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Protestant Christian Supremacy and Status Inequality

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Abstract: In the US Protestant Christian identity is the dominant religious identity. Protestant Christian identity confers status privileges, yet also creates objectionable status inequalities. Historical and contemporary evidence includes the unfair treatment of Mormons, Native Americans, Muslims, and other religious minorities. Protestant Christian supremacy also plays a significant role in bolstering anti LGBTQ prejudice, xenophobia, and white supremacy. Ways that Protestant Christian identity correlates with objectionable status inequalities are often neglected in contemporary political philosophy. This paper aims to make a modest contribution towards filling that gap. Some forms of inequality linked to Protestant Christian supremacy can be characterized as domination and oppression. Other instances include barriers to fair equality of opportunity for self-determination. Adapting ideas from egalitarian political philosophy I propose an analysis of objectionable status inequality rooted in Protestant Christian supremacy. Alan Patten's defense of an egalitarian principle for assessing the effects of law and policy is helpful for this task.

Protestant Christian identity is the dominant religious identity in America. Here the concept of dominant identity is meant to identify an important source of objectionable status inequalities. A dominant identity in this sense often but need not correlate with a majority group. What matters most are power and status. Protestant Christian identity confers status privileges; it correlates with opportunities to serve in public office, especially at the national level; it serves as the paradigm for religious identity against which other religious identities are compared and judged; it is a significant source of exclusionary immigration policy; and it renders white supremacy, patriarchy, and anti-LGBTQ prejudices and policies more impactful. That a Protestant Christian identity confers privilege is especially clear-cut when it comes to electoral politics at the national level. Nearly half of all U.S. presidents have been Episcopalian or Presbyterian; all but two have

had an affiliation with a Christian church;[1] the US has had only two Catholic presidents. Protestant Christian identity is at the core of how many Americans imagine their nationality. Protestant Christian identity is evident in the numerous rituals in which citizens affirm their national identity and belonging in public ceremonies, such as at sporting events. It impacts political, legal, and moral debates about religious freedom, science education, immigration policy, the treatment of Native Americans, and foreign policy, too.[2] It informs various ideologies that combine religious and political convictions, including 'manifest destiny', Social Darwinism,[3] 'the white man's burden', and 'American exceptionalism'.[4] Settler colonists imported Protestant Christian supremacy from Europe.[5] From then until today Protestant Christian supremacy is a pervasive feature of American society.[6]

Ways that Protestant Christian identity correlates with objectionable status inequality are often neglected in contemporary political philosophy. This paper aims to make a modest contribution towards filling that gap. Applying familiar ways of theorizing how dominant status correlates with objectionable inequality, my aim is to show that a form of Protestant Christian supremacy in the American context is a significant source of injustice. Some forms of inequality linked to Protestant Christian supremacy are reasonably characterized as domination and

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[1] Thomas Jefferson and Abraham Lincoln. Masci, "Almost All Presidents, Including Trump, Have Been Christians."

[2] FitzGerald, *The Evangelicals.*

[3] For a good account of social Darwinism see Hofstadter, *Social Darwinism in American Thought.*

[4] For a clear survey, see Stephanson, *Manifest Destiny: American Expansion and the Empire of Right*.

[5]Zafirovski, "The Most Cherished Myth: Puritanism and Liberty Reconsidered and Revised,"

[6] For an account of Christian nationalism and contemporary politics in these respects see Whitehead and Perry, *Taking America Back for God: Christian Nationalism in the United States*, esp. Ch. 3, "Boundaries," 89-120. For historical perspective on the origins of contemporary forms of Christian nationalism see Stewart, *The Power Worshippers: Inside the Dangerous Rise of Christian Nationalism*, esp. Ch 5 "Up From Slavery: The Ideological Origins of Christian Nationalism," 102-125.

oppression. Protestant Christian supremacy also undermines fair opportunities for self-determination for those who are not aligned with the dominant religious identity.

Part I summarizes egalitarian approaches to theorizing objectionable status inequality. Following a brief survey of egalitarian positions on status equality, I consider Alan Patten's egalitarian principle that each person should have a fair opportunity for self-determination (FOSD).[7] I adopt FOSD as a criterion for evaluating the effects of Protestant Christian supremacy. Part II examines several contexts where Protestant Christian supremacy contributes to objectionable status inequality. Law is one context. The record is mixed on equality with respect to religious affiliation. I consider examples that critics of my view might invoke as evidence against the thesis that Protestant Christian supremacy remains an important source of objectionable status inequality. When we consider examples from immigration policy, LGBTQ rights, and the treatment of religious minorities in a variety of contexts it becomes clear that Protestant Christian Supremacy was and is a source of injustice. By looking at the larger social and historical context we find evidence for a longstanding impact of Protestant Christian supremacy. Contemporary work on Christian nationalism[8] can be more fully appreciated when considered in this light. Part III briefly connects the egalitarian perspective presented in Part I to the main argument in Part II. The aim is to sketch out a useful assessment tool for evaluating the effects of Protestant Christian supremacy. **The article concludes in** Part IVwith a short summary on ways that Protestant identity is among the major sources of status inequality.

[7] Patten, "Religious Exemptions and Fairness."

[8] Whitehead and Perry, *Taking Back America for God,* and Stewart, *The Power Worshippers.*

By highlighting some effects of Protestant Christian supremacy in the US this paper aims to supplement existing work on status inequality.[9] The view argued for does not replace the work on race, gender, immigration, and other areas where injustice often reflects dominant forms of identity. Nor do I argue that Protestant Christian supremacy is the linchpin of all the examples of objectionable status inequalities considered in the paper. Rather the thesis is that Protestant Christian supremacy is one important contributor to such objectionable inequalities.

I Protestant Christian Supremacy and Status Inequality

Two central questions to be considered are, first, how does Protestant Christian supremacy fit into discussions on objectionable status inequality? Second, what is the primary evidence for the claim that Protestant Christian supremacy is a root cause of objectionable status inequality in the US context? This section addresses the first question. Section II considers the second.

The means by which status inequalities are created and maintained matters. Sometimes law endorses objectionable status inequalities. Sometimes governments neglect the effects of unfair status inequalities. People and the institutions they shape are oftentimes ambivalent in ways that frustrate the realization of status equality. Custom and tradition also play a significant role, often for the worse.

Relative power and relative opportunity are key measures for judgments about status equality. "The vices of oligarchy" [10] reflect unequal distributions of wealth that result in unequal political influence and other material and symbolic privileges. In the US the likelihood of encountering police in a traffic stop, a drug search, or of serving a prison sentence, depends

[9] Here I am thinking especially of Anderson's *The Imperative of Integration,* Mills' *Black Rights White Wrongs: The Critique of Racial Liberalism,* Patten's *Equal Recognition: The Moral Foundations of Minority Rights,* and Tilly's *Durable Inequality*.

[10] Wilson, *Democratic Equality*.

partly on a person's race.[11] Gender inequality in the workplace, family, government, and education are examples of 'the vices of patriarchy'.[12] Public spaces, the workplace, and many spaces that matter to everyday life are often designed with indifference towards disabled persons.[13] Inhospitable immigration policies that block migrants by nationality, ethnicity, or religion are also responsible for objectionable status inequality.[14]

Conceptions of democratic equality are focused on status, power, and opportunity. In his recent book *Democratic Equality* Wilson offers a helpful characterization:

> A demand for equal citizen status amounts to a demand for an egalitarian character of relations among citizens in at least two respects. First, to the extent that the status itself has an egalitarian character, the expectations that attach to the status will tend to recognize nonhierarchical modes of relating. Second, to the extent that every citizen is recognized to have a given status, each is entitled to a similar range of interactions with others.[15]

For egalitarians democratic equality is a kind of first virtue of political morality; it characterizes a baseline for how citizens ought to stand in relation to each other; it is a measure for certain kinds of unfairness that can be exhibited by law, institutions, and culture; and it can be adapted to address multiple kinds of status inequality ranging from race, class, nationality, gender, and disability. Protestant Christian supremacy plays a role along each of these dimensions of inequality, even when another factor is more impactful, as is the case with white supremacy and racial inequality.

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[11] Shelby, *Dark Ghettos: Injustice, Dissent, and Reform*.

[12] Schouten, *Liberalism, Neutrality, and the Gendered Division of Labor*.

[13] Barnes, "Valuing Disability, Causing Disability," and also, *Minority Body: A Theory of Disability*.

[14] Mahoney, "Wedding Cakes and Muslims: Religious Freedom and Politics in Contemporary American Legal Practice."

[15] *Democratic Equality*, 23.

Patten's defense of a fair equality of opportunity for self-determination is helpful in this context because it shows how to evaluate inequality of opportunity as a reflection of multiple kinds of status.[16] The principle that Patten defends is:

> *Fair Equality of Opportunity for Self-Determination* (FOSD): Each person should be given the most extensive opportunity to pursue and fulfil her ends that is justifiable given the reasonable claims of others.[17]

FOSD adapts a familiar egalitarian approach to distributive justice and applies it to the idea that each person has a liberty right to self-determination. Whether Protestant Christian supremacy is an important source of inequalities that violate FOSD and the egalitarian values that underlie it is developed in Part II. FOSD provides one way to navigate questions about inequality that originate in a dominant identity. If Protestant Christian is an example of a dominant identity, then the egalitarian position sketched here can bring out why Protestant Christian supremacy should be taken seriously and also offer guidance on how its effects can be evaluated.

II A.Protestant Supremacy in Law, Politics, and Society

First I consider examples that considered in the narrow context of modern First Amendment jurisprudence seem to count against the pessimistic assessment that a dominant religious identity continues to impede the realization of equality in the US. I then show that by zooming out to consider immigration policy, LGBTQ rights, and other examples, a different picture emerges.

Those who celebrate religious toleration and freedom in the U.S. context often highlight the following legal verdicts:

> --Granting religious citizens an exemption from having to recite the Pledge of Allegiance in public schools[18]

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[16] *Equal Recognition: The Moral Foundations of Minority Rights;* see also, "Religious Exemptions and Fairness."
[17] "Religious Exemptions and Fairness," 208.

[18] *West Virginia State Board of Education v Barnette.*

--Allowing Santeria to engage in the ritual slaughter of chickens in ways similar to policies that permit Kosher and Halal practices[19]

--Blocking efforts by Christian majorities to prevent Muslims from building a mosque[20]

--Accommodations for the religious dietary requirements of prisoners[21]

--Accommodations for Seventh Day Adventists for whom the sabbath is not on Sunday[22]

--Requiring employers to accommodate hijabs or other forms of religious clothing that members of some religions regard as a religious obligation[23]

One reason for supporting these verdicts is that each protects a fair opportunity to pursue religious beliefs and practices.[24]

Any optimism about religious equality inspired by this set of examples has to be significantly qualified. Philip Hamburger shows that a more inclusive and tolerant interpretation of religious freedom and the First Amendment emerged from a context in which members of the dominant religious identity wanted "…to impose an aggressively Protestant 'Americanism' on an 'un-American Catholic minority.'[25] Tisa Wenger notes that American "imperial administrators both in the Philippines and on Native American reservations….posited Protestant

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[19] *Church of the Lukumi Babalu Aye v City of Hileah*.

[20] *Islamic Center of Murfreesboro v Rutherford County*.

[21] *Jones v. Carter*.

[22] *Sherbet v Verner*.

[23] *Equal Employment Opportunity Commission v Abercrombie and Fitch Stores*.

[24] For insightful discussion of these and other cases relevant to religious equality, see Greenawalt, *Religion and the Constitution Vol. 1: Free-Exercise and Fairness* and Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality*.

[25] *Separation of Church and State,* 191.

Christianity as part and parcel of becoming American, the only way to form subjects who could responsibly exercise freedom."[26]

Frank Lambert's study on religion and politics in the US[27] corroborates Hamburger's and Wenger's analysis of Protestant Christian identity in the following respect: he shows how the idea of a neutral secular state is sometimes embraced as a political strategy adopted by Protestant Christians who want to curb the influence of non-Protestant religious values. This is clear in the case of 19th C debates about the role of religion in education. When non-Protestant Christian groups oppose the official endorsement of sectarian Protestant values, one possible response is to adopt policies that affirm religious pluralism. Another is to declare that state education must be neutral between Protestant and other forms of Christianity. A neutral secular state so imagined is intended to prevent non-Protestant religious values from having a seat at the table equal to that of Protestant Christian values. That strategy was adopted by Protestant Christian nationalists in the 19th C. Even today when populists and Christian nationalists proclaim, 'we are a Christian nation' by implication they often mean, 'we are a Protestant Christian nation'. The social norms for how citizens express their belonging, especially in civil society and the public sphere, are determined mostly by those aligned with the dominant Protestant Christian self-understanding of what it means to be 'an American'.

Here is one example—others will follow—that shows how Protestant Christian supremacy is a source of status inequalities enforced by law. In 1892 the Supreme Court ruled[28] that a Church could sponsor a foreign national to serve as a pastor despite immigration policies

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[26] *Religious Freedom: The Contested History of an Ideal,* 11.

[27] *Religion in American Politics: A Short History*.

[28] *Church of the Holy Trinity v US.*

that imposed restrictions on labor migration. *Church of the Holy Trinity v United States* is worth considering in this context for several reasons. First, in the same era as *Trinity* the Court denied a religious accommodation request by Mormons who asked for an accommodation for polygamous marriage. Second, the modern Court is not above upholding law in ways that express a bias against religious minorities. *Trinity* helps to highlight the contrast. Third, the *Trinity* verdict was made in the era of Chinese exclusion policies and more generally immigration policy that favored white Christian Europeans over other prospective immigrants.[29] There are parallels between contemporary anti-immigrant politics and earlier efforts to maintain quotas that would ensure that most legal migrants were Christian.

In *Trinity* the Court's argument relied heavily on the claim that "no purpose of action against religion can be imputed to any legislation, state or national, because this is a religious people." [30] Elsewhere the Court bolsters this point in more sectarian terms by claiming "this is a Christian nation."[31] The meaning of 'we are a religious people' is far from neutral even with respect to religious affiliation. "This is a Christian nation" is more obviously sectarian; as a matter of principle it implies inequality in status between non-Christians and Christians. Moreover, where Protestant Christian identity is dominant one way to affirm this dominance without appearing to do so is to assert, 'we are a Christian nation'. In that way, 'we are a Christian nation' is a proxy for Protestant Christian supremacy.

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[29] An-Na'im, *What is an American Muslim? Embracing Faith and Citizenship*, 40-41.

[30] *Trinity,* 471.

[31] Ibid, 471-2.

It is reasonable to ask why the Court adopted such a different perspective on religious accommodation about fifteen years earlier in *Reynolds v US.*[32] In that case, the Court ruled against accommodations for Mormon polygamy. One consideration in *Reynolds* is that "a citizen cannot be a law unto themselves."[33] Another was that polygamy "has always been odious among the northern and western nations of Europe, and until the establishment of the Mormon Church, was almost exclusively a feature of the life of Asiatic and African people."[34] The Court did not make claims about equality in marriage practices. Had this consideration been raised the Court would have opened the door to an examination of marriage law in its status quo form exposing the Protestant Christian understanding of marriage to an egalitarian critique. Then as now American courts are unwilling to endorse the reasonable thesis that the structure of the family perpetuates male despotism.[35] Rather, anti-Mormon bias, bolstered by a convoluted assortment of racism and chauvinism exhibited by the reference to non-western marriage practices were regarded as compelling reasons to block the accommodation request.

That Mormonism is a religion should matter if 'we are a religious people' is a guiding principle for law. That Mormons are Christians should also matter if "this is a Christian nation." The inequality between Mormons and other denominations of Christianity in the 19th C is well documented. As a religious minority Mormons were subject to hostilities and violence that made it impossible for Mormon citizens to interact with other citizens as equal. The Supreme Court

[32] *Reynolds v United States*.

[33] Ibid,10-11.

[34] Ibid, 9-10.

[35] A classic statement of this view is Mill, *On the Subjection of Women*.

was not the source of this inequality yet by endorsing familiar biases the Court is using law as a tool for maintaining religious discrimination.

In *Reynolds* the Court does appeal to the rule of law to add further evidence in favor of their verdict. By invoking "a citizen cannot be a law unto themselves" the Court claims that in denying the request to accommodate polygamy it is simply upholding a basic condition for the rule of law. This principle could have been considered in *Trinity* and many other religious accommodation cases, including those listed above. This raises important questions. When is, "a citizen cannot be a law unto themselves" a compelling legal reason and when do other considerations outweigh it? Is the Court guided by "a citizen cannot be a law unto themselves" in an unbiased manner or is this principle invoked to wrap religious bias in a façade of impartial legal reasoning? Does the religious affiliation of someone asking for an accommodation help explain why this principle is or is not invoked in a legal argument presented by the Court? The legal argument in *Reynolds* leaves no doubt that an accommodation request by Mormons is not given the same consideration as the religious accommodation requests in many other verdicts.

There are important similarities between 19th C anti-Mormon prejudices and contemporary views on polygamy. Anti-Muslim bias, and even versions of the *Reynolds* Court's chauvinistic portrayal of non-western marriage practices, remain part of the discourse on how inclusive our conception of 'legitimate marriage' practices should be. A good summary of how these multiple factors converge is provided by Park:

> …polygamy has been associated with health crises such as AIDS and devastating impoverishment in Africa. In North America the term "polygamy" most commonly raises the negative specters of Islam…and Mormon fundamentalism. In each case the term "polygamy" has been affixed to a moral panic….A moral panic occurs when a condition is defined as a "serious threat to social values and interests" (e.g. AIDS, terrorism, child abuse) becomes the focus of significant media, public, and political attention.[36]

[36] Park, "Polyamory is to Polygamy as Queer is to Barbaric," 10.

The racial coding is especially clear in references to Africa, but also applicable to characterizations of Muslims who are often imagined as non-white.

Justice Scalia revisits *Reynolds* to deny a request of accommodation by a Native American.[37] *Employment Division* considered whether a state employee who was fired for smoking peyote in a religious ritual is eligible for unemployment benefits. Quoting from *Reynolds* Scalia endorses, "a citizen cannot be a law unto themselves."[38] Does this principle have less or no weight in *Trinity* or *Barnette*—which granted an exemption to students from having to recite the Pledge of Allegiance, among many other verdicts that ruled in favor of religious accommodation requests? And if so, what are the most salient differences between *Reynolds, Employment Division*, and those other cases? It is a fair point to consider whether drug enforcement policy might serve a compelling state interest which by default but not intent could curtail a religious practice. One could claim that an accommodation in *Trinity* would not affect the policy aims of the relevant immigration law, whereas an exemption in *Employment Division* would. However, that is a weak argument.

For all the apparent legal nuance in Scalia's argument the verdict is just another example of the Court siding against a non-Christian minority. As Dissent in *Employment Division* notes, there is no known trafficking of peyote, and peyote is not addictive.[39] The aims of drug enforcement policy would not be compromised by accommodating the ritual use of peyote. Yet instead of addressing that consideration Scalia proposes a seriously strained analogy by

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[37] *Employment Division, Department of Human Resources of Oregon v Smith*.

[38] Ibid, 880; 885.

[39] Ibid, 918.

entertaining whether accommodations for "manslaughter and child neglect"[40] are required by the First Amendment.

As if state power against a minority can be vindicated by making more distinctions Scalia makes one more attempt to distinguish *Employment Division* from verdicts in which religious accommodation requests were granted. This is 'the hybrid doctrine'[41] according to which a religious accommodation request will be more compelling when more than one basic liberty is at stake. For example, in *Barnette* (the Pledge of Allegiance case) both freedom of religion and freedom of speech are at stake. Since a mandatory pledge of allegiance curtails both freedom of religion and freedom of speech the policy merits more strict scrutiny than if it curtailed just one basic liberty. This hybrid-doctrine of rights is curious for at least three reasons. One is that the accommodation request in *Employment Division* should fare well under the hybrid doctrine because it implicates both freedom of religion and freedom of association. Second it opens the door to treating a basic liberty as a weaker right if other basic liberties are not simultaneously at stake. This 'two or more basic liberties place a greater limit on political authority' approach is a peculiar view. Third, the fact that the 'hybrid doctrine' is invoked to block an accommodation request by a member of a religious minority whose practices have faced longstanding persecution and discrimination is a red flag. It is reasonable to ask whether the religious affiliation of the plaintiff matters to whether Scalia will invoke the hybrid doctrine.

Two contemporary Supreme Court verdicts that illustrate the enduring effects of Protestant Christian supremacy are *Trump v HI*[42] and *Masterpiece Cakeshop v Colorado Civil*

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[40] Ibid, 889.

[41] Special accommodations have always "involved not the Free Exercise Clause alone, but the Free Exercise Clause in conjunction with other constitutional practices, such as freedom of speech or the press." Ibid, 881.

[42] *Trump v Hawaii*.

Rights Commission.[43] In *Trump* the Court announced a verdict that aligns with one familiar expression of Protestant Christian supremacy: anti-Muslim prejudice. In *Masterpiece* the Court chose not to address how to protect same-sex couples from discrimination by offering a 'narrow'[44] verdict on expressions of religious bias by state officials. The Court framed its verdict by claiming it must navigate between the right against religious bias from government officials and the right of same-sex couples against discrimination. Yet the ruling clearly sides with a dominant identity in the following sense: in contemporary US politics appeals to religious freedom are sometimes aimed at protecting anti-LGBTQ prejudice.

In *Trump* Majority upheld an Executive Order that blocks nearly all immigration, including for travel and student visas, for five Muslim majority states. The verdict in *Trump* shows that when the state speaks, it sometimes equivocates and obfuscates in ways that an individual does. 'I am not anti-Muslim, but…' is an apt characterization of the Court's assessment of the immigration policy in the following respects. First, the architect of the policy favors increasing restrictions on who can enter the US based on nationality, ethnicity, and religious affiliation. Second, the effects of the policy significantly deviate from a principle of equal treatment, which is central to a jurisprudence that opposes permitting bias or even the appearance of bias to become part of law. Third, when those most affected by a policy that introduces barriers are members of a religious group that is subject to official and unofficial hostilities that is reason to be extra vigilant against adopting a discriminatory policy. Fourth, the verdict in *Trump* can be evaluated against the background of the self-image of state power

[43] *Masterpiece Cakeshop v Colorado Civil Rights Commission*.
[44] This phrase is used by the Court, partly to acknowledge that its verdict will be controversial, and partly to insist that it is not offering a judgment on legal protections for same-sex couples.

according to which religious bias has no place. Each of these considerations show the verdict for what it is: an official immigration policy of discrimination against a religious minority.

National security is a red-herring in *Trump*. Prior to his presidency Trump proclaimed on numerous occasions that he wanted to block Muslims from migrating to the US. Moreover, two non-Muslim majority states—Venezuela and North Korea—were added to the list of countries for which US visas would not be issued only after the original proposal was widely criticized. This incontrovertible evidence of bias against Muslims is one reason an alternative outcome should have been more seriously considered by the Majority.

Shifting our focus from immigration law to civil rights for gay citizens we find the Court presenting a verdict in *Masterpiece* which on the most charitable reading can only be characterized as lacking moral sensitivity and imagination. Two customers were denied service from a baker because they wanted a wedding cake for their same-sex marriage ceremony. Colorado state law prohibits discrimination on the basis of sexual orientation in a number of contexts, including commercial activity by for-profit businesses. When deliberating about sanctions against the business owner members of the Colorado board of civil rights made a number of prejudicial statements about the business owner's religious beliefs. The Majority notes that, "At several points during its meeting, commissioners endorsed the view that religious beliefs cannot legitimately be carried into the public sphere or commercial domain, implying that religious beliefs and persons are less than fully welcome in Colorado's business community."[45] The Court took up the case in part to consider how the application of Colorado's civil rights statute should fare when those entrusted to apply it are suspected of harboring religious prejudices. The Majority is rightly concerned by agents of the state who express religious bias in

[45] *Masterpiece Cakeshop v Colorado Civil Rights Comission,* 12.

their official capacities. Yet the Majority could have addressed this point while also clearly affirming that victims of anti-gay prejudice should have a legal remedy for their unjust treatment. Instead, the Majority claimed that its verdict is narrowly focused to address the legal question of whether members of the Colorado Board of Civil Rights wronged the owner of Masterpiece while punting on the legal question of whether the same-sex customers' civil rights were violated.

There is an alternative to just admonishing state officials for expressing religious bias in their application of a civil rights law and siding with a private for-profit business owner who discriminates against customers on the basis of sexual orientation.[46] The state can prohibit officials from expressing religious bias when they apply official policy and at the same time protect gay citizens from harmful prejudices. As Steven Macedo emphasizes, "[i]n Masterpiece, third-party burdens are created in the form of embarrassment and humiliation of gay couples and their family members, and others like them, in being refused service in a business, singled out, and turned away."[47] This illustrates what I mean by lack of moral sensitivity and imagination. In a society where anti-gay prejudice is pervasive, and when a jurisdiction undertakes even minimal steps to protect citizens from the effects of such prejudice, the Court should seek ways to protect citizens from anti-gay bias.

In the US context there is an outsized influence of Protestant Christian identity in blocking efforts to protect LGBTQ citizens from discrimination. Supreme Court justices are fully aware of this and the fact that the current majority on the Court refuses to clearly affirm the

[46] This is a point I failed to properly emphasize in an earlier discussion on religious freedom, Mahoney, "Wedding Cakes and Muslims: Religious Freedom and Politics in Contemporary American Legal Practice."

[47] "Liberalism Beyond Toleration: Religious Exemptions, Civility, and the Ideological Other," 17.

rights of LGBTQ is a moral, political, and legal failing. One political effect of this verdict is to provide support for the false claim that we need to choose between respect for religious freedom and LGBTQ rights.

Recent arguments claiming that *Employment Division* is an outlier[48] are misleading when we evaluate legal practice from the standpoint of common prejudices that are expressed through Protestant Christian supremacy. *Trump* and *Masterpiece* illustrate how law gravitates towards maintaining rather than dismantling privileges for the dominant identity. In a 2021 verdict—*Fulton*—the Court upheld an adoption agency's legal right to refuse to place children in homes with same-sex partners.[49] Given *Masterpiece* and current interpretations of the free-exercise clause that verdict is no surprise. However, Justice Alito, Gorsuch, and Thomas wrote a 77 page concurring opinion dedicated almost entirely to excoriating *Employment Division* On the surface this could be construed as nothing more than clear evidence that some Justices think *Employment Division* is an anomaly that should be overturned. However, how religious freedom is interpreted to align most closely with Protestant Christian identity is *never* mentioned, and the expressive harms and inequalities in opportunity for LGBTQ are mostly ignored. In their critical analysis of *Masterpiece* Gillman and Chemerinsky note, "[t]he most important question is whether there is evidence that the…[state of Colorado's] anti-discrimination law was motivated by religious animus, and…there is no evidence of that."[50] Even granting that the Court will not take the lead, as it might on 14th Amendment grounds, in protecting citizens from prejudices that

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[48] Alito et al, p. 1-77.

[49] *Fulton ET AL. v City of Philadelphia*.

[50] *The Religion Clauses: The Case for Separating Church and State,* 153. A complimentary legal argument is defended by Cass Sunstein when he defends the thesis that "…there is no general barrier to applying such laws [laws prohibiting discrimination on the basis of sex] to religious institutions." "Should Sex Equality Law Apply to Religious Institutions?" 94.

stem from the dominant religious identity in America, the almost total silence on the effects of accommodations for religious citizens who want to discriminate against LGBTQ citizens is striking. *Smith, Masterpiece,* and *Fulton* share a common feature: their verdicts downplay the legitimate claims of weaker agents. Overturning *Smith* would count as a positive step. Yet the fact that the current Justices who are most vocal on that point also favor permitting discrimination against LGBTQ citizens on under a cover of support for religious liberty is cause for significant concern.

One factor that is likely impactful in verdicts such as *Masterpiece* and *Fulton* is a conservative critique of rights that has found its way into legal practice. Sunstein—who criticizes this development—formulates this critique of rights as resting on the principle, "People who insist on their rights too infrequently explore what it is right to do."[51] Sunstein cites Clarence Thomas as a proponent of this view.[52] Demands for rights are construed as a cover for not taking personal responsibility. In the US context this way of invoking personal responsibility to block rights claims is especially common in the areas of economic and racial justice. The downplaying of LGBTQ rights claims is another manifestation of this.

The Majority verdicts in *Trump, Masterpiece, Reynolds,* and *Smith* are not outliers. In *The Case Against the Supreme Court* Chemerinsky documents case after case of verdicts that side with rather than challenge various forms of identity power.[53] Protestant Christian supremacy belongs on the list of forms of identity that correlate with unjust legal outcomes. On Chemerinsky's view the history of Supreme Court jurisprudence in general can reasonably be

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[51] Sunstein, "Rights and Their Critics," 734.

[52] Ibid, 734-5.

[53] Cherminsky, *The Case Against the Supreme Court.* Here I incorporate the concept of identity power from Fricker, *Epistemic Injustice: Power and the Ethics of Knowing,* 14-17.

characterized as one of missed opportunities. Although the record is not uniform—there are of course some examples of the Court taking a stand against prejudice including protections for victims of Protestant Christian supremacy—on balance the history of the Court is one of acquiescence rather than opposition to inequalities reinforced by an unjust status quo. It is not an overstatement to characterize the Supreme Court as guardians of identity power. Various inequalities maintained by the dominant forms of identity in the US (e.g., white, Protestant, male, heterosexual) are seldom challenged by the Court. In his discussion of the legislative backlash to *Smith* James Ryan claims "there are reasons to question whether religious minorities are better off relying on the courts rather than the political process for protection."[54] On this view the courts are not reliable protectors of liberty for religious minorities.[55]

The examples highlighted so far include: Supreme Court verdicts that express bias against a religious minority; immigration policy that makes it more difficult for members of some religious traditions to emigrate or be granted a visa for work, study, or travel; and double standards that are sometimes applied to religious minority groups whose beliefs and practices differ from a dominant Protestant Christian identity.

B 'We are a Christian Nation' and Protestant Christian Supremacy

This section considers ways that Protestant Christian supremacy is a barrier to equality beyond the context of Supreme Court jurisprudence. I provide a general characterization of Protestant Christian supremacy as a feature of religious demography. I also consider whether Protestant Christian supremacy is no longer an apt label for the contemporary context where some use the term Christian nationalism, and where Protestants no longer make up a majority. Then I

[54] "Smith and The Religious Freedom Restoration Act: An Iconoclastic Assessment," 1451.

[55] Ibid, 1455-6.

consider some paradigm examples of Protestant Christian supremacy, including proxies for this dominant identity such as 'we are a Christian nation,' 'the white man's burden,' and 'American exceptionalism'. Finally, I consider how three features of Protestant Christian supremacy have remained constant over time: first, as a primary source of status inequality; second, as part of the basic structure of society. Third, Protestant Christians are among the least likely targets of discrimination. Yet those most invested in maintaining Protestant Christian supremacy interpret threats to their status privilege as evidence of anti-Christian bias.[56]

Religious demography is one of the primary enablers of Protestant Christian supremacy. Religious demography is unique in the US in the following sense: Christians have always been the majority, yet no single denomination of Christianity has been a majority. Until recently Protestant Christians have composed a majority.[57] This helps us understand the following: Protestant nativist politics directed against Native Americans, Catholics, Mormons, and other minority groups, especially in the 19th and early 20th C; a national identity and political culture heavily influenced by American Protestant Christian identity; and recurring status anxieties in response to religious diversity including fear that immigration will undermine the dominant religious identity. Protestant Christian supremacy is an appropriate label for the many ways that law, policy, and national identity converge to maintain religious inequality.

In some respects Christian supremacy is an appropriate label for contemporary American religious identity politics. This merits a brief discussion. Changes in religious demography, including a decline in the percentage of Americans who are affiliated with a Protestant Christian

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[56] Joshi examines the intersection of White and Christian supremacy in *White Christian Privilege: The Illusion of Religious Equality in America*.

[57] Protestants represent roughly 47% of the United State population based 2014 data. Pew Forum, "Religious Landscape Study."

denomination, in addition to more tolerant attitudes towards non-Protestants, partly explains why contemporary Christian nationalism is less Protestant-centric than in the past. Yet Protestant remains 'first among equals' among those most aligned with Christian nationalism. As with other kinds of identity power, Protestant Christian supremacy combines efforts to maintain power with adaptation strategies in response to real and imagined threats to dominant status.

When examining dominant identity and status inequalities, depending on the questions we are asking, and whether the focus is contemporary or historical context, different labels are appropriate. For instance, in the era of Trump, it is reasonable focus on the intersection of Christian nationalism and white supremacy. The label Protestant Christian supremacy captures the historically dominant religious identity, the effects that this dominant identity has on persons unaffiliated with it, and helps us understand the roots of the Christian nationalism that is pervasive today. The following historical examples help to illustrate these claims.

Rudyard Kipling's, "The White Man's Burden"[58] was a poetic endorsement of the racism and imperialism that many white Protestants supported in 19th C America. President McKinley, whose support for an imperial conquest of the Philippines was one inspiration for Kipling's poem infamously endorsed this ideology:

> I am not ashamed to tell you, gentlemen, that I went down on my knees and prayed to Almighty God for light and guidance more than one night. And one night late it came to me this way…there was nothing left for us to do but to take them all, and to educate the Filipinos, and uplift and civilize and Christianize them, and by God's grace do the very best we could by them, as our fellow men for whom Christ also died. And then I went to bed, and went to sleep, and slept soundly, and the next morning I sent for the chief engineer of the War Department (our mapmaker), and I told him to put the Philippines on the map of the United States.[59]

[58]Kipling, "The White Man's Burden: The United States and The Philippine Islands."

[59] Quoted in Wenar, *Blood Oil*: *Tyrants, Violence, and the Rules that Run the World*, 155.

This is a remarkably candid expression of Protestant Christian supremacy.

In *The United States is a Christian Nation* David Brewer[60]—who also wrote the Majority opinion in *Trinity* when he was a Supreme Court Justice—relies on three kinds of 'evidence': 1) religious demography—the US is a majority Christian nation, 2) historical and legal documents (e.g., colonial charters, The Declaration of Independence), and 3) a version of 'manifest destiny'. Summarizing his view, Brewer states:

> Does it not suggest that in the councils of eternity, long before man began to be, it was planned that here in this republic should be worked out the unity of the race a unity made possible with the influences of education and the power of Christianity? Certainly, to me it is a supreme conviction, growing stronger and stronger as the years go by, that this is one purpose of Providence in the life of this republic, and that to this end we are to take from every race its strongest and best elements and characteristics, and mold and fuse them into one homogenous American life.[61]

Brewer's characterization of 'we are a Christian nation' is a clear and paradigmatic endorsement of Christian supremacy, which in the late 19th and early 20th C was a clear proxy for Protestant Christian supremacy.

Protestant Christian supremacy can be expressed in different ways. Immediate political aims have a gravitational pull that shapes the expression of Protestant Christian supremacy. Richard Hofstadter shows that the framing of debates over interventions in Cuba and the Philippines began with appeals to humanitarian obligations. What began as an argument in favor of liberating a population from Spanish oppression very quickly transformed into a discourse that invoked a messianic creed.[62] More recently, attempts to justify the invasion of Iraq in 2003 evolved in a similar fashion. What started as an argument from self-defense based on the

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[60] *The United States A Christian Nation*.

[61] Ibid.

[62] Hofstadter, "Cuba, the Philippines, and Manifest Destiny," 161-2.

erroneous claim that the Iraqi government played a role in the 9/11 attack evolved into a mission to bring democracy to the Middle East: "they will greet us as liberators."[63] That collective rationalization followed this path is evidence that there are ready to hand values—an ideology in the background culture—suitable for manipulation in favor of imperialism and other unjust causes.[64] What some today endorse as 'American exceptionalism' is the contemporary version of a longstanding chauvinism in American law, politics, and culture. 'We are a Christian nation' and 'American exceptionalism' can reasonably be understood as examples of Protestant Christian supremacy.

In the contemporary context Protestant Christian supremacy plays a role in anti-Muslim bias. A Muslim American who objects to a state policy is more likely characterized as anti-American compared to her Protestant Christian counterparts. A Muslim American is more likely to be characterized as having not just religious but also cultural and political affiliations that put her at odds with American values. The correlation between outsider status and Islam automatically creates a hierarchy between Protestant Christian and Muslim citizens. A confluence of factors is at work.[65] Many Americans have false beliefs about religious diversity within Islam—exaggerating for instance the percentage of Muslims who are from the Middle East. The Middle East is also vaguely imagined in ways that obscure ethnic and interreligious diversity across states such as Turkey, Saudi Arabia, Egypt, and Iran. Islamophobia also reflects

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[63] Cheney, interview with *Meet the Press,* Sept. 14, 2003.

[64] Hofstadter, *Social Darwinism in American Thought,* and Stephanson, *Manifest Destiny: American Expansion and the Empire of Right.*

[65] For a good survey of Islamophobia, see Green, *Fear of Islam: An Introduction to Islamophobia in the West*.

status anxieties that are triggered by a changing religious demography, including a decline in the percentage of Americans who are Protestant Christian.[66]

Muslim identity is also 'racialized' by an imagined equivalence of religious affiliation and skin color or ethnicity. Some argue that Islamophobia is a form of racism.[67] Evidence for this view includes the following: Muslims are often viewed as non-white; bias against Muslims is often partly based on skin color; and anti-Muslim bias often stems from the conviction that essential features of Muslim identity make being Muslim incompatible with being 'American'. Muslims are sometimes dehumanized the way that other racialized groups are dehumanized: an 'essence' is attributed to an identity marker in order to assert a social hierarchy.[68] An American with anti-Muslim bias who does not know the difference between Sikhism and Islam may exhibit hostilities toward a Sikh in ways similar to that of someone with an anti-Chinese bias who imagines that a Korean or Japanese is a member of the same ethnicity.

Though white supremacy has been the primary driver of US immigration policy another aim has been to give preferential treatment to Christian over non-Christian migrants.[69] Until the 1965 Immigration and Nationality Act (INA), the primary aim of US immigration policy was to keep America mostly white and mostly Christian. Quotas favoring white Europeans over other nationalities were the norm.[70] Immigration policy and coercive tactics deployed to expel

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[66] For a data set that is useful for making a forecast on how changes in religious demography are likely to affect near term political debates over immigration, LGBTQ rights, racial justice, and the treatment of religious minorities see Public Religion Research Institute, "The 2020 Census of American Religion." I thank a reviewer for directing me to this reference.

[67] Love, *Islamophobia and Racism in America*.

[68] Smith, *On Inhumanity: Dehumanization and How to Resist It*, see chapt. 3, "Defining Dehumanization," 17-22.

[69] Yang, *One Mighty and Irresistible Tide: The Epic Struggle Over American Immigration 1924-1965*.

[70] *What is an American Muslim?*, 39.

residents, such as 'voluntary deportation'—a coercive tactic which is to immigration law what plea bargaining is to criminal law—are rooted in "fears about the existential threat immigrants posed to white Anglo-Saxon Protestants."[71] The disproportionate allotment of quotas for small European states compared to Turkey was one of many examples.[72] The *Trump* verdict discussed above should be understood in light of this broader context.

Taking up the long view, one thing has not changed: status hierarchy and power for Protestant Christians, and marginalization and exclusion for many others. Protestant Christian supremacy brings into focus how majority-minority religious affiliation correlates with inequalities in status, opposition to LGBTQ rights, and a continued willingness to support objectionably exclusionary immigration policy. 'We are a Christian nation' is an assertion of power, a claim about status, and a rationalization of status inequalities. It also affirms in a chauvinistic way characteristics that are imagined to be the essence of what it means to be 'American.'

A more complete study of religious identity politics in the US would have consider religious groups that have inspired social movements advocating racial and economic justice and better treatment of migrants, including those who are non-Christian. The civil rights movement, efforts to protect and expand voting rights, prison reform, and many other progressive causes are often led by Protestant Christian citizens.[73] I have been highlighting ways that Protestant Christian supremacy is among the more impactful sources of status inequality.

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[71] Goodman, *The Deportation Machine: America's Long History of Expelling Immigrants*, 25.

[72] *One Mighty and Irresistible Tide.*

[73] For a survey of Martin Luther King's contributions to multiple progressive causes, see Shelby, "Prisons of the Forgotten: Ghettos and Economic Justice."

Cecile Laborde provides a clear formulation of status inequalities based on religious identity:

> …much like race, religion has historically functioned as a social category structurally vulnerable to hostility, discrimination, disparagement, and neglect. It means that, for some purposes, religion is treated like race in law—it is defined in relation to the historically sedimented social meanings associated with certain practices and rituals, whereby dominant groups use state power to affirm and entrench hegemonic identities (white, male Protestant) as normal, and to construe and disparage minority identities as deviant. Witness the process of structural radicalization of religious minorities—Jews, Mormons, Catholics, Muslims—in U.S. history.[74]

This characterization highlights how a religious identity can play a role in producing status hierarchies. Protestant Christian supremacy works like this in the sense that law, politics, and social norms privilege some while demoting the status of others. The claim that Protestant Christian supremacy is a significant cause of status inequality is an important part of—but not a complete—explanation of religious inequality in the US.[75]

This characterization of Protestant Christian supremacy should not be overstated. Two reasons are, first, white supremacy is a far greater source of injustice, and second, many of the progressive forces in American politics self-identify as Protestant Christians. As Mills notes:

> Racial liberalism, or white liberalism is the actual liberalism that has been historically dominant since modernity: a liberal theory whose terms originally restricted full personhood to whites…and relegated nonwhites to an inferior category, so that its schedule of rights and prescriptions were all color-coded.[76]

Protestant Christian supremacy is a weaker hegemon. Some Protestant Christians have resisted white supremacy, advocated for more egalitarian immigration policies, and some Protestant

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[74] Laborde, *Liberalism's Religion*, 88-89.

[75] There is an interesting parallel between religious status anxieties and the racial status anxieties discussed by Richard Hofstadter in his insightful analysis of white resistance to the civil rights movement, "The Paranoid Style of American Politics." Consider for example how some contemporary conspiracy theorists believe that Muslims, including the Muslim Brotherhood, have infiltrated the US Department of State.

[76] Mills, "Racial Liberalism," in *Black Rights/White Wrongs: The Critique of Racial Liberalism,* 31.

Christian churches advocate for LGBTQ rights. White supremacy can serve no legitimate aims. Protestant Christianity by contrast has been construed to support many progressive political aims. Shelby provides one clear example in his discussion of Martin Luther King's defense of economic equality and racial justice:

> Focusing explicitly on the ghetto poor in the United States, King emphasized that black ghetto residents feel humiliated to be living in squalor while just blocks away others, mostly white, live in luxury and engage in conspicuous consumption.[77]

Recent efforts by those who support Black Lives Matter, including Protestant ministers who support Black Lives Matter is a contemporary example of Protestant support for economic and racial justice. One factor here is that religious identity is more negotiable than the racial identity at the root of white supremacy.

Since 2013, responses to Black Lives Matter has revealed fault lines across Protestant and other religious persons whose religious affiliations often track racial identity. Alternatively put, recent political events in the US show that Du Bois' comment in his preface to *The Souls of Black Folk,* "…the problem of the Twentieth Century is the problem of the color line"[78] is no less apt as a characterization of the early 21st C. Protestant Christian supremacy is relevant to the struggle for racial equality partly because religious divisions are often proxies for political struggles. At the same time, it is crucial to avoid the reductive position that theology determines the political affiliations of religious communities.[79] When divisions by faith correlate with divisions by political affiliation it may be that the causation runs from political to religious affiliation. Protestant Christian supremacy is not a term meant to suggest that abstract theological

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[77] "Prisons of the Forgotten," 195.

[78] *The Souls of Black Folk,* 1.

[79] I consider this topic in more detail in "Religion, Identity, and Violence."

doctrine or scripture are the primary bases for objectionable status inequality. Rather, it's more politics than theology.[80]

III Protestant Christian Supremacy and Equality of Opportunity for Self-Determination

In this section I develop the connection between the egalitarian position on status presented in Part I with the account of Protestant Christian Supremacy in Part II. Patten's egalitarian principle (FOSD) stated earlier can serve as a guide for evaluating the ways a dominant identity can produce social hierarchies that in turn create and maintain relations of subordination in status and opportunity.

Here are two examples that illustrate why egalitarians should investigate ways that a dominant religious identity can impact persons in harmful ways. First, suppose someone in a Christian majority state converts to Islam and decides to wear a hijab. In a society where anti-Muslim bias is widespread, there are costs for that choice. This might include extra hurdles in finding employment, demeaning stares in public settings, and more surveillance when traveling. Something is wrong if the price for religious liberty includes accepting discrimination in the workplace, extra surveillance, and a diminished social status. Choosing a religion should not be a choice between a religious affiliation that is subject to prejudicial treatment and one that is not. Persons should not have to navigate trade-offs between authenticity and social hostilities. Also relevant is that someone in the same society who converts from Islam to Christianity is more likely to be embraced as 'one of us'. That is a perverse incentive on the exercise of religious liberty. There is an asymmetry here between the owner of Masterpiece Cakeshop and this hypothetical example: if the bakery owner were required to comply with Colorado's anti-

[80] For an insightful account of Protestants seeking coalitions to combat racism, and the challenges they face, see Tibsy, *The Color of Compromise: the Truth about the American Church's Complicity in Racism*.

discrimination law they would simply be required to not discriminate in their business and commercial practices.

Second, various forms of gender identity including trans, gay, or even cisgender persons who embraces some non-traditional characteristics of their gender identity, may face discrimination and barriers, because their identity is at odds with the dominant religious identity. This can also apply to non-citizens as illustrated in the Supreme Court's verdict in *Trump*. An egalitarian position such as the one expressed by FOSD shows that some familiar ways that religious freedom is defended (e.g., *Trinity, Masterpiece,* and *Fulton)*, and also not defended (e.g., *Reynolds* and *Smith*), are directly implicated in harms to persons who face unreasonable barriers, including barriers produced by the dominant religious identities that are thought to be in need of special protections. Those whose life prospects are negatively impacted by Protestant Christian supremacy often have no legal or political recourse to remedying unfairness. This is obviously so in the case of non-citizens who are denied freedom of movement, educational opportunities, employment opportunities, and many other options, simply because their religious affiliation is perceived to be a threat to the dominant religious identity in the US. Yet it is equally true for many religious-minority citizens, LGBTQ citizens, and members of ethnic and racial minorities.

FOSD is helpful for evaluating real-world cases, such as *Reynolds, Smith, Masterpiece,* and *Trump.* In those verdicts the Supreme Court put official state policy on the side of religious inequality and in doing so aligns law and institutions against an important political value. Biases that favor the dominant identity are sometimes masked by a pretense of neutrality or rule of law principles that are selectively applied. Framing questions about religious equality in terms of FOSD helps show that in-practice deviations for religious equality and the effects of Protestant

Christian supremacy harm the legitimate interests of members of some religious groups. To be sure, American judges are not going to affirm a robust egalitarian multiculturism. The same holds for policy makers. The analysis of legal cases also shows that Justices are often insensitive to ways that their defenses of liberty of conscience often align with anti-gay prejudice, the status of some non-Christian religious minorities, and other groups whose opportunities for self-determination are undermined by verdicts that defend members of one of the most status-privileged groups in America: Protestant Christians.

Framing the correlations between Protestant Christian supremacy and status inequality using as the point of reference FOSD sheds important light on how a dominant identity creates unfair status inequalities. What I mean is this: our confidence that social status reflects liberty under fair conditions is too high when we ignore ways that Protestant Christian identity affects ways that law, social relations, and public policy is designed to protect a dominant religious identity. Many who affirm 'we are a Christian nation' do so under the false conviction that they are not staking out a position at odds with equality in status. In the introduction I claimed I do not argue that Protestant Christian supremacy is the linchpin of the most objectionable inequalities in the US. Yet the effects of Protestant Christian supremacy are not any less objectionable for that reason.

IV Conclusion

In many contexts majority status is the basis for dominant status. However, from an egalitarian perspective dominant status is the more important variable. Mormons, Muslims, and Jehovah's Witness in the US,[81] Muslims in many European states, Alevis in Turkey, Bahai in Iran, and Uyghur in China are some of many examples of religious minorities who suffer under various

[81] Smith, *Religious Persecution and Order in the United States.*

forms of oppression rooted in the dominant identity that correlates with a majority identity.[82] If Muslims were a majority in Myanmar, we would not expect there to be such high levels of violence against Rohingya.[83] Religious minorities, among other groups, often face discrimination, barriers to economic and political status, and hostilities rooted in prejudices held by members of a religious majority. Whether majority status determines dominant status depends on context. That Protestants compose slightly less than a majority in the US is evidence that Protestant Christian supremacy will most likely be harder to maintain in the long run. Declining Protestant numbers also means there will be greater efforts to prevent the dismantling of Protestant Christian supremacy. Those most invested in Protestant Christian supremacy will resist attempts to achieve equality for those whose status is diminished as a result of Protectant Christian supremacy. Preserving a dominant religious identity is of course not just a matter of maintaining dominant religious values. Religious values are often interpreted to serve political aims expressed through myriad frames: heritage, foundation myths, 'our shared' Judeo-Christian values, and the many jingoisms invoked to defend xenophobic immigration policies have nothing to do with theology. The recent surge in Christian nationalism is more a political than a religious movement. One clear contemporary example of the intersection of Christian nationalism and racism is the double-standard applied to those who protest police violence against minorities and those protesting the 2020 presidential election. Black Lives Matter triggers white panic and moral outrage; those seeking to overthrow valid election results are viewed as exercising freedom of assembly, and as motivated by patriotism.

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[82] For a good general survey see Grimm and Finke, *The Price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century*.

[83] Wade, *Myanmar's Enemy Within: Buddhist Violence and the Making of a Muslim 'Other.'*

I have not argued that Protestant Christian supremacy is the most urgent concern for those examining objectionable status inequality. In the US, white supremacy is a more impactful cause of injustice. Moreover, what might stand out as objectionable inequality can be caused by multiple variables. Religious affiliation often correlates strongly with ethnicity.[84] A religious bias may be a proxy for hostility towards an ethnic minority. Or persons may face hostilities both because they are an ethnic minority and because they are a religious minority. This matters for many reasons, one being that white supremacy is a cause of inequality that will confound explanations that examine only religious affiliation and inequality.[85] In the US, someone who aspires to realize high status with the least resistance will likely tread an easier path if they are white, male, Protestant, and have wealthy parents. I am not endorsing a monocausal structural explanation. Protestant Christian supremacy is one among other salient considerations that must be considered when examining objectionable status inequality in the US.

The view presented is far from a complete account, yet it represents an important first step. Drawing from accounts that examine other kinds of status inequality, I have focused on a source of status inequality often overlooked in contemporary political philosophy, namely, Protestant Christian supremacy. Finally, taking equality seriously requires measures that can track what causes the outcomes, where outcomes are a measure of fair equality of opportunity for self-determination. Non-hierarchical and equal standing is a familiar way to characterize relations between persons with respect to race, gender, and other characteristics. Protestant Christian supremacy should be part of this discussion.

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[84] Putman and Campbell, *American Grace: How Religion Divides and Unites Us*.

[85] This poses a challenge for structural explanations, one better addressed by social scientists or philosophers of social science. See for example, Haslanger, "What is a (social) structural explanation?" See also Bright, Malinsky, and Thompson, "Causally Interpreting Intersectionality Theory."

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