

**The United State of America's Civil Religion:** Examining the doctrine of America's founding as the historical basis, and future covenant for our strength as a moral force in the world

*And he shall be like a tree planted by the rivers of water, that bringeth forth his fruit in his season; his leaf also shall not wither; and whatsoever he doeth shall prosper.*

— [Psalm 1:3](#)

We the people . . . it is a powerful phrase born of activism, and dependent on a continual flux of what that phrase means, and who it refers to. Our Declaration of Independence tells us that “it is our right, it is our duty” to overthrow oppression. And as long as we could identify what those oppressive forces were, and decide in unison that they were “no longer sufferable”, we were unstoppable. These are the true underpinnings of our nation that make it great at the root. But in the mechanized, alienated, divided existential state of our union as it now stands, very little seems “self-evident” anymore. Article One powers are pitted against Article Two powers, in a decades long power struggle to serve some ideological notion of a unitary executive, while the deck is further and further stacked against the majority opinion in seating the Article Three powers to overthrow a tenuous right of privacy. Of course these days most Americans don't know enough about the Constitution to know what all that means. We have rampant standardized testing that mandates certain curricula be centered and somehow civics didn't make the cut. And we don't seem to get past the first two Amendments in the Bill of Rights without breaking out in virtual shouting matches of digital name calling. Or is that just *my* Facebook page?

As a rhetoric and composition specialist, I make a point of teaching the founding documents of our nation in my college writing classes, so that students that are being asked by our university to become “good global citizens” can first become informed United States citizens. So let's start by breaking down that Preamble a bit more. Beyond the title of a failed presidential candidate's campaign book, or a convenient catch phrase in political speeches, what does that mean to want to “form a more perfect union”? What exactly about our union are we trying to perfect?

Most of the men responsible for those words literally owned people when they signed onto a constitution that measured those slaves as 3/5 of a person to appease slave owners in congressional apportionment. So I guess you could say we made progress in the law there, because we emancipated slaves and made owning slaves illegal by passing the 13<sup>th</sup> Amendment in January of 1865 and ratified it before the year was out in December. Of course we failed to prevent the southern states from passing Jim Crow laws that essentially nullified provisions in the 15<sup>th</sup> and 14<sup>th</sup> Amendments that gave all citizens of America the right to vote, and the federal government the right to enforce laws of universal civil and human rights. And for anyone who watched Ava Duverny's brilliant Netflix documentary 13<sup>th</sup> we left ourselves a legal loophole in the amendment— “except as a punishment for crime”, which has been used to disproportionately incarcerate African American citizens from its inception; conveniently at first around harvest time, so that they could be used as convict labor, a practice that continues to this day. So much for established justice.

Of course now that our for private prison industry has made us the most incarcerated country in the world with only 5% of the world's population we have 25% of the world's incarcerated. As

CNN pundit and prison reform advocate Van Jones puts it in the film, “1 in 4 of the world’s shackled and behind bars are here in ‘the land of the free’”.

I suppose for some that is how we achieve “domestic tranquility”, because they fear stigmatized populations that at times rebel in unsociable ways after centuries of uninterrupted oppression, never fully endowed by “the blessings of Liberty”, for themselves or “their posterity.” For them, they continue to be the subjects of most domestic terrorism with White Supremacist hate groups on the rise again in the Trump era. But as Michelle Alexander says in the film, now that huge swaths of the population, regardless of color, are being packed into profit making institutions that rake in billions in profit each year at the expense of the American people, folks are finally saying collectively “it’s getting out of hand” and most, if not all the Democratic candidates for president, are calling for an end to for profit prisons. And in the reality show star presidency it took the advocacy of Kim Kardashian West to help pass The First Step Act, which is hopefully only the beginning of a trend towards meaningful prison reform. A first step closer to that “more perfect union”.

More and more, people on both sides of the isle are seeing that the constitution’s proclamation to “provide for the common defense” has disproportionately commandeered our tax dollars to fund the “military industrial complex” that the 34<sup>th</sup> President, General Dwight D Eisenhower warned us about. Time after time the priority in appropriations are given to endless regime change wars, without ever questioning how we’ll pay for it, while Americans wait and wonder when the promise to “promote the general welfare” will ever be truly realized. If ***Life, Liberty and the Pursuit of Happiness*** are our core values, then why do we have a healthcare system that prioritizes profit over life saving coverage for all American’s as a human right. Something that was spelled out in Article 25 of the United Nation’s Declaration of Human Rights in 1948. I think we have Eleanor Roosevelt, who sat on the UN committee that authored that Declaration, to thank for that. She was advocating for “Medicare for All” when Bernie Sanders was only 7 years old attending second grade at P.S. 197 in Brooklyn.

We may have an increasingly hard time discussing what “Liberty” means from across political fences these days, but the economic inequality that contributes to our high incarceration rate, high personal debt rate, as well as high addiction and suicide rates, which of course has led to the decrease in life expectancy for the past three years in a row, makes clear that we are failing on all fronts to achieve our core goals for all people.

So where did Jefferson et al get this notion of “Life, Liberty and the Pursuit of Happiness”? And how did they know that happiness was eternally a pursuit, rather than an ultimately achievable utopian goal. We have English philosopher John Locke to thank for that framing. He is widely regarded as one of the most influential of Enlightenment thinkers and commonly known as the “Father of Liberalism.” While it is hard to imagine these days how a slave holder like Jefferson could be considered “liberal”, he and the fellow deists who founded our nation believed in Natural Law, and were proponents of “Classical liberalism, [which] is a political ideology and a branch of **liberalism** which advocates civil liberties under the rule of law with an emphasis on economic freedom”(Wikipedia). In his 2<sup>nd</sup> Treatise on Government, penned in 1689, Locke argues that “all men are created equal in the state of nature by God”(As qtd in Wikipedia). Locke felt that: “The law of nature obliged all human beings not to harm ‘the life, the liberty, health, limb or goods of another.” These were philosophical and moral underpinnings of common law. And our pursuit of happiness has always had a material connection to property since it’s inception. So it is no surprise that at this point in history we don’t find it odd that George W Bush called on

us to patriotically shop in the wake of 9/11, or that we happily give away the wealth of our personal data to Bezos or Zuckerberg to make shopping and communicating online easier.

While it is true that money can't buy happiness, it is also true that absence of money buys a lot of misery. And the rampant wealth divide being experienced by the Western world is most pronounced in America, because we are no longer valuing the natural law thinking of humanists, but have instead given over to the notion that we are primarily a capitalist, materialistic nation. Greed is good has more power in our contemporary lexicon than the Utilitarian principle of "the greatest good for the greatest number of people".

We often speak of our founding fathers in America, but other than Lincoln, we give too little credit to the agitators responsible for the "new birth of freedom" that blossomed in the era of our greatest civil struggles, people like abolitionists and human rights advocates Frederick Douglass, Elizabeth Cady Stanton, or Henry David Thoreau. The first two are often positioned in the history books as identity politicians fighting for the rights of their own kind, be it blacks or women, when in fact both were fighting for civil and human rights. Stanton having started her life path of activism as an abolitionist before becoming a woman's rights icon, and Douglass by affirming in his 1865 speech to the Massachusetts Anti-Slavery Society in Boston "that women, as well as men, have the right to vote, and my heart and voice go with the movement to extend suffrage to woman."

Cady-Stanton's Declaration of Sentiments, which was a masterful revision of the patriarchal Declaration of Independence, not only revised the most famous page from: "We hold these truths to be self-evident that all men are created equal" to "all men, and women are created equal", she also revised the opening to read:

When, in the course of human events, it becomes necessary for *one portion of the family of man* to assume among *the people of the earth a position different from that which they have hitherto occupied*, but one to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes that impel them *to such a course*. (Cady-Stanton, emphasis mine)

By repositioning the search for justice to include disenfranchised portions of "the family of man" and speaking of these rights as entitled to all "the people of the earth" she set forth a document that could be used by any oppressed or disenfranchised group seeking reparations to state their grievances and seek their human rights. Much in the way feminist first lady Eleanor Roosevelt influenced the creation of the Declaration of Human Rights that was heavily based on our United States Constitution's Bill of Rights, Cady-Stanton before her used the wisdom of humanist thinking and rights of natural law contained in the Declaration of Independence as the template for her claims for self-determination and enfranchisement. Her brilliant argument by analogy gained much attention for the fledgeling women's movement convention in Seneca Falls New York in 1848 that might previously have gone unnoticed and under reported.

We can see Cady-Stanton's influence on Roosevelt and her fellow author's of the Declaration of Human Rights, in the language of the preamble as it speaks of "the inherent dignity and of the equal and inalienable rights of all members of the human family." These threads of rhetoric, like the powerful words repeated throughout the bible, open our hearts and minds to the inalienable truths of human existence. This is why for many of us seeing children placed in cages at our borders is instantly recognizable as: "disregard and contempt for human rights", which we understand "have resulted [throughout history] in barbarous acts which have outraged the

conscience of mankind.” Yet others see it as a necessary evil that “provides for the common defense” and see Trump’s wall as “essential to promote the development of friendly relations between nations.” Each constituency in its time, has had to fight to ensure their “freedom from fear and want”.

While Douglass only had to wait four years until the 15<sup>th</sup> Amendment passed, giving him the right to vote, his people would quickly be denied that right in southern states until the Voting Rights Act passed a hundred years later in 1965. And Cady-Stanton did not live to see the passage of the 19<sup>th</sup> Amendment that gave women the right to vote, which was passed in June of 1919, and ratified over a year later in 1920—more than 18 years after her passing in 1902. This made Douglass’ statements in his afore mentioned speech in Boston prophetic:

We may be asked, I say, why we want it. I will tell you why we want it. We want it because it is our right, first of all. No class of men can, without insulting their own nature, be content with any deprivation of their rights. We want it again, as a means for educating our race. Men are so constituted that they derive their conviction of their own possibilities largely by the estimate formed of them by others. If nothing is expected of a people, that people will find it difficult to contradict that expectation. By depriving us of suffrage, you affirm our incapacity to form an intelligent judgment respecting public men and public measures; you declare before the world that we are unfit to exercise the elective franchise, and by this means lead us to undervalue ourselves, to put a low estimate upon ourselves, and to feel that we have no possibilities like other men. (What the Black Man Wants, Frederick Douglass, 1865)

Ironically, it is the third in my triad of new founders, in antebellum America, Henry David Thoreau, who helped achieve the progress of the Voting Rights Act, by inspiring another great American thinker Martin Luther King Jr, who was influenced through Ghandi’s path of Civil Disobedience to embrace the concept founded in an article by Thoreau in 1849, only a year after Cady-Stanton penned her human rights revisions to include all “the people of the earth.” Thoreau was influenced, like his mentor Unitarian minister Ralph Waldo Emerson, by English Romanticism; their poetry, their elevation of the rustic working class, and the sublime power of nature. They both championed transcendentalism, which taught that divinity pervades all nature and humanity, and its members held progressive views on feminism and communal living. Their impact is felt most keenly here in New England, where we proudly consider ourselves the center of liberal education.

Thoreau and Emerson’s civil liberties built on and revised the Puritan work ethic of the original colonists to champion a cause of self-reliance in the age of the industrial revolution. Freedom from an employer’s oppressive work environment required an ability to labor for one’s own economic freedom, no easy task for those born to poverty, but an ideal worth holding up. These are all reasons that we have the concept of the American Dream, the promise that through hard work and discipline we can do better than our parents before us and build our way to prosper in happiness. Unfortunately, for the millennial generation that ideal is only a fifty-fifty chance. The rungs of the ladder to success have gotten farther and farther apart, and less and less people of privilege feel the need to reach down and lift the next guy up.

As sociologist Karen Sternheimer explains: “For most people, the word ‘religion’ connotes one of the major organized faiths humans have practiced for centuries. Religious traditions typically involve a sacred text, holidays and rituals, and deeply held beliefs practiced within a

congregation.” But we can see how the humanities, and natural law philosophy is ensconced in our most influential documents, and public thinkers provide much of that unifying criteria. Sternheimer continues: “Sociologist Emile Durkheim noted that religion helps to create solidarity, and is marked by distinguishing the sacred from the profane.” Our national holidays like Fourth of July, Thanksgiving, Veterans Day, or Labor Day, have been built up over time to honor our sacred values as Americans. Unfortunately, as less and less in America is considered sacred, and the philosophical underpinnings of these texts, and scholars have been all but erased from our public school standardized curriculum, most of these holidays are just opportunities to shop more, and have a day or two off from work.

“Civil religion means that ideas beyond the traditional religious realm become elevated as sacred. As with traditional religious beliefs, these ideals can serve to unite people and help us feel a sense of connection” (Sternheimer). And for most of my lifetime Americans held all these traditions dear, and they were that unifying force. But as more people are unaffiliated with traditional religion, and battles of religious freedom too often seek to remarginalize historically oppressed communities, or pit one religion against another in unconstitutional travel bans, rather than turning to our civil religion for strength, we’ve become uneducated in civics, and unable to see how these mere words have the power to help us.

Yet each time our nation is challenged by division sparked by the economic oppression and disenfranchisement pushed by the powerful few, new voices of freedom and equality come to reposition the down trodden and build on the rhetoric of our civil religion. From Mother Jones, “fighting for our children” to end child labor or calling for Coal Minor’s to “raise hell” in their fight against the owners of the mines to establish unions, to John F Kennedy asking us to query “not what your country can do for you, but what you can do for your country”, the push pull between those hell raising from the working class, to those of the educated class advocating working for what you believe in from a philosophic position of self-reliance, the doers and the planners have made slow progress towards that “more perfect union”. As Lincoln said at Gettysburg “It is for us the living . . . to be dedicated . . . to the unfinished work which they who fought [before us] have thus far so nobly advanced.” Unity, Freedom, Equality of Opportunity, Civil and Human Rights—these are the words and ideals that are the blueprints of our continued success as a nation.

Though we were born of protest by libertarians like the pamphleteer Thomas Paine railing against the evils of not only the English monarch, but of government itself, arguing “Government is best that governs least”, our government was structured by privileged, educated men of law and philosophy, who installed disproportionate representation in the Senate to mimic the English House of Lords, which was meant to keep the House of Commons, that is unwashed commoners, in check. This is also why we have an electoral college here in America, as it was a way to protect the election of the President, as chief executive, from the popularity of charismatic populists swaying the uneducated masses.

The great emancipator Abraham Lincoln articulated in the Gettysburg Address that we were a “government of the people, by the people and for the people”, but lately it has felt like we are a nation of the corporations, by the privileged, and for the moneyed interests. Having an electorate made so cynical by decades of neglect and effective disenfranchisement as we’ve had two elections in the past twenty years where the electoral college has overturned the popular vote, and computerized voting vulnerable to hacking on a large scale, and unprecedented voter suppression in our post Voting Rights Act era, has left us skeptical of our voting power. It is no wonder that more people didn’t vote in 2016 than voted for either

candidate, and the “forgotten man” threw what activist filmmaker Michael Moore termed a Molotov cocktail into our democracy and elected “a narcissistic reality TV star as president” (Andrew Yang). As Douglass states:

By depriving us of suffrage, you affirm our incapacity to form an intelligent judgment respecting public men and public measures; you declare before the world that we are unfit to exercise the elective franchise, and by this means lead us to undervalue ourselves, to put a low estimate upon ourselves.

And too many Americans undervalue themselves and our system of governing to take responsibility for the elective power they hold. We have been bullied and propagandized into believing that we don't count.

While our 45<sup>th</sup> President likes to say that no one but Abraham Lincoln has gotten worse treatment from the press, which is just another one of his “compulsive lies”(Bernie Sanders), the fact that he behaves like a spoiled King has potentially sparked a political revolution in America that might actually lead to our saving grace. Now that the House of Representatives are moving to impeach him, and the senate braces for the unlikely event of making him the first president ever removed from office, we need to remember Trump is not the source of all our problems, he is but a symptom of them, and it is a time to seek new direction, revised from our timeless ideals.

Douglass affirms that: “The constitution of the human mind is such, that if it once disregards the conviction forced upon it by a revelation of truth, it requires the exercise of a higher power to produce the same conviction afterwards.” I believe our eyes are being opened to a new “revelation of truth”, ironically forged in this era of uncertain truths and “fake news”, and we must use our higher powers to forge a greater conviction to our common ideals, the principles of our civil religion.

I used to down play my first vote for President, because Jimmy Carter was scorned as a failed presidency during the Reagan years. But in the midst of our climate crisis, his energy plan is looking prophetic and we can see he was “fighting for our children” and “the people of the earth”. And the decision to take the solar panels off the White House is looking like a loser move on Reagan's part. It's taken almost 40 years for the general population to finally realize George Bush senior was right when he called Reaganomics, “voodoo economics”, because the only direction wealth has trickled in that time is up, redistributing working class wealth into the hands of the billionaire donor class. That's why 2020 presidential candidate Andrew Yang is talking about a trickle up economy funded by a Freedom Dividend given to all people, regardless of wealth or position, and powered by a Value Added Tax (VAT), because the only time we seem united anymore is when we're collectively consuming. Christmas isn't as much a religious holiday as a reason to put retail businesses in the black as the year comes to a close. There is nothing in our founding documents about what kind of economic structure, or religious faith will rule in our nation, in fact quite the opposite, our First Amendment gives us freedom of religion, and freedom of thought. Further, our legislative branch is allowed to legislate the rules of our economy, which they used to do in a way to serve the people, but that notion seems naive to some lately, as cynicism has ruled the day for decades.

So if we can't unite around a common faith, because our freedom of religion gives equal power to all faiths, even those held by corporations like Hobby Lobby, then perhaps we need to encourage more Americans to adopt a more utilitarian perspective: “The greatest happiness

principle states that a moral action is one that maximizes utility, or happiness, for the greatest number of people" (Wikipedia). We can invite them to embrace the fifth principle of Unitarian Universalism and use: "The right of conscience and the use of the democratic process within our congregations and in society at large" to effect the necessary change we seek. We soon face what history will consider the most influential election of our age, it will be studied by historians, and picked apart by future political scientists. We may not all be united in common solutions, but let us all unite in our understanding of the economic chasm that is allowing demagogues to drive wedges between us. Don't let uninformed citizens marginalize the words inscribed on the base of the Statue of Liberty, as they do those seeking asylum at our borders.

Give me your tired, your poor,  
Your huddled masses, yearning to breathe free,  
The wretched refuse of your teeming shore,  
Send these, the homeless, tempest tossed to me,  
I lift my lamp beside the golden door.

Don't let them cage your patriotism, and downgrade your idealism. Americans deserve to breathe free again. Free of debt, free of pain and suffering, and free from exploitation by corporations. Native, veteran or refugee, too many of us are homeless and "tempest tossed" by the rampant inequality and climate devastation. And too few of us can see a golden door, because the light of justice has dimmed. So it is far past time that we "take increased devotion to that cause [of humanity] for which [the people of the world] gave their last full measure of devotion" (Lincoln). They have money, but we have people, lots and lots of people seeking "liberty and justice for all". If we can only seek common ground we can have another "new birth of freedom" for all people. The promise of America is always waiting for our renewed hope "for ourselves and our posterity."