or purely internal conflicts, hybrid configurations, cross-border operations, proxy warfare, and the involvement of both state & non-state actors are common in contemporary hostilities. By analyzing treaty law, customary international law, and jurisprudence—with a focus on the interpretive strategies used by international courts and tribunals, such as the International Criminal Tribunal for the former Yugoslavia—this paper critically assesses the sufficiency of the current classification framework. The research identifies enduring ambiguities regarding the thresholds for the start and end of IACs and NIACs, as well as the legal ramifications of foreign intervention and internationalization, through doctrinal analysis and a few chosen case studies, most notably the conflicts in Syria, the Democratic Republic of the Congo, and Ukraine. According to the study, strict adherence to the conventional dichotomy runs the risk of fragmenting the law, delaying court decisions, and providing uneven protection for those impacted by hostilities. In the end, it suggests that to maintain legal certainty, operational viability, and the humanitarian goal of IHL, conceptual clarity should be improved rather than completely abandoned.

Keywords: *IHL, Armed Conflict Classification, International Armed Conflict, NIAC, Hybrid Warfare, Conflict Internationalization*

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1. Introduction

IHL regulates armed conflicts with the principal aim of safeguarding individuals who are not involved, or who have ceased involvement, in hostilities. They set up different rules for IACs & NIACs. This traditional binary classification has long been considered essential for determining the applicability of legal rules and the extent of humanitarian protection during armed conflict.[1] but the changing nature of war has made this strict division less useful.

Modern armed conflicts rarely resemble the classical interstate wars envisioned by the drafters of the Geneva Conventions. Cross-border military operations, indirect foreign interventions, and hybrid forms of warfare that combine international and internal elements.[2] As a result, the distinction between IACs and NIACs has become blurred, making conflict classification a legally complex and contested exercise. Although IHL formally recognizes only these two categories, many present-day conflicts do not fit neatly within either framework, creating uncertainty in the humanitarian norms.[3]

The classification of an armed conflict is not merely a theoretical issue but carries significant legal and practical consequences. Determining whether a conflict qualifies as an IAC or a NIAC dictates which body of IHL applies and, consequently, the level of protection afforded to victims. IACs are governed by an extensive treaty framework, including the full scope of the Geneva Conven-

tions. This disparity means that uncertainty or misclassification may result in reduced legal protections and operational ambiguity for those tasked with applying IHL in real time.

In this context, the classification of armed conflict has become increasingly problematic in modern warfare. The evolving nature of hostilities challenges the adequacy of the traditional IAC-NIAC dichotomy and raises questions about whether existing legal frameworks remain fit for purpose. This dissertation critically examines these challenges, analyzing the legal criteria for conflict classification and the consequences arising from contemporary forms of warfare. By doing so, it seeks to assess whether reinterpretation or reform of the existing classification system is necessary to preserve the humanitarian objectives of IHL.[5]

2. IHL

IHL, which aims to control hostilities and safeguard those who are not or are no longer involved in armed conflict, is the main source of the legal framework governing armed conflict. The four Geneva Conventions of 1949, their Additional Protocols of 1977, & principles of customary international humanitarian law form the foundation of this framework. The classification of the armed conflict as either an IAC or NIAC is a crucial factor in determining the applicability and scope of these legal instruments.

3. IACs

The most extensive body of IHL governs international armed conflicts. Regardless of whether one party acknowledges the state of war, an IAC is created under Common Article 2 of the Geneva Conventions whenever there is a declared war or “any other armed conflict” between two or more High Contracting Parties.[1] Since neither the severity nor the length of hostilities are legally significant, there is a very low threshold for the existence of an IAC. The application of the Geneva Conventions may be triggered by even brief or infrequent uses of armed force between states.

The protection provided to victims of international armed conflicts is further elaborated by Additional Protocol I (1977). Crucially, military occupation scenarios are also classified as IACs, even in the absence of armed opposition, guaranteeing ongoing legal protection for the occupied civilian population.

4. NIACs

In contrast, NIACs are subject to a far more constrained legal framework. Common Article 3 of the Geneva Conventions, which covers “armed conflict not of an international character occurring in the territory of one of the High Contracting Parties,” provides NIACs with the minimal level of protection.

Additional Protocol II (1977) expands the scope of NIAC regulation by limiting its application to situations in which organized armed groups or dissident armed forces, under responsible command, have sufficient control over a portion of a state’s territory to carry out persistent and well-coordinated military operations. Common Article 3 and customary IHL are the main sources of law in many modern conflicts because Additional Protocol II’s higher threshold makes it inapplicable.

International jurisprudence, particularly the Tadić case before the ICTY, has clarified the definition and identification of NIACs. According to the Appeals Chamber, “prolonged armed violence between governmental authorities and organized armed groups or between such groups within a State” constitutes an NIAC. The organization of the armed groups and the level of hostilities were introduced as two cumulative criteria in this formulation.

5. Internationalized and Hybrid Conflicts

Modern armed conflicts frequently blur the traditional distinction between IACs and NIACs, particularly where foreign States intervene in internal conflicts by supporting non-State armed groups. In such situations, determining the applicable legal framework becomes highly contested. International jurisprudence has attempted to address this problem through attribution tests, most notably in the Nicaragua case, where the ICJ adopted the “effective control” test to determine State responsibility for the acts of armed groups.[9]

Conversely, the ICTY in Tadić advanced the “overall control” test, lowering the threshold for internationalization of a conflict where a foreign State exercises a sufficient degree of control over an armed group.[10] the coexistence of these competing standards has generated legal uncertainty and practical difficulties.

6. Case Studies

6.1. The Syrian Conflict

The Syrian conflict illustrates the complexities of classifying contemporary armed conflicts. Initially characterized as a non-international armed conflict between the Syrian government

and various organized armed groups, the conflict later involved multiple foreign states conducting military operations within Syrian territory. These interventions created parallel legal regimes, with some hostilities qualifying as IACs between states and others remaining NIACs.

The simultaneous application of different legal classifications generated uncertainty regarding the applicable rules and accountability mechanisms. Humanitarian organizations faced challenges in determining the legal framework governing their operations, while courts struggled to apply consistent standards of responsibility.

6.2. Democratic Republic of the Congo

Numerous armed groups operated with varying degrees of external support from neighboring states. Legal debates focused on whether such support amounted to sufficient control to internationalize the conflict.

Inconsistent application of control tests resulted in ambiguity and uneven protection for affected populations. The DRC experience highlights the limitations of existing classification frameworks in addressing complex, multi-actor conflicts.

6.3. Russia–Ukraine Conflict

The conflict between Russia and Ukraine, particularly since 2014, exemplifies the challenges posed by hybrid warfare. The use of unmarked troops, denial of direct involvement, and support for separatist forces blurred the distinction between IAC and NIAC. Despite evidence of foreign military participation, classification remained contested for a significant period.

This uncertainty delayed legal clarity and accountability and highlighted the inadequacy of existing thresholds for addressing modern conflict realities.

7. Consequences of Misclassification

Misclassification of armed conflicts carries significant legal, humanitarian, and operational consequences. When an armed conflict is incorrectly categorized, the applicable rules of IHL may be misapplied, resulting in gaps in protection for civilians, combatants, and other affected individuals. For instance, NIACs are governed by more limited provisions than IACs, meaning that misclassifying a hybrid or internationalized conflict as a NIAC could deny parties the broader protections guaranteed under IAC regulations, such as those concerning prisoners of war or the use of certain weapons. Conversely, incorrectly treating a NIAC as an IAC may impose obligations on non-State actors that are impractical or unenforceable, complicating compliance and accountability. Operationally, misclassification can generate confusion for military commanders, who may struggle to implement the correct targeting protocols, leading to unintended civilian casualties and violations of humanitarian law. Politically, misclassification may also affect international responses, such as sanctions, foreign interventions, or recognition of belligerent parties, thereby exacerbating conflict dynamics and undermining conflict resolution. Moreover, at the judicial level, courts and tribunals may face difficulties in adjudicating responsibility and enforcing legal norms, particularly in complex hybrid conflicts where both international and non-international elements coexist. Collectively, these consequences underscore the critical need for accurate conflict classification to uphold the protective and regulatory objectives of IHL while reducing ambiguity for states, armed groups, and the international community.

8. Conclusion

The analysis of contemporary armed conflicts underscores the urgent need for a reassessment of the traditional IAC-NIAC dichotomy. Modern warfare, exemplified by the conflicts in Syria, the Democratic Republic of Congo, and Ukraine, demonstrates that armed engagements increasingly involve hybrid and internationalized elements, blurring the lines between conventional international and non-international armed conflicts.

One key recommendation is the development of clearer guidelines for identifying and classifying hybrid conflicts. This includes establishing objective criteria for foreign state involvement in non-international armed conflicts, particularly in cases of proxy warfare, to determine when such conflicts should be internationalized. The creation of a standardized assessment framework would enable states, courts, and international organizations to apply International Humanitarian Law (IHL) consistently, thereby reducing ambiguity and enhancing protection for affected populations.

Finally, scholars and policymakers should explore the potential of introducing a third category or tiered classification of armed conflicts to better reflect the realities of modern warfare. This could bridge the existing legal gaps and provide more robust protection frameworks for civilians and combatants alike.

In conclusion, the dissertation demonstrates that the classification of armed conflicts in modern times is complex and evolving. Traditional dichotomies often fail to capture the nuanced nature of hybrid conflicts, internationalization, and transnational interventions. Legal ambiguities surrounding the timing, intensity, and foreign involvement in conflicts impede consistent application of IHL.

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A Review of Indefinite Immigration Detention and The High Court's Power of Judicial Review in Protecting Liberty and Due Process

Article Record

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Abstract

Indefinite immigration detention is a situation where a non-citizen is held in custody by immigration authorities for a long period without a clear or fixed release date. This usually happens when deportation is delayed, uncertain, or not immediately possible. While governments argue that immigration detention is necessary for border control and enforcement of immigration laws, holding people for too long without a definite timeline raises serious concerns about human liberty, fairness, and due process. This review examines how indefinite immigration detention challenges basic legal and human rights principles, especially the right to freedom from arbitrary detention. It also explains the important role of the High Court through judicial review in checking government power. Judicial review allows courts to examine whether immigration detention decisions are lawful, reasonable, and properly justified. Where detention becomes excessive, unfair, or unsupported by law, the High Court can intervene to protect individual rights and ensure compliance with constitutional and human rights standards. The paper further discusses the balance between state control of immigration and the protection of individual liberty. It highlights how courts try to ensure that detention is not used as punishment or convenience but only as a necessary and proportionate measure. Furthermore, the review shows that judicial review remains a major safeguard in preventing abuse of immigration detention powers and in strengthening due process protections.

Indefinite immigration detention

judicial review

administrative law

immigration control

arbitrary detention

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A Review of Indefinite Immigration Detention and The High Court's Power of Judicial Review in Protecting Liberty and Due Process

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Abstract

Indefinite immigration detention is a situation where a non-citizen is held in custody by immigration authorities for a long period without a clear or fixed release date. This usually happens when deportation is delayed, uncertain, or not immediately possible. While governments argue that immigration detention is necessary for border control and enforcement of immigration laws, holding people for too long without a definite timeline raises serious concerns about human liberty, fairness, and due process. This review examines how indefinite immigration detention challenges basic legal and human rights principles, especially the right to freedom from arbitrary detention. It also explains the important role of the High Court through judicial review in checking government power. Judicial review allows courts to examine whether immigration detention decisions are lawful, reasonable, and properly justified. Where detention becomes excessive, unfair, or unsupported by law, the High Court can intervene to protect individual rights and ensure compliance with constitutional and human rights standards. The paper further discusses the balance between state control of immigration and the protection of individual liberty. It highlights how courts try to ensure that detention is not used as punishment or convenience but only as a necessary and proportionate measure. Furthermore, the review shows that judicial review remains a major safeguard in preventing abuse of immigration detention powers and in strengthening due process protections.

Keywords: *Indefinite immigration detention, judicial review, administrative law, immigration control, arbitrary detention*

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1. Introduction

Immigration detention is when a government holds a non-citizen in custody because of issues related to their immigration status. This may happen when a person is waiting for deportation, waiting for identity checks, or being processed under immigration rules. In principle, detention is supposed to be temporary and used only when necessary. However, in practice, some individuals end up being held for a very long time without a clear release date. This is what is referred to as indefinite immigration detention.

Indefinite detention raises serious concerns because it affects a person's basic right to liberty. In most democratic legal systems, no one should be deprived of freedom without a clear legal reason and fair process. When detention continues for a long time without certainty, it can feel arbitrary and unfair, especially when deportation is not likely to happen soon. Courts in different jurisdictions have repeatedly stressed that immigration detention must remain lawful, necessary, and proportionate throughout its duration, not just at the beginning of the process (European Court of Human Rights, 2024).

In many countries, the High Court plays an important role in controlling how governments use immigration detention powers. Through a legal process known as judicial review, the High Court checks whether immigration authorities have acted within the law, followed fair procedures, and respected human rights standards. Judicial review does not replace government decisions, but it

ensures that those decisions are made properly and not abused (Craig, 2016).

Recent legal developments show that courts are becoming more attentive to how immigration detention is used, especially where detention becomes prolonged without a realistic plan for removal. For example, UK courts have continued to review detention cases where delays in deportation or weak administrative processes raise questions about whether continued detention is still justified under human rights law, especially the right to liberty and protection from arbitrary detention (Judiciary UK, 2025).

The importance of judicial oversight is that it provides a legal safeguard against excessive state power. While governments argue that detention helps to manage immigration control and enforce removal orders, courts must ensure that such powers are not used in a way that violates fundamental rights. This balancing act between state authority and individual freedom is central to immigration law today (UK Home Office, 2025).

Furthermore, the introduction shows that indefinite immigration detention is not just an administrative issue but a serious legal and human rights concern. It highlights why the High Court's power of judicial review is essential in protecting liberty, ensuring fairness, and maintaining the rule of law in immigration systems.

2. Meaning and Legal Nature of Indefinite Immigration Detention

Indefinite immigration detention refers to the situation where a person is held in immigration custody without a fixed release date. In simple terms, it means someone can be kept in detention for an unknown period because their immigration case has not been resolved. This often happens when a person is awaiting deportation, but the government is unable to remove them within a reasonable time due to legal, administrative, or practical challenges.

Unlike criminal detention, immigration detention is not meant to punish a person for committing a crime. Instead, it is supposed to serve administrative purposes such as verifying identity, preventing absconding, or ensuring deportation. However, problems arise when detention continues for too long without a clear timeline or realistic expectation of removal. At that point, it may become “indefinite,” raising concerns that it is no longer serving a lawful immigration purpose but instead becoming arbitrary in nature.

From a legal perspective, most constitutional and human rights systems allow detention only if it is lawful, necessary, and proportionate. This means the government must show a valid reason for holding someone and must continue to justify that detention as time goes on. The European Court of Human Rights has consistently stated that detention must remain closely connected to a lawful immigration objective and cannot continue where there is no realistic prospect of removal (European Court of Human Rights, 2024).

The High Court, through judicial review, plays an important role in examining whether immigration detention still meets these legal standards. Courts assess whether the government has acted within its legal powers and whether continued detention is reasonable under the circumstances. For example, if deportation is delayed indefinitely due to diplomatic or legal barriers, the court may find that continued detention becomes unlawful because it is no longer justified by a realistic immigration purpose (Judiciary UK, 2025).

Recent judicial approaches also show that courts are paying closer attention to the length of detention and the vulnerability of detainees. Where detention becomes excessively long or where individuals face mental or physical harm, courts are more likely to intervene and require release or reconsideration of detention decisions. This reflects the growing recognition that liberty is a fundamental right that cannot be restricted indefinitely without strong justification (UK Home Office, 2025).

Legally, indefinite immigration detention sits at the intersection of administrative law and human rights law. Administrative law requires that government decisions must follow fair procedures and stay within legal limits. Human rights law, on the other hand, protects the individual’s right to liberty and security. When detention becomes indefinite, both legal frameworks are engaged because the state must prove not only that detention is lawful but also that it is still necessary and proportionate in a constantly changing situation.

In summary, the legal nature of indefinite immigration detention shows that it is not simply about holding someone in custody. It is about whether the state has a continuing legal justification for doing so. Once that justification weakens or disappears, continued detention becomes difficult to defend under both domestic and international legal standards.

3. Judicial Review and the Role of the High Court

Judicial review is a legal process that allows courts to examine decisions made by government bodies to ensure they are lawful, fair, and reasonable. It is not about the court replacing the government’s decision with its own. Instead, it is about checking whether the government followed the correct legal steps and respected the rights of individuals when making decisions. In immigration matters, this becomes very important because decisions about detention can directly affect a person’s freedom.

The High Court plays a central role in judicial review, especially in immigration detention cases. When a person believes they have been unlawfully detained, they can apply to the High Court to review the decision of the immigration authorities. The court then looks at whether the detention is legally justified, whether proper procedures were followed, and whether the decision is compatible with human rights standards, especially the right to liberty and security.

In simple terms, the High Court acts like a “legal check” on government power. It ensures that immigration officials do not overstep their authority or keep people in detention without a valid reason. The court does not manage immigration policy itself, but it makes sure that whatever policy is applied still follows the law.

One of the key principles used in judicial review is legality, which means the government must act within the powers given to it by law. Another is procedural fairness, which requires that decisions affecting a person’s liberty must be made fairly and transparently. The third is reasonableness or rationality, meaning the decision must make sense based on the facts of the case. These principles are important in cases of immigration detention because the consequences involve loss of freedom (Craig, 2016).

Recent judicial practice shows that courts are increasingly willing to question prolonged or indefinite immigration detention where the government cannot show a clear and realistic plan for removal. For example, UK courts have intervened in cases where detention was continued even though removal was unlikely in the near future, stressing that detention must remain justified at every stage, not just at the beginning (Judiciary UK, 2025).

The High Court also uses human rights standards, especially the right to liberty under Article 5 of the European Convention on Human Rights, as a major reference point. This means that detention must not be arbitrary, and it must be reviewed regularly to ensure it is still necessary. If detention becomes excessive or unjustified, the court can order release or require the government to reconsider its decision (European Court of Human Rights, 2024).

In practice, judicial review helps to balance two important interests. On one hand, the government has a responsibility to enforce immigration laws and manage borders. On the other hand, individuals have the right to be free from unfair or prolonged detention. The High Court ensures that this balance is maintained by stepping in when government actions go too far or fail to meet legal standards.

In summary, judicial review gives real meaning to the rule of law in immigration detention cases. It ensures that no person is held indefinitely without proper legal justification and that government power is always subject to legal limits.

4. Protection of Liberty and Due process

Liberty simply means a person’s freedom to move around and live without being unlawfully restricted by the state. In immigration law, this right becomes very important because detention involves

taking away a person's freedom, even if they have not committed a criminal offence. Due process, on the other hand, means that any decision affecting a person's freedom must follow fair rules, be properly explained, and allow the person to challenge it.

In cases of immigration detention, liberty is affected when a non-citizen is held in custody for removal or immigration processing. While this can be lawful in some situations, it becomes a serious concern when detention continues for a long time without clear reasons or a realistic plan for release. Courts have repeatedly emphasized that any restriction of liberty must be strictly justified and cannot continue indefinitely without proper legal grounds (European Court of Human Rights, 2024).

Due process plays a key role in making sure immigration detention is not unfair. It requires that a detained person must be informed of the reasons for their detention, must have access to legal procedures to challenge it, and must have their case reviewed regularly. Without these safeguards, detention can easily become arbitrary, meaning it is based on unclear or unfair decision-making rather than law.

The High Court, through judicial review, helps to protect both liberty and due process. When a case is brought before the court, it examines whether the government has followed the correct legal procedures and whether continued detention is still justified. If the court finds that detention is no longer reasonable or that proper procedures were not followed, it can declare the detention unlawful and order the release of the individual or a fresh review of the case.

In recent years, courts have shown increasing concern about the impact of long-term detention on vulnerable individuals, especially where there are delays in deportation or where health conditions make detention harmful. In such cases, continued detention may be seen as disproportionate and therefore a violation of the right to liberty (Judiciary UK, 2025).

The idea of proportionality is very important here. It means that even if detention is allowed by law, it must not go beyond what is necessary to achieve its purpose. If a person cannot realistically be removed from the country in a reasonable time, keeping them in detention may no longer be proportionate. This is where courts step in to protect individual rights against excessive state power.

Due process also ensures accountability. Immigration authorities must be able to justify their decisions at every stage. They cannot simply rely on initial reasons for detention; they must continue to show that detention remains necessary. This ongoing requirement helps prevent abuse of power and protects individuals from being held without proper justification.

Consequently, the protection of liberty and due process in immigration detention cases shows the importance of legal oversight. It ensures that the state's power to detain is balanced against the fundamental rights of individuals, and that no one is deprived of freedom without fair, lawful, and reasonable justification.

5. Tension between Immigration Control and Human Rights

One of the biggest challenges in immigration law is finding a balance between what the government wants to achieve and what individuals are entitled to under human rights law. On one side, governments have the responsibility to control their borders, enforce immigration rules, and ensure that people who do not have legal permission to stay can be removed. On the other side, every individual, regardless of immigration status has basic rights such as liberty, dignity, and protection from unfair treatment.

This creates a constant tension. Immigration detention is often used by states as a practical tool to manage removal processes or prevent people from absconding. However, when detention becomes prolonged or indefinite, it begins to raise human rights concerns, especially under the right to liberty and security. The law generally accepts that detention can be lawful, but only if it is necessary, reasonable, and not excessive in duration.

Courts have repeatedly emphasized that immigration control cannot override fundamental rights. Even when a person has no legal right to remain in a country, they still cannot be detained in a way that is arbitrary or disproportionate. This means the government must always justify why detention is needed and show that no less restrictive alternative is available. In recent immigration jurisprudence, courts have become more careful in reviewing cases where removal is delayed due to diplomatic, legal, or practical barriers, stressing that detention cannot continue indefinitely without a realistic prospect of deportation (United Nations High Commissioner for Refugees, 2023).

At the same time, governments argue that without detention powers, immigration systems could become ineffective. They often claim that detention helps ensure compliance with deportation orders and prevents individuals from disappearing into society before their cases are resolved. This is where the conflict becomes clear: efficiency in immigration enforcement versus protection of individual rights.

The High Court and other reviewing courts try to manage this conflict through the principle of proportionality. This principle asks a simple question: is the level of detention being used more than what is necessary to achieve the government's aim? If the answer is yes, then the detention may be declared unlawful or excessive. Courts also consider whether the government has properly reviewed detention over time, rather than relying on outdated reasons to keep someone in custody.

Another important factor is vulnerability. Courts are increasingly aware that some detainees may have mental health issues, trauma, or other conditions that make detention more harmful. In such cases, even if detention is legally allowed, it may still violate human rights standards if it causes unnecessary suffering or is not properly justified in light of the person's condition (European Union Agency for Fundamental Rights, 2024).

In simple terms, the tension between immigration control and human rights is about drawing a fair line. Governments need tools to manage migration, but those tools must not go so far that they violate basic human dignity and freedom. Courts exist to make sure that this balance is not ignored in practice.

fundamentally, this tension shows that immigration law is not only about rules and enforcement, it is also about fairness, humanity, and accountability. The legal system continues to evolve as courts respond to real-life cases where the impact of detention raises serious questions about justice and proportionality.

6. Challenges in Judicial Oversight

Even though the High Court plays an important role in reviewing immigration detention decisions, its ability to fully protect individuals is not always straightforward in practice. Judicial review is meant to act as a safeguard against unlawful detention, but several real-world problems can weaken how effective it is.

One major challenge is delay in the justice system. Immigration detention cases often require urgent attention because they involve loss of liberty. However, court processes can take time due to filing requirements, hearings, and backlog of cases. During this

waiting period, a person may remain in detention even where there are strong doubts about whether continued detention is lawful. This delay can reduce the practical value of judicial protection, especially in urgent liberty cases (Alder, 2024).

Another key issue is limited access to legal representation. Many detainees struggle to get immediate or quality legal support. Without a lawyer, it becomes difficult to prepare strong arguments or understand complex immigration procedures. This creates an imbalance between the individual and the state, since immigration authorities usually have legal teams and institutional resources. Studies on detention systems in Europe show that lack of legal aid is one of the main barriers to effective judicial oversight (European Council on Refugees and Exiles, 2023).

There is also the problem of complex and technical legal procedures. Judicial review is not a simple appeal; it requires strict legal grounds such as illegality, unfairness, or irrationality. For many detainees, especially those without legal training, it is difficult to meet these requirements. As a result, some potentially unlawful detention cases may never reach a full court hearing.

Another challenge is limited enforcement speed after court decisions. Even when the High Court rules that detention is unlawful or requires reconsideration, administrative authorities may take time to implement those decisions. This delay can reduce the immediate impact of judicial protection and prolong uncertainty for the affected person (UK Parliament Justice Committee, 2024).

Judicial oversight is also influenced by the principle of institutional restraint. Courts often avoid interfering too deeply in immigration policy because they recognize that border control is mainly a responsibility of the executive government. While this respect for separation of powers is important, it sometimes means courts only intervene when there is a clear legal error, rather than questioning broader policy concerns.

Another challenge is the changing nature of immigration rules. Immigration laws and policies are frequently updated due to political, security, or economic reasons. This makes it harder for courts to apply consistent standards, especially in cases involving long-term or indefinite detention where policies may shift during the legal process (Migration Observatory, University of Oxford, 2025).

Finally, there is the human impact of prolonged litigation. Even when judicial review is available, the process itself can be stressful and slow. Detainees may experience anxiety, uncertainty, and emotional distress while waiting for legal outcomes. This shows that legal remedies do not always fully protect the lived experience of individuals affected by detention.

Therefore, these challenges demonstrate that while judicial oversight through the High Court is a strong legal safeguard, it is not perfect. Practical barriers such as delay, limited legal access, and administrative constraints can reduce how effectively it protects liberty and due process in immigration detention cases.

7. Conclusion

Indefinite immigration detention remains a serious legal and human rights concern because it directly affects a person's freedom without a clear or fixed end point. While governments may rely on detention as part of immigration control, it becomes problematic when it continues for too long without a realistic plan for removal. At that point, detention risks becoming unfair, excessive, and inconsistent with the basic idea of liberty and due process.

This review has shown that the High Court, through judicial review, plays an important role in addressing this problem. It acts

as a legal safeguard by checking whether immigration detention decisions are lawful, reasonable, and properly justified. Where detention is found to be excessive or no longer necessary, the court can step in to protect the individual's right to liberty and require the government to reconsider its actions.

However, the discussion also shows that judicial review alone is not enough to fully solve the problem of indefinite detention. In practice, delays in court processes, limited legal access, and administrative inefficiencies can reduce how quickly or effectively justice is delivered. This means that some individuals may still experience prolonged detention even while legal challenges are ongoing.

The balance between immigration control and human rights remains delicate. Governments have a duty to manage borders and enforce immigration laws, but this must always be done within the limits of fairness and legality. Courts continue to play a key role in maintaining this balance by ensuring that state power is not used in a way that undermines fundamental rights.

Moreso, the main message of this review is that liberty should not be left uncertain. Even in immigration matters, every detention must have a clear legal reason, a fair process, and a reasonable time limit. Where these conditions are not met, judicial review remains an important tool for protecting individuals and upholding the rule of law (UN Human Rights Council, 2024).

Furthermore, strengthening legal safeguards, improving administrative efficiency, and ensuring better access to justice are necessary steps toward reducing the risks associated with indefinite immigration detention and making judicial oversight more effective in practice.

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Language Hierarchies, Citizenship, and Belonging: A Comparison of Senegal and the United States

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Abstract

This study examines how language hierarchies shape political citizenship and belonging through a comparative analysis of Senegal and the United States. Although the two countries differ significantly in their historical and political contexts, both demonstrate how dominant languages function as mechanisms of political legitimacy and social inclusion. Drawing on literature from political theory, postcolonial studies, and sociolinguistics, the study investigates the historical development of French linguistic dominance in Senegal and English linguistic hegemony in the United States. It analyzes how these language systems influence education, governance, civic participation, and public policy while also examining forms of linguistic resistance and hybridity. The analysis introduces a comparative framework that conceptualizes Senegal as an example of hierarchical pluralism, where multilingual practices coexist with institutional inequality, and the United States as an example of monolingual pluralism, where formal multilingual accommodations exist alongside the ideological dominance of English. The findings demonstrate that linguistic hierarchies continue to shape democratic participation and access to political legitimacy despite policy reforms promoting inclusion. The study concludes that language is not merely a means of communication but a central instrument through which citizenship, authority, and national belonging are constructed. By comparing two rarely paired cases, the research contributes to broader debates on democracy, multilingualism, and postcolonial governance while offering a new framework for understanding the relationship between language and political power.

Language hierarchies

Citizenship

Belonging

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Abstract

This study examines how language hierarchies shape political citizenship and belonging through a comparative analysis of Senegal and the United States. Although the two countries differ significantly in their historical and political contexts, both demonstrate how dominant languages function as mechanisms of political legitimacy and social inclusion. Drawing on literature from political theory, postcolonial studies, and sociolinguistics, the study investigates the historical development of French linguistic dominance in Senegal and English linguistic hegemony in the United States. It analyzes how these language systems influence education, governance, civic participation, and public policy while also examining forms of linguistic resistance and hybridity. The analysis introduces a comparative framework that conceptualizes Senegal as an example of hierarchical pluralism, where multilingual practices coexist with institutional inequality, and the United States as an example of monolingual pluralism, where formal multilingual accommodations exist alongside the ideological dominance of English. The findings demonstrate that linguistic hierarchies continue to shape democratic participation and access to political legitimacy despite policy reforms promoting inclusion. The study concludes that language is not merely a means of communication but a central instrument through which citizenship, authority, and national belonging are constructed. By comparing two rarely paired cases, the research contributes to broader debates on democracy, multilingualism, and postcolonial governance while offering a new framework for understanding the relationship between language and political power.

Keywords: *Language hierarchies, Citizenship, Belonging, Senegal, United States, Hybridity, Monolingualism, Postcolonialism*

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1. Introduction

This project examines the impact of language hierarchies upon Senegalese and American political citizenship and belonging. In Senegal and the United States, in spite of their different geography and history, language dictates access to civic presence and state legitimacy. The French language hegemony in post-colonial Senegal and English language dominance in multicultural America continue to shape areas of exclusion, quietly dictating who gets heard, represented, and politically legitimized.

This is an important topic today. Immigration, national identity, and linguistic diversity debates reveal profound connections between language and power. Comparing two cases that are rarely compared side by side, this research contributes to larger citizenship and inclusion debates by illustrating how language hierarchies in multicultural and postcolonial societies help reinforce social and political order. Thus, language is not just a tool for communication; it is at the center of making decisions about what citizenship is and who properly belongs.

The main debate this project addresses is whether linguistic diversity strengthens or undermines democratic inclusion. Political theorists often assume that linguistic unity fosters civic equality, while postcolonial scholars argue that it entrenches hierarchy. By comparing two very different cases, this project asks how states balance cohesion with inclusion.

I argue that, despite their different histories, Senegal and the United States both demonstrate how language standardization is an instrument of political domination. In Senegal, this is achieved through the historical dominance of French as a colonial government and an instrument of education. In the United States, it is achieved through the intrinsic hegemony of English in civic legitimacy affairs. By framing these as opposite ends of a continuum from hierarchical pluralism in Senegal to monolingual pluralism in the United States, this project develops a new lens for understanding linguistic power.

To substantiate this thesis, I first conduct a literature review to situate the project within existing debates on language and power. I then analyze the historical foundation of each country's language system. Then, I analyze how these legacies operate in shaping education and policy today. Finally, I address how language activism and reform resist these systems from the inside out. The contrast between these two alternative cases is not meant to generate overt similarities or cause-and-effect equivalencies. Instead, this study aims to generate new sources of exploration, illustrating how multicultural and postcolonial contexts can enrich each other in comparative analysis.

2. Literature Review

Language sits at the heart of current discussions about citizenship and belonging. Scholars in political theory and postcolonial studies argue that language is not just a neutral way to communicate but a tool of nationalism—used by states to define legitimacy and participation (Johnson 2004, 159–67). From European standardization to colonial education in Africa, linguistic unity has often been linked to political advancement. As Chafer (2007, 442–48) and Cissé (2005, 25–33) point out, both colonial and postcolonial governments viewed mastery of the dominant language as a sign of civilization, pushing other languages to the fringes of civic life. In this argument, the national language offers cohesion while silently excluding those who cannot speak it.

However, this quest for unity has its own contradictions. El-Malik (2015, 1–2) shows that projects like Léopold Senghor's *négritude* expose the weaknesses of strict linguistic categories. Attempts to fix identity to a single language often erase the diversity they intend to represent. Scholars find a persistent contradiction in nationalism—the more a state demands linguistic uniformity, the more it highlights the fractures of belonging. Empirically, individuals often inhabit their national identity through multiple linguistic repertoires, using language-switching to navigate social and political life.

To understand these fractures, recent studies emphasize hybridity—the mix of linguistic forms that defies a monolingual structure. Swigart (1994, 175–79) refers to this as *cultural creolisation*, showing how everyday speakers blend local and colonial languages into “a single, richly expressive code.” This mix is not corruption; it is an inventive change that broadens what counts as valid expression. El-Malik (2015, 33–34, 55–56) carries this idea into the realm of knowledge, presenting Senghor's “African rationality” as a celebration of plurality rather than hierarchy. Together, these perspectives reshape hybridity as both linguistic and political—a rejection of the idea that civic identity must rely on language purity.

In Western societies, especially those with imperial and/or colonial legacies, including the United States, similar tensions surface through the politics of immigration and integration. Language becomes a proxy for belonging, where multilingualism is both celebrated and regulated. Scholars such as Fraga (2006) and Parkin and Zlotnick (2011) show that linguistic inclusion is central to democratic participation, yet language proficiency remains a gatekeeping mechanism for citizenship and civic engagement.

If hybridity questions linguistic norms from the ground up, the idea of unevenness shows how hierarchies stay in place. Cissé (2005, 657–72) describes diglossia—the coexistence of “high” and “low” language forms—as a system that links linguistic privilege to class and location. Kuenzi (2006, 210–18) similarly finds that education in local languages builds civic confidence more than formal teaching in colonial languages; however, these programs remain marginal and underfunded. These studies suggest that mastery of the dominant language reproduces inequality while appearing neutral and merit-based. Even when multilingualism is praised, power continues to flow through the prevailing language.

Across these studies, scholars shift the focus from how to integrate language minorities to what type of political structure multilingualism can create. Instead of viewing diversity as a hurdle, they approach it as a framework for understanding authority and participation. Language serves as both a gauge and a tool of democratic strength—revealing who can speak, who is heard, and under what conditions.

However, research remains scattered across regions and disciplines. Specifically, postcolonial theorists examine how colonial languages shape national identity (Swigart 1994; El-Malik 2015), while democratic theorists investigate how language access influences participation in modern societies (Fraga 2006; Parkin and Zlotnick 2011). These fields are rarely connected. This study aims to bridge that gap by comparing Senegal and the United States—two linguistically varied nations shaped by different historical contexts but linked by parallel questions of belonging and hierarchy. Both grapple with the ongoing challenge of how diverse groups can share a common civic language.

This may be, for most readers, a surprising comparison. However, the purpose is not to claim social or historical equivalence but to open a new analytic terrain—to move beyond the division between “the West” and “the rest” towards developing a generalized understanding of how language structures power. Senegal, a postcolonial democracy negotiating the legacy of French rule, and the United States, a multicultural democracy grounded in English monolingualism, offer distinct takes on the same problem: sustaining linguistic diversity within systems that privilege uniformity.

This study applies key concepts from the literature reviewed above to each case. For Senegal, ideas of hybridity, diglossia, pluralism, and hierarchy explain a context marked by less formal policy and more everyday negotiation, wherein Wolof and French coexist despite persistent inequalities. For the United States, concepts of monolingualism versus multilingualism, nationalism, and unequal access illuminate how, even with formal protections for linguistic diversity, English remains at the top of the hierarchy. Together, these frameworks underscore how linguistic hierarchies—whether colonial or domestic—continue to shape civic inclusion and political power. This analysis also evaluates both formal policy reforms and informal, everyday strategies of resistance, illustrating how states and citizens differently address linguistic inequality. Finally, my contribution is to link these perspectives through the continuum of hierarchical to monolingual pluralism introduced above.

2.1. Case 1: Senegal

2.1.1. National Language and Colonial Legacy

The politics of language in Senegal stems from a colonial system that connected language skills to civic rights. Starting in the late nineteenth century, France's *mission civilisatrice* positioned French as both the language of enlightenment and the tool of citizenship. In the Four Communes—Dakar, Saint-Louis, Gorée, and Rufisque—only select African individuals could gain French citizenship by adopting the language and culture (Chafer 2007, 442–48). The École William Ponty, founded in 1903, solidified this mindset by training French-speaking administrators who maintained the colonial order in African society (Johnson 2004, 143–50). Speaking French became a political credential: those who could speak French gained state access, while those who couldn't were seen as outsiders.

After gaining independence in 1960, the language hierarchy continued under President Léopold Sédar Senghor. His philosophy of *négritude* sought to merge African cultural identity with European humanism, but in reality, French remained the language of governance, education, and high culture. El-Malik (2015, 1–2) points out that Senghor's writings illustrate the contradiction within *négritude*: while celebrating African emotion and intuition, they reinforced French as the universal language for expressing

those values. The state's 1971 language law acknowledged six "national languages"—Wolof, Pulaar, Serer, Mandinka, Soninke, and Diola—but still kept French for government and schooling (Cissé 2005, 25–33).

This setup led to what Cissé (2005, 657–72) later called "functional diglossia." French served as the elevated language for bureaucracy and elite communication, while the national languages were limited to spoken communication and informal use. By sustaining the colonial language hierarchy, the post-independence government ensured stability but at the cost of inclusion. Mastery of French continued to signal education and authority, while many who only spoke national languages found themselves in a second-tier civic role. Thus, the colonial goal of language assimilation persisted as a postcolonial modernization effort.

2.1.2. Hybridity and Cultural Rearticulation

Despite the ongoing dominance of French, Senegal's language landscape has shifted toward hybridity. Starting in the 1970s, rapid urban growth and mass education led to new linguistic forms that merged French and Wolof. Swigart (1994, 175–79) describes this as cultural creolization: the natural blending of language that creates "a single, richly expressive language variety" instead of intentional mixing. Urban Wolof, the hybrid dialect in Dakar, seamlessly integrates French words into Wolof grammar so that speakers view it as natural rather than calculated (Swigart 1994, 176). What began as casual street talk evolved into the language of youth culture, media, and politics by the 1980s.

The sociolinguistic importance of Urban Wolof lies in its capacity to flip symbolic hierarchies. While colonial thought associated French with logic and sophistication, Urban Wolof redefined what it means to be authentic as being local and multilingual. Swigart (1994, 180–82) shows how speakers consider code-mixing normal, even as elites criticize it as incorrect or unattractive. This gap between actual use and elite perception highlights the clash between lived language experiences and official standards. El-Malik (2015, 33–34, 55–56) views this hybridity as a practical realization of Senghor's theoretical vision: an African rationality that embraces diversity rather than suppressing it. Through everyday speech, Senegalese people express a plural civic identity that the state has been slow to acknowledge.

Political communication has sped up this process of language change. During the 1988 presidential campaign, Abdoulaye Wade spoke in Urban Wolof, breaking the norm of using only French in formal politics. His populist messaging resonated with younger voters who saw Wolof as the voice of authenticity and resistance (Swigart 1994, 183–84). Other politicians followed his lead, making code-mixing a sign of national identity instead of regional affiliation. The rise of private radio in the 1990s further supported this trend. Stations like Sud FM and RFM largely aired news and talk shows in Wolof, creating a "vernacular public sphere" (Kuenzi 2006, 210–18). In these settings, people could discuss policies in an accessible language without going through French.

By the 2020s, the symbolic role of French and Wolof had changed. When President Bassirou Diomaye Faye spoke mainly in Wolof during campaign events and interviews, international observers noted a new kind of linguistic validity: French remained for diplomacy, but Wolof had become the domestic language of authority (Pronczuk 2024). This shift illustrates how the question of authenticity has transformed into one of authority, of who possesses the right to represent the nation linguistically. The Senegalese government thus shifted from merely accepting

hybridity to intentionally adopting it. Language, once a colonial symbol of civilization, now acts as a resource of authenticity in national politics.

2.1.3. Unevenness and Institutional Reform

However, the pluralization of Senegal's language system remains incomplete. Structural inequalities continue across education, gender, and region. Cissé (2005, 665–72) notes that rural communities—especially women—still face exclusion from formal institutions because proficiency in French is necessary for civil service jobs and higher education. Although bilingual education initiatives have gained global support, their implementation has varied.

Kébé and Fall (2025, 2–3) examine the MOHEBS model (*Modèle Holistique d'Éducation Bilingue Sénégalais*), launched in 2021 with UNESCO support, which blends French and national languages in primary school instruction. While the reform seeks to make education more inclusive, it encounters logistical and ideological challenges: inadequate teacher training, a lack of teaching materials in local languages, and parental doubts that reduced French exposure may limit social mobility. Therefore, bilingual education often acts as a pilot project rather than a widespread policy.

Media growth has lessened some of these gaps by broadening access to public dialogue. Kuenzi (2006, 215–16) observes that radio and television programs in Wolof increase political awareness among low-literacy audiences, boosting their participation in elections and community activities. Yet this inclusion still operates within a hierarchical framework: written official communication remains in French, and top universities continue to assess French proficiency as a measure of intelligence. This dual system of French for institutional power and Wolof for cultural legitimacy illustrates what could be called managed pluralism.

The persistence of managed pluralism highlights the resilience of language as a form of social capital. As Bourdieu posits, language perpetuates social inequality since it seems neutral. In Senegal, French continues to be the ticket to upward mobility while Wolof dominates in everyday conversation. The divide between symbolic acknowledgment and actual resources parallels broader trends in postcolonial governance: the state recognizes diversity without dismantling existing hierarchies.

At the same time, Senegal's experience shows that pluralism can be integrated without threatening national unity. The 2017 and 2024 elections demonstrated that multilingual campaigning enhances, rather than disrupts, democratic engagement. Wolof, once dismissed as local, now connects urban and rural communities as a common language. Elite discussions increasingly switch between French for formal documents and Wolof for persuasion, reflecting a practical bilingualism instead of an ideological split.

2.2. Case 2: United States

2.2.1. National Language and Civic Ideology

In the United States, the connection between language and citizenship has emerged not from colonial assimilation but from civic beliefs and various, large waves of immigration coupled with the expansion of the American polity to assimilate and incorporate foreign territories, whether indigenous, French, Spanish, Mexican, or others. Since the early days of the republic, English has been seen as the foundation of democratic unity, the means through which republican values and public reasoning are communicated. While France linked language skills to civilization, the U.S. celebrated English as the symbol of freedom and equality. This

belief has led Parkin and Zlotnick (2011, 517–18) to describe it as monolingual nationalism—a cultural view that a shared language promotes political unity.

Unlike Senegal, where the French language retained clear colonial power, English dominance in the U.S. is quotidian. The Constitution does not specify an official language, yet English acts as the common language of legitimacy. Longstanding debates about bilingual education and multilingual ballots highlight the struggle between inclusive democracy and uniform language. Huntington (2004, 17–19) argued in *Who Are We?* that English is at the heart of American identity, serving as the “glue” that binds an ethnically diverse nation. This ideological belief has turned English into more than just a communication tool; it has become articulated in terms of moral duty—a measure of belonging and patriotism.

Historically, this idea showed up in public education and immigration policy. The Americanization movement of the 1800s aimed to assimilate immigrants by teaching them English and involving them in civic activities, assuming that a common language was essential for loyalty. Throughout the 1900s, learning English became a sign of “successful” integration, while the continued use of immigrant languages was seen as a refusal to assimilate. Even after the civil rights era expanded legal equality, English remained the implicit language of the state, reaffirmed during times of national stress—from loyalty oaths during World War I to the “English-only” campaigns of the 1980s and 1990s.

The ideological outcome of this monolingualism is exclusion presented as neutrality. Speaking with an accent or limited English marks someone as foreign, no matter their citizenship. As Flores (2014, 493–96) points out, linguistic differences in the U.S. create a racial boundary: English fluency is often equated with whiteness, while language diversity signals otherness. Therefore, citizenship is shaped not only by legal status but also by language conformity. This civic monolingualism sharply contrasts with Senegal’s postcolonial tolerance for bilingualism; in the U.S., the state’s commitment to a single language is a key part of its national identity.

2.2.2. Hybridity and Cultural Negotiation

Despite this dominant belief, the United States has always been linguistically diverse. The Census Bureau reports over 350 languages spoken across the country, with Spanish as the primary language for almost 43 million people. This environment has led to what Sanchez (2006, 433–35) calls bicultural consciousness—a way of civic identity that navigates between languages and cultures. However, unlike Senegal’s Urban Wolof, which reshapes the national language through hybridization, U.S. multilingual practices often stay within community or commercial spaces without impacting civic discourse.

Spanish-language media exemplifies this complex hybridity. Since the 1960s, networks such as Univision and Telemundo have built a strong Spanish-speaking public sphere that informs and engages Latino communities (García-Ríos and Barreto 2020, 121–22). These platforms help bridge language and political gaps, translating civic participation into terms that resonate culturally. Fraga (2006, 1662–64) found that Spanish-language outreach boosts voter turnout among naturalized citizens, indicating that linguistic inclusion enhances democratic involvement. Yet this involvement is still segmented: bilingualism improves access within communities but seldom changes the larger national story.

Education policy shows a similar trend of limited hybridity. The Bilingual Education Act of 1968 and subsequent court

cases—especially *Lau v. Nichols* (1974)—established that equal educational opportunity requires language support. However, federal cutbacks starting in the 1980s, along with English-only ballot initiatives like California’s Proposition 227 (1998), shifted the focus back to assimilation. The resulting mix of local programs mirrors what García (2009, 156–59) calls “additive bilingualism”: second-language teaching aimed at transitioning students to English instead of maintaining bilingual skills.

Even in cases where bilingualism continues, it often has practical rather than civic purposes. Businesses and diplomacy emphasize multilingualism as economic value, rather than civic worth. The Seal of Biliteracy initiative, which will recognize high school graduates fluent in two languages by 2024, frames bilingualism as an advantage for global competitiveness instead of for democratic inclusion. This view of hybrid languages contrasts with Senegal’s recognition of language differences: these are acknowledged only to the extent that they do not threaten English’s moral authority.

Nonetheless, hybridity continues to influence political expression in subtle ways. Latino politicians like Julián Castro and Alexandria Ocasio-Cortez often switch between English and Spanish in their speeches, promoting authenticity and solidarity. However, mainstream media frequently views this code-switching as performance rather than a normal occurrence, reflecting ongoing discomfort with linguistic diversity in national politics. As a result, while hybrid identities thrive socially, they face ideological limitations. U.S. hybridity, unlike Senegal’s, is accepted as cultural diversity but not embraced as civic evolution.

2.2.3. Unevenness and Institutional Access

Linguistic inequality stands out most clearly in political participation. Section 203 of the Voting Rights Act (VRA) mandates that areas with significant non-English-speaking populations provide bilingual ballots and election materials. Enacted in 1975 and renewed through later amendments, this rule established language help as a civil right. Studies show its effectiveness: Fraga (2006, 1664–66) found that bilingual ballots significantly boost turnout among Latino and Asian American voters, especially first-generation citizens. Yet the implementation varies based on local resources and political willingness.

Parkin and Zlotnick (2011, 519–21) argue that such actions create a sense of inclusion but do not address the systemic inequality that links English with competence. Election officials, campaign advertising, and civic education largely take place in English, reinforcing a linguistic hierarchy even as formal barriers lessen. The United States thus exhibits what may be called linguistic liberalism: it accommodates diversity without redistributing communicative power.

Education policy reflects this inequality as well. Dual-language immersion programs have expanded in major urban areas, especially in Texas, California, and New York, but they mainly benefit middle-class families who already have language skills. Potochnick and Stegmaier (2020, 314–16) found that low-income and recently arrived immigrant students are often not included in these programs, which tend to favor native English speakers seeking enrichment. In practice, bilingual education becomes a privilege rather than a solution for inequality.

The job market shows similar disparities. Hsin and Xie (2018, 1673–75) found that bilingual workers in service jobs often face wage penalties instead of bonuses, as employers exploit their language skills without offering chances for advancement. Proficiency in English remains the key to moving up. In this

scenario, linguistic hybridity serves as both a benefit and a limitation: helpful for connecting communities but not enough to disrupt structural inequalities.

The ongoing influence of English monolingualism has also shaped public attitudes toward immigrants. Pew Research Center surveys (2024) show that many Americans support multilingual signs and translation services, but over 70 percent feel that English proficiency is “essential” to being truly American. This cultural expectation leads to mixed policy responses. Programs that promote English learning receive bipartisan support, while those that protect or expand multilingual education often face pushback. The result is a system where linguistic inclusion is conditional—accepted only if it does not challenge the dominance of English.

3. Analysis

Senegal’s linguistic development shows how a postcolonial state might break a colonial order of language into a stratified but plural system. Three dynamics are involved in this process. First, the national language system remains tied to French legitimacy: French remains structured around administration, law, and education, even though Wolof is predominant in everyday life. Second, widespread hybridity has reframed ideas of political authenticity. Urban Wolof, the Wolof-French variety, enables citizens and politicians to code-switch through addition, expressing national belonging in multiplicity. Third, class, education, and regional inequalities still limit participation, demonstrating how linguistic pluralism can become symbolic without erasing structural hierarchy.

This hierarchical pluralism dissolves the classical distinction between resistance and accommodation. Senegal shows that linguistic hybridity can exist alongside institutional stratification to create a stable but layered democracy. Unlike other postcolonial settings that interpret language reform as less legitimate, Senegal has normalized hybridity institutionally within civic society over time. Its example demonstrates that pluralism and hierarchy are not necessarily antagonistic: hybridity can be internalized as a locus of unity, allowing a postcolonial state to have less diversity despite more continuity.

The United States, in contrast, provides a “monolingual pluralism” in contradiction. This comparative framework, ranging from hierarchical to monolingual pluralism, clarifies how linguistic systems structure belonging. While Senegal injects hybridity into its civic identity, the U.S. maintains English monolingualism as an ethical and ideological anchor. Three dynamics reflect this trend. First, the national-language model is ideological and not legal: English is a civic belief, and education, government, and membership are oriented by common cultural assent rather than law. Second, hybridity within the United States is compartmentalized. Spanish-language media and bilingual education open doors within communities but only seldom transform national rhetoric. Unlike Senegal’s Urban Wolof, which recasts authenticity at the center of public life, American hybridity is marginal—at best recognized as diversity, not political legitimacy.

Third, linguistic inequality persists despite legislative success. Legislation such as Section 203 of the Voting Rights Act institutionalizes multilingual access, but English fluency continues to govern socioeconomic advancement and civic legitimacy. The linguistic neutrality argument conceals a system where privilege intersects with race and class.

Together, these contrasts bring out how both nations fail to reconcile hierarchy and inclusiveness. Senegal integrates hybridity

into the national identity as a civic lived norm of plurality, while the United States maintains monolingualism as equality’s language, ironically reinforcing inequality in the name of unity. Viewed through this continuum, both cases demonstrate how linguistic hierarchies evolve rather than disappear, revealing the enduring tension between unity and diversity in democratic life.

4. Conclusion

This project poses the question of how linguistic hierarchies construct citizenship and belonging in Senegal and the United States. Comparison provides two reversals of the same predicament. In Senegal, pluralism began as an everyday practice and is gradually being institutionalized in formal institutions; in the United States, monolingualism began as a formal ideology and has yet to become everyday inclusiveness. Hierarchies remain in both environments, showing that formal acknowledgment of linguistic rights does not necessarily mean actual parity at elite levels. Yet their trajectories suggest reciprocal lessons. The United States could learn from Senegal’s cultural acceptance of hybridity, whereby multilingualism unites rather than threatens unity, and Senegal could look to American law as a prototype for institutionalizing its gains. Ultimately, both cases affirm that language is not just a vehicle for communication but a matrix of power—one that dictates who will be a citizen and how democracy itself will be imagined.

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