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# ‘Tis the Season?: The Context and Significance of the “War on Christmas”

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## ABSTRACT

Claims about a war being waged on Christmas have become a staple of the American holiday season. Yet before 2004 the ‘War on Christmas’ was almost entirely non-existent. From where did the ‘War on Christmas’ emerge and why has it retained such influence despite overwhelming evidence that Americans continue to celebrate the holiday season in both its religious and secular aspects? Commentators have suggested causes from a cynical desire to boost ratings and commercial sales of Christian Christmas merchandise to deep-rooted antagonisms towards people of other (and no) faiths. This article argues that its roots lie in the same issues which prompted the broader culture wars waged by conservative Christians, particularly a particular understanding of the First Amendment, a belief in the US as a Christian nation, and a sense of a loss of social status and position for Christianity. At the same time, it also notes that, as with conflicts in other nations, it also represents a symbol of the ways in which nations with Christian-influenced but often secularized national traditions are seeking to adapt to increasing religious pluralism within their borders.

## KEYWORDS

War on Christmas; Christianity; conservatives; culture war; Supreme court; first amendment; inclusivity; diversity

## Introduction

A library in a small town in Massachusetts chose not to display a Christmas tree. Some parents decided to tell their children that Santa doesn’t exist. The Wisconsin Governor tweeted about his state’s ‘holiday tree’. A town in Maine removed a nativity scene, or crèche, from public property after a challenge from an atheist resident. ‘Why is Christmas being cancelled?’ asked Fox Primetime host Jesse Watters (Media Matters 2022). ‘Christmas cancelled’, echoed Kendall Tietz (2022) in an article for Fox News Online. Welcome to the 2022 edition of the ‘War on Christmas’ where parents, declared Fox News contributor Joe Concha, were opening up a new front ‘in the name of virtue signaling’ (Tietz 2022). In what has become an annual event, perceived and real slights to celebrations of the Christmas holiday were publicised, participants shamed, and, in some cases, lawsuits ensued. As legal scholar Stephen Carter commented, ‘Christmas wouldn’t

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be Christmas without litigation over what sort of holiday scene a community can display' (Carter 2020).

While commentators disagree about exactly when the modern 'War on Christmas' began, they generally do agree that it started in the first decade of the 21<sup>st</sup> Century, in part as a result of a regular segment on the conservative-leaning Fox News channel initiated by Bill O'Reilly in 2004 titled, 'Christmas Under Siege'. The 2005 publication of then Fox News host, John Gibson's book, *The War on Christmas: How the Liberal Plot to Ban the Sacred Christian Holiday Is Worse Than You Thought* and the publicity provided it by Fox News, intensified interest in O'Reilly's segments and raised the profile of the emerging 'war'. Challenges to public Christmas celebrations were not new in the early years of the 21<sup>st</sup> Century: the Supreme Court issued rulings in two cases in the 1980s and local lawsuits had become so prevalent that scholars described it as Christmas 'lawfare' (Bowler 2017, 208–209). But national level attention to these kinds of events intensified after 2004 and it has become as much a part of the holiday season as Santa, reindeer, trees, and carols. Even outside of the US, countries including Australia, Canada, and the UK have seen similar disputes. Critics tend to dismiss the battles as fanciful, insignificant, non-existent, or as an overblown reaction from those seeking to make larger political points. But the longevity of the claims and the continued intensity with which they are made suggests that we should not be so quick to dismiss the significance of the 'War on Christmas'. This article argues that the Christmas battles are not really about the celebration of this particular holiday but represent much deeper debates about the role and place of religion in modern American society. The 'War on Christmas', it asserts, should be understood as a microcosm of larger debates about how governments and communities should recognise and celebrate diversity and ensure inclusion. As frivolous as they might sometimes seem, battles about Christmas displays and celebrations are actually manifestations of deep divisions about the shape and future of American law and society that should be taken seriously.

### The Language of Warfare

'... Christmas is under attack in such a sustained and strategized manner that there is, no doubt, a *war* on Christmas', Gibson (2005, xvii, emphasis in original) declared in his book. The language is important. Defined as a war which is being waged 'on Christmas', Gibson effectively simplified the conflict into two sides: one for Christmas and one against. There is an 'us' and a 'them', a side for good and a side for evil, and the opponents are not simply people of different views but the enemy who must be defeated. The language encourages disrespect for the other side and discourages attempts to understand the alternative perspective or to find middle ground. In this context, then, the common holiday store greeting, 'Happy Holidays' becomes the enemy of 'Merry Christmas', and expression of either becomes a statement of position in the ongoing war with no middle ground between them.

The phrase also denotes a sense of urgency. Battles can only be won or lost, and losing threatens the values embodied within the Christmas celebration. It creates a potentially false equivalence of importance between symbols of the Christmas holiday since any 'loss' remains a loss in the ongoing war: thus, the public display of a crèche becomes of equal importance to the singing of carols in a school concert,

and to debates about whether a tree is a Christmas tree, a holiday tree, or something else. Since the war is ‘on Christmas’, the phraseology defines the speaker and their supporters as the ones against whom the war is being fought; it is all the more urgent because they are on the defensive and must fight back in order to not to ‘lose’ Christmas. No slight must be left unaddressed lest it become the turning point in the war.

In addition, as Olsen and Morgan (2009, 2) observed, ‘[c]alling something a “war” provides tacit permission to engage in extreme “win-at-all-costs” behaviours’. While the provisions of the Geneva Convention are not in any danger from the ‘War on Christmas’, public shaming of participants, vitriolic social media campaigns that verge on harassment, and heightened public rhetoric are all hallmarks of ‘War on Christmas’ battles. Seasonal goodwill is often absent from these holiday debates. Simplification of the argument, a heightened sense of urgency, and a willingness to take the debates to extremes all characterise the debates about Christmas and all are rooted in the conception of it as a ‘war’.

### Defining the “War on Christmas” and Its Participants

What exactly is the ‘War on Christmas’? What appears on the surface an easy question of definition is actually surprisingly difficult to answer, and in that difficulty lies the beginnings of understanding the heat and longevity of the ongoing debate. For believers in the conflict, it is evidence of a sustained war on Christians and Christianity in the United States by militant secularists and related interest groups seeking to diminish and discredit the historic place of Christianity in American life and culture, either by seeking its privatisation and relegation entirely to the private sphere or by crushing it entirely out of existence. In their view, Christians are oppressed victims of secular tyrants who have little or no respect for religious faith or for the historic place of Christianity in American society. As former presidential candidate, political commentator, and broadcaster Pat Buchanan wrote in 2004: ‘What we are witnessing here are hate crimes against Christianity . . . a disease a Vatican diplomat correctly calls “Christianophobia”, the fear and loathing of all things Christian, coupled with a fanatic will to expunge from the public life of the West all reminders that ours was once a Christian civilization and America once a Christian country’ (Buchanan 2004). For those whom believers in the ‘War on Christmas’ deem their opponents, said war is either entirely non-existent or at the least unimportant. ‘A nonsensical campaign against a manufactured bogeyman’, wrote one Christian journalist for the *Washington Post* (King 2005). ‘[A] burgeoning myth of a war on Christmas, assembled out of old reactionary tropes, urban legends, exaggerated anecdotes, and increasingly organised hostility to the American Civil Liberties Union’, described Michelle Goldberg in 2005. Where they do engage with expressed concerns about challenges to Christmas, the ‘war’ is often seen as little more than identity politics, ideological posturing underpinned by a small group of discontented Christians who want broader culture to pander to their beliefs and who are frustrated that Christianity is not the national religion. The ‘war’ is the creation of those disillusioned by a perceived loss of cultural influence and those uncomfortable with the growing recognition of diversity in American society. One side sees a war waged by society at large on Christian believers, the other sees a war waged by Christian

believers on wider society. It is hardly then surprising that the duelling participants fail to find a middle ground.

The battlegrounds of the war have been numerous but can be loosely categorised into three main types. Arguably most common is the recognition or celebration of Christmas in public spaces by governments or government officials. As discussed below, in the US in particular (the focus of this article) the situation is made more complex by the Establishment Clause of the First Amendment which states, ‘Congress shall make no law respecting an establishment of religion’, and which is commonly (mis-)represented as a separation of church and state. Challenges have regularly included objections to nativity scenes on government property but also the inclusion (or not) of Christmas trees and carols as part of cities’ seasonal celebrations. Second, is the recognition or celebration of Christmas in semi-public spaces which have some kind of relationship to the power of the state. Schools are the most common sites of conflict, including debates about nativity plays, carol singing, and the nature and type of Christmas decorations which might be displayed. However, military bases, Veterans Administration hospitals, and post offices have also experienced challenges. Here the question is usually similar to that of the first category: the extent to which state authorities may engage in activities which take note of the Christmas holiday. Commercial spaces have increasingly emerged as a third site of conflict. As public-serving entities, businesses and commercial enterprises cater to all Americans and in the ‘War on Christmas’ have, mostly unwillingly, been co-opted as representatives of public spaces in which all should have equal rights to participate (King 2005; Iati 2021). Walmart, Starbucks, and Macy’s are among those which have been targets in the modern ‘War on Christmas’. When businesses fail to explicitly recognise Christmas, either by using the generic greeting ‘Happy Holidays’ in place of ‘Merry Christmas’, or when ‘holidays’ is used in place of ‘Christmas’ in contexts such as websites or advertising, or when symbols of the holiday (sometimes religious, other times secular) are missing, especially if they have been employed in the past, businesses have found themselves facing the ire of those most deeply concerned about the ‘war’ on Christmas.

Who are the warriors in this conflict? While it is dangerous to generalise too extensively, it is fair to say that those who are most vocal about the existence of the ‘War on Christmas’ are political conservatives most commonly associated with the Republican Party and religious conservatives, especially white evangelicals and more conservative Catholics. The conservative-leaning Fox News has played a significant role in initiating, publicizing, and maintaining the ‘War on Christmas’ narrative. For non-regular church attendees, concluded Dan Cassino in a 2016 study of the impact of the channel, ‘watching Fox News makes individuals more likely to say that politicians are engaging in a “War on Christmas”, and also, ‘increase[ed] the likelihood that individuals say that politicians are trying to take Christ out of Christmas . . . ’ (Cassino 2016, 144). Republican politicians who are also regular contributors to Fox News have been vocal participants in the ‘War on Christmas’, including former Alaska Governor and Vice Presidential candidate Sarah Palin and former Arkansas Governor Mike Huckabee. As a presidential candidate, Donald Trump declared that, if elected, Americans would once again be able to wish each other a ‘Merry Christmas’, implying that in 2016 they were somehow prevented from doing so, and in 2021 declared that as President he had helped win the ‘War on Christmas’ by successfully resurrecting the phrase (Patteson 2021; Seipel 2016). The National Republican Congressional Committee accused Chief Medical

Adviser to the President, Dr Anthony Fauci, of seeking to ‘cancel Christmas’ in 2021 as a result of his warnings to Americans to be careful about holiday socialising during the COVID-19 pandemic, and both Fauci and President Joe Biden were accused by leading Republicans as well as Fox News of being the Grinch Who Stole Christmas (Axelrod 2021; Florko 2021; Mazza 2021; House Republicans 2021; Solender 2021).

Evangelical Protestants and other religious conservatives, including some Catholics, have also been active participants in the campaign to raise the profile of the ‘War on Christmas’. Among the leading legal advocacy groups most commonly involved in challenges like those outlined above are the Alliance Defending Freedom (ADF) and the American Center for Law and Justice (ACLJ), both of which are self-described as conservative Christian advocacy groups. But perhaps the most active is Becket Law (formerly the Becket Fund for Religious Liberty), an organisation which advertises its aim as ‘religious liberty for all’ although is most commonly found on the side of those advocating for more religion in public life. The organisation includes a quote on its website which describes it as ‘God’s ACLU’ (Becket Law, n.d.-a). In addition to its legal work, for almost quarter of a century, Becket Law has awarded annually the Ebenezer Award for the ‘most absurd affronts to the Christmas and Hanukah season’, ensuring at least some battles over Christmas celebrations are highlighted each year (Becket Law, n.d.-b). Among religious leaders who have been vocal about the ‘War on Christmas’, are Pat Robertson, CEO of private Christian Liberty University and chairman of Christian Broadcasting Network, who declared that atheists were miserable people who ‘want to steal your holiday away from you’; Robert Jeffress, senior pastor at the Southern Baptist Dallas-based megachurch, First Baptist Church, close associate of Donald Trump, and regular Fox News commentator who has spoken regularly about the ‘War on Christmas’ in the United States; and Tony Perkins of Christian conservative lobbying and advocacy group the Family Research Council (Brangham 2017; Dobbs 2016; Weber 2012).

Those who see a war on Christmas occurring annually in the US tend to have a clear idea of those they think are responsible. ‘The ACLU in recent years has just pushed Christian America to the limit’, argued Mike Johnson of the ADF (Goldberg 2005): ‘From its earliest stage, the ACLU has deliberately chipped away at the legal and moral and religious foundations of our republic’. Formed in 1920, the American Civil Liberties Union describes itself as a ‘guardian of liberty’, working to preserve and defend the individual rights and liberties embodied in the US Constitution (American Civil Liberties Union n.d.). They are often the targets of conservative ire, especially when defending the right of minorities to share their views in public, seeking to protect LGBTQ rights or abortion access, causes on which they are on opposite sides to those most loudly claiming a war on Christmas. Despite the fact that the ACLU has also been active in defending the rights of people of faith, including in the public square, the identification of the organisation by conservatives as a chief perpetrator in the ‘War on Christmas’ signals a wider view among those who believe in that war that it is primarily being driven by a mix of political liberals, atheists, and secularists, all with the aim of secularizing the public square and, in some cases, crushing Christianity out of existence in the US.

That opponents of the concept of a war on Christmas are mainly liberals is largely true, again being careful about over-generalization. Liberal-leaning news outlets such as the *Washington Post*, the *New York Times*, *Slate*, and *The Atlantic* have been more likely to publish articles and opinion pieces critical of the ‘War on Christmas’ than Fox News, the

*New York Post*, or the *Wall Street Journal*, for example. Satirists, who tend to lean more to the political left, have also found good material in the battles. When hosted by Jon Stewart (1999–2015), nightly satirical news programme *The Daily Show* included regular slots about the controversy, and usually in ways which poked fun at those claiming the Christmas celebration was under threat. Historically, theological liberals, including many in the Protestant mainline, Jews, and some Catholics were staunch defenders of the separation of church and state, arguing that the best way to avoid the politicization of religion and thus religious controversy in the nation was to maintain a secular public sphere. Thus, those groups have been more likely to resist what are perceived as attempts to violate church-state separation, such as religiously themed Christmas displays on government property, placing them at odds with their more theologically conservative brethren. Liberals are in general then, more likely to reject the idea of the ‘War on Christmas’. They do so, in part, because they are more likely to see religious belief as a private matter, not entitled to any state support or recognition, unlike many conservatives who see the absence of support as a denigration or exclusion of faith.

What about the claim that people of faith are under attack from secularists and atheists? This is an argument with a long history. In the 1960s, when the US Supreme Court first ruled that public schools could not hold mandatory, school-organised prayer or bible-reading, political and theological conservatives responded with cries that the Justices had rejected the nation’s religious history, were secularizing the nation, and had favoured atheists over believers (Long 2013, 96–99, 105–107). Today, one of the most aggressive legal and advocacy organisations on church-state matters is the Freedom From Religion Foundation (FFRF). Formed in 1978, FFRF (n.d.) describes itself ‘as an umbrella for those who are free from religion’, and argues that ‘most social and moral progress has been brought about by persons free from religion’. They are active in challenging Christmas activities which they believe violate the separation of church and state, have actively sought to include symbols of atheism and non-religion as part of general Christmas displays, and their work can at times appear as a negative commentary on the role of faith. Arguably they are the group which most closely fits the description of their opponents offered by believers in the ‘War on Christmas’. But other groups do not. As already noted, the ACLU works on behalf of believers and non-believers alike. The other major advocacy organisation also does not fit the stereotype. Americans United defend strictly the concept of church-state separation but draw members from across faith groups and none. Formed initially in 1947 to oppose what they saw as attempts by Catholics to undermine the separation of church and state, the group has since shed its original anti-Catholicism and, much like the ACLU, seeks to protect the rights of believers and non-believers according to current US law (Green 2019). What links all three groups is not, then, a hostility to religion or its place in the public square, but a belief that it is the government’s responsibility to remain neutral on matters of faith, a position which sometimes means challenging government support for certain types of Christmas displays or celebrations.

As an overview of the participants and conflict points begins to demonstrate, the ‘War on Christmas’ is less a war *on* Christmas than a war *about* Christmas, about when, where, and how it can be publicly acknowledged and celebrated. As Levey (2006, 355) cogently summarized, it has become, ‘an annual public debate over the degree to which Christmas should be publicly recognised and celebrated in a multicultural society’. The clear

political and theological divisions between sides suggest, however, that the conflict is about significantly more than Christmas. As Bowler (2017, 237) observed, ‘an uncivil war about the place of religion in the public square is taking place’. There is, argue religious and secular conservatives, ‘a massive assault on the Christian faith with the intent to marginalize Christianity and silence those who follow the teachings of Christ’. As conservative commentator Todd Starnes wrote in 2014: ‘I believe the end goal is to eradicate the Christian faith from the public marketplace of ideas’ (17). But the cultural behemoth that is the Christmas holiday season in the United States seems unlikely to disappear any time soon, and those labelled by Starnes and others as the guilty parties in the attack on Americans’ faith are more likely to meet such criticisms with a puzzled shrug, claims of a phony war, or a simple denial of its existence (Cahill 2007; Johnson 2019). To understand the wide disconnect between these two positions and how they can exist simultaneously we need to explore the broader debate about the place of religion in modern American society.

### The Meaning of Christmas

Is Christmas a religious celebration? The answer to this question is especially important in the American context because of the provisions of the First Amendment. The first reaction to the question might be to wonder at its purpose. Because, *of course* Christmas is a religious celebration. It is an inherently Christian holiday which celebrates the birth of the child whose sacrificial death and resurrection three decades later is understood in Christian theology to have conquered death and delivered mankind from sin. Church services celebrate the story of the nativity and the birth of Jesus. Nativity scenes appear in public spaces in the month before the day itself, sometimes in the form of statues of a crèche, sometimes in the form of ‘living’ nativity scenes. Schools offer nativity plays, carols sing of the joy of the arrival of the ‘new-born King’, mangers, stars, donkeys, shepherds, angels, and even gifts (those of the three magi, or wise men) are, for the season, imbued with religious significance as they link to the wider Christian story of the nativity. In the US, according to a 2017 Pew Research Center poll, 46% of Americans celebrate Christmas as a religious holiday and 51% planned to attend a Christmas church service (5).<sup>1</sup>

But Christmas is not celebrated by all as a religious holiday. The same Pew poll (2017, 5) found that 33% of Americans celebrate it as ‘more of a cultural holiday’.<sup>2</sup> Forbes (2007, 52–53, 141–142) noted the celebration of Christmas in Japan, with trees and gift giving entirely absent of religious meaning and recalled a nominally Buddhist Chinese neighbour who each year had a tree and exchanged presents. Assessing Christmas celebrations in Australia, Levey (2006, 359) reflected on the fact that it ‘has morphed into a national festival as much as, if not more than, it ever was a specifically Christian one’, a description which appears entirely akin to many of the modern trappings of an American Christmas with its commercial elements and the pervasiveness of secular holiday symbols including trees, Santa, reindeer, bells, bows, and fairy lights.

History tells us that Christmas was never a purely religious celebration. As Forbes (2007, 32) argued, ‘[f]rom its beginning, Christmas was a fusion of preexisting winter festivals and Christian themes’, or as observed by Nissenbaum (1996, 37): ‘Then, as now, there was no single “Christmas”’. Experience and poll data tell us that in the 21<sup>st</sup> Century



Christmas remains a mixture of the sacred and the secular. Nine percent of Americans claim to celebrate the holiday this way (Research Center 2017, 5); public Christmas displays regularly combine religious and secular symbols of the season; Christmas carols sit alongside popular holiday songs on seasonal playlists, whether played in private or public; and stores stock a wide range of both religious and secular season-themed gifts and decorations for purchase by customers of all faiths and none. Even the word ‘Christmas’ embodies dual meanings, encompassing reference to both the birth of Jesus (sometimes distinguished as the ‘first’ or ‘real’ Christmas) and to the broader holiday season (Forbes 2007, xiii-xiv). Liberals, blasted conservative commentator, Starnes (2014, 142), ‘may be too dim-witted to understand that Christmas trees and Santa Claus have absolutely nothing to do with the true reason for the season’. Yet he, too, indulged in the conflation of the two elements by simultaneously heaping equal levels of scorn on those challenging religious *and* secular symbols of the season. Ultimately, Christmas is a celebration that encompasses both and is recognised by the vast majority of people as an admixture of secular and religious elements.

Why is this important? Because while the First Amendment to the US Constitution recognises the importance of faith to the lives of individuals, it also places limits on the ways in which government officials, organisations, and offices can engage with religion and its practices. If Christmas was a purely religious holiday, the organs of the state would have to remain entirely separate from it, lest they appear to support one religion at the expense of others; if the holiday was purely secular the state would be free to mark it with celebrations, as it does with the annual Independence Day festivities. But the American Christmas has developed and is celebrated as a mix of the religious and the secular. Despite attempts to link the ‘War on Christmas’ with a wider war on Christianity, even believers in this war point to challenges to secular symbols as frequently as they do religious symbols. Why would Americans worry about secular symbols at all? Because of the perceived interconnection between them and the religious meanings of Christmas. And it is this symbiosis which is at the heart of the tension: how does a government acknowledge an important holiday for many, if not most, of its citizens without violating the terms of the First Amendment? The battles over the answers to this question are ultimately at the centre of the ‘War on Christmas’.

### **Government Recognition: The Challenges of the First Amendment**

‘The First Amendment has erected a wall between church and state. That wall must be kept high and impregnable. We could not approve the slightest breach’, declared Justice Hugo Black for the Supreme Court majority in *Everson v. Board of Education* in 1947 (18).<sup>3</sup> As a matter of history, Black’s statement was incorrect. Although ratified in 1791, the First Amendment had very little influence on American law and society until the 20<sup>th</sup> Century. Widely perceived as applying only to the federal government, it barred the establishment of a national church but did not prevent states from operating their own established churches until well into the 19<sup>th</sup> Century. Largely undaunted by the few minority religious voices which challenged them, the dominant Protestant majority repeatedly enacted legislation which embodied and reinforced their cultural hegemony. Sunday closing laws were defended as reasonable actions to ensure a rest day for workers, even as Jewish businesses felt the impact of closing on both their Sabbath and that of the

wider culture. Daily bible reading and prayer activities were instituted in public schools, defended as non-sectarian practices which helped teach the nation's children morality and good citizenship even as Catholics objected to the use of the sectarian King James Version most commonly used in these activities. Even in 1954, when in the midst of the Cold War Congress voted to add the words 'under God' to the Pledge of Allegiance, it was defended as a non-sectarian phrase that could hardly cause offence to anyone who wanted to ensure the nation's success in the growing ideological conflict against the Soviet Union and godless communism. Thus, for much of its history, as Sehat (2016) has argued, 'the United States was controlled by Protestant Christians who sponsored a moral regime that was both coercive and exclusionary . . . Catholics, Jews, Mormons, and freethinkers, along with a host of others who purportedly failed to demonstrate proper morality, faced active legal and social discrimination . . . ' (8). And the First Amendment did nothing to prevent it.

Only in the 20<sup>th</sup> Century did the Court begin to hear challenges to elements of what Sehat called the 'moral establishment'. A multitude of factors combined during the century to change this thinking. As the federal government grew as a result of the New Deal and World War Two, more questions were raised about the scope of its powers under the Bill of Rights. At the same time, minority groups, including racial and religious groups, began to use the courts and the Constitution as a way to challenge the discriminations they faced (Gilbert 2005; Newton 1995; Peters 2000; Zelden 2013). The cumulative effect of the 'Rights Revolution' which emerged in full force in the 1960s highlighted in many ways the problems of majority assumptions and revealed their impact on minority groups, religious groups included. It also increasingly recognised the importance of minority rights in a majority rule system. As Justice Robert Jackson wrote in 1943: 'The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials . . . One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections' (*West Virginia State Board of Education v. Barnette* 1943, 638). The Court's rulings increasingly reflected this understanding, becoming more responsive to claims from minority religious groups that their right to practice their faith freely was restricted by facially neutral laws which nevertheless had a disparate impact.<sup>4</sup>

In *Everson* the Court had declared that the Establishment Clause required a 'high wall' of separation between church and state. In the two most controversial cases, the Court enacted the wall and struck down state-sponsored daily prayer recitals (*Engel v. Vitale* 1962) and bible reading practices (*Abington School District v. Schempp* 1963) in the public schools. Both had caused deep divisions between Protestants and Catholics in the 19<sup>th</sup> Century and had been a catalyst for the development of the Catholic school system in the US; their pervasiveness and longevity testament to the cultural dominance of Protestant norms in American society (Billington 1963; Dolan 1985; Higham 1988). In the 1960s, the Court argued that while voluntary religious activities were perfectly acceptable, state-sponsored activities implied government approval of the beliefs in violation of the Establishment Clause. But such direct restrictions were unusual from the Court which in 1971 devised a three-part test for assessing Establishment Clause challenges. The so-called *Lemon* test held that practices were acceptable if they had a secular purpose, an

effect which neither advanced nor inhibited religion, and if they avoided excessive entanglement between church and state (*Lemon v. Kurtzman* 1971, 612–613). Under this reasoning, the Court permitted legislative chaplains and a host of public support programmes for students attending religious schools.<sup>5</sup> The ‘wall’ of separation thus became, in the words of Chief Justice Warren Burger, ‘a blurred, indistinct, and variable barrier depending on all the circumstances of a particular relationship’ (*Lemon v. Kurtzman* 1971, 614). Although in seeming contradiction to the language of *Everson*, the Court did not seek to bar all religion from public spaces. What it did was begin to unpick some of the more egregiously sectarian practices and assumptions that had arisen as a result of Protestant cultural dominance.

The somewhat fuzzy nature of the balancing required by the *Lemon* test, which reflected the intermingled nature of some religious practices and American cultural traditions, was clear in the few cases about Christmas which reached the Supreme Court, focused primarily on the public displays of religious symbols of the holiday season. In Pawtucket, Rhode Island, the annual Christmas display included a traditional crèche alongside other ‘figures and decorations traditionally associated with Christmas’, including, among other things, in the words of the Court, ‘a Santa Claus house, reindeer pulling Santa’s sleigh, candy-striped poles, a Christmas tree, carolers, cutout figures representing such characters as a clown, an elephant, and a teddy bear, hundreds of colored lights, a large banner that reads “SEASONS GREETINGS”’ (*Lynch v. Donnelly* 1984, 671). Against the challenge to the display from local residents, supported by the ACLU, in a 5:4 decision the Court ruled that the display did not violate the Establishment Clause because there was no evidence that the intent had been to ‘express some kind of subtle governmental advocacy of a particular religious message’ (*Lynch v. Donnelly* 1984, 680). All the city had done, ruled the majority, was recognise the nativity as part of the wider cultural celebration of Christmas. This was demonstrated for the majority by the presence of other, secular symbols of the holiday season.<sup>6</sup> Five years later the Court followed a similar rationale when facing a challenge to two Pittsburgh Christmas displays: a crèche on the main staircase of the Allegheny County courthouse and a Chanukah menorah next to a Christmas tree on the steps of the City-County building. The Court struck down the nativity scene because, standing alone, with no secular symbols of the season, ‘nothing in the context of the display detracts from the crèche’s religious message’ (*Allegheny County v. ACLU* 1989, 598). The presence of a large secular Christmas tree, however, next to a smaller menorah, according to the majority, negated any risk of sending an exclusively religious message and was therefore allowed to remain.

In conjunction with the Court’s wider Establishment Clause cases, *Lynch* and *Allegheny County* indicated that when it came to church-state relations the Supreme Court was committed not to separation but balance. Using Justice Sandra Day O’Connor’s approach in *Lynch*, the Court was concerned to avoid government ‘endorsement’ of any one religion, or of the religious over the secular, but was prepared to accept that government recognition of religion in some contexts did not trouble the First Amendment. But some remained unhappy with the Court’s approach, for reasons familiar to us from the earlier discussion of the ‘War on Christmas’ rhetoric. For Justice Kennedy, writing in partial dissent in *Allegheny County*, the ruling requiring the removal of the crèche from the courthouse staircase prevented a legitimate recognition

by the state that Christmas for many citizens includes a religious element. In an argument which finds echoes in those made by those who believe there is a war on Christmas, Kennedy asserted that exclusion of the crèche was not mandated by the Establishment Clause and represented, ‘an unjustified hostility toward religion, a hostility inconsistent with our history and our precedents . . .’ (*Allegheny County v. ACLU* 1989, 655, 657). The majority denied that a secular government was hostile to faith but Kennedy’s criticisms had an audience among conservative Christians who already felt themselves under attack in the US.<sup>7</sup> To understand this, and how it has shaped the recent belief in a war on Christmas, we need to explore the conservative reaction to the changes of the 1960s.

By the 1970s, leading evangelical theologian Francis Schaeffer and evangelical political activist and founder of Christian advocacy group Christian Voice, Robert Grant, among others, argued that liberal, secular society was incompatible with Christianity and that Christians needed to fight back in order to preserve their way of life, which they often equated with ‘traditional’ American ways (Williams 2010, 137–143, 164–167). Fundamental challenges to conservative religious and secular views about authority, the family, and morality had come from the Civil Rights Movement, the Women’s Rights Movement, sexual liberation, the counterculture, and the anti-Vietnam protests, among others, and changing cultural norms threatened conservatives’ belief in the way things should be done (Balmer 2021; Crespino 2008; Hunter 1991; Irvine 2002; Isserman and Kazin 2000; Rossman 2009; Self 2012). Increasingly, conservative Christians portrayed themselves as ‘cultural counterrevolutionaries’, as a besieged minority under attack from an American culture increasingly hostile to people of faith (Hartman 2015, 79). By the 21<sup>st</sup> Century, two-thirds of Protestants reported feeling ‘embattled’ and 41% of evangelical Protestants said they felt it was becoming harder to be a Christian in the United States (Lipka 2016; Putnam and Campbell 2010, 114). Thus, when John Gibson in his 2005 book declared that, ‘The War on Christmas . . . [is] really a war on Christianity’, driven by secularists and others whose ‘antipathy’ to religion ‘pushes them to degrade Christianity’ (132, 160, 162–3), he was speaking to an audience already well-versed in the argument that their faith in particular was under attack in the United States.

Conservative Christians blamed the Supreme Court in part for the secularization of American society. As they saw it, the Court protected the rights of religious minorities such as Jehovah’s Witnesses and Seventh Day Adventists, protected the right to speak of hippies and anti-war protesters who denounced the United States, but would not protect the rights of Christian Americans to public recognition of their faith and, in fact, used the Establishment Clause to put Christianity at a disadvantage. They sought to use the courts to fight back. Two strategies dominated. One was exemplified by the work of conservative activist Beverley LaHaye and the organisation she founded, Concerned Women for America (Gordon 2010, 133–167). They sought to use the ‘fuzziness’ of the Court’s Establishment Clause jurisprudence to gain a ruling that Secular Humanism (the term they used to describe the culture they saw around them, which they believed elevated man over God and manifested a deep-seated hostility to religious belief), was, or was equivalent to, a religion. If successful, they reasoned, actions by the state which enforced a strict separation of church and state might be portrayed as establishing Secular Humanism, thus favouring one religion over others and potentially violating the Establishment Clause. The second approach drew more heavily on the Free Exercise Clause of the First Amendment and sought to portray American Christians as an

embattled minority group in need of the same protection as others such as the Jehovah's Witnesses. With this they laid claim to the very legacy of the Warren Court that they decried as undermining the national culture of which they felt they were rightly a part. Claims that they were under attack from a hostile secular culture helped them to build this image despite the fact that Christians were numerically by far the largest religious group in the United States.

Neither argument gained much traction until the second decade of the 21<sup>st</sup> Century when a more judicially conservative Supreme Court began to hint that it might be more sympathetic to such claims. As leading Court scholars Lee Epstein and Eric Posner found in a 2022 study, since 2005, 'the religion clauses have increasingly been used to protect mainstream Christian values or organizations that are restricted by secular laws or liberal constitutional protections' (1–2). Allowing religious employers to refuse to provide certain forms of contraception under Obamacare; exempting religious social service organisations from anti-discrimination legislation even when using government funds; mandating the availability of tax subsidies equally for religious and secular donations; and permitting religious practices and symbols more widely in public spaces, the Court under Chief Justice John Roberts became more solicitous of mainstream religious groups and far less supportive of the idea of a secular public sphere.<sup>8</sup> This was most clear in a 2022 ruling striking down Maine's tuition grant programme because it provided funds only to 'non-sectarian' schools. In language which echoed Kennedy in *Allegheny County*, Roberts argued for the 6:3 majority that specifically excluding religion, as had been required under earlier Court rulings, 'is discrimination against religion', that 'exclude[d] some members of the community from an otherwise generally available public benefit because of their religious exercise' (*Carson v. Makin* 2022, slip opinion 10–11). Although outside of the Christmas debates, Roberts' words echoed a similar sentiment that in turn supported arguments made by conservative Christians since the 1970s: excluding religion from public participation simply because it is religion discriminates against people of faith. The principle of a secular public square, which had been dominant in legal thinking since *Everson* in 1947, Roberts now implied for the Court, is not neutral but detrimental to religion, an argument remarkably similar to that offered by LaHaye and others half a century earlier.

The war about Christmas is one manifestation of this larger, decades-long conflict about the meaning of the First Amendment and the extent to which the state and its various representatives may recognise and support religion. The middle of the 20<sup>th</sup> Century saw challenges to the Protestant social, political, and legal dominance of American society and to greater understanding that some common practices had a disparate impact on religious minorities and should end. The period saw the rise of the language of church-state separation and the addition of the wall metaphor into legal discourse even though, in practice, the wall always had holes and the relationship between religion and the state was always complex and varied depending on the circumstances. In the context of the 'War on Christmas', this led to challenges to certain public manifestations of the religious elements of the holiday. Where a wall of separation might have dictated no religious displays at all, the Court ultimately determined that the constitutionality of such displays rested on their context. Thus, they followed what might be considered the Goldilocks approach to church-state relations (too much religion, too little, or just about right) while making the courts the arbiters of dividing

lines. At the same time, reacting to the loss of their previously influential social status and objecting to the language of separation which, they argued, put religion not on an equal footing but at a distinct disadvantage, religious conservatives argued that the Court's new approach to the First Amendment was unduly and unnecessarily harsh and part of a wider attack on Christian values. This led them to emphasise the exclusionary elements of the Court's rulings and to claim, incorrectly, that all religion was being excluded from the public square. It also led them to develop an interpretation of the Establishment Clause which presented them as a minority in need of protection from a hostile secular culture. Challenges to Christmas displays simply deepened their commitment. And there is evidence that after half a century their legal arguments have found favour with a more judicially conservative Court. Whether this will end the 'War on Christmas' remains to be seen but it is unlikely since the battle is not only about the First Amendment but about wider cultural changes in American society too.

### **Christmas and Inclusivity**

Read enough coverage of War on Christmas flashpoints and one aspect becomes strikingly clear. When politicians, school officials, or businesses seek to remove or restrict elements of Christmas celebrations they do so out of concern to be inclusive. Mayor of Charleston, West Virginia, Amy Goodwin, 'wanted to show that Charleston is a welcoming and inclusive city', and so, in 2019, announced the city's 'Winter Parade'. The backlash against the name change led to the reinstatement of the 'Christmas Parade' three days later (Searcey 2019). She might have been warned of the potential consequences of such a change by Sydney's Mayor, Clover Moore, who more than fifteen years earlier was accused of downgrading the city's annual Christmas display. Denying the claims, Moore nevertheless noted, 'We are cognisant of the fact that in Australia we are a very multicultural society', and commented, 'we are just trying to keep a generic approach without trying to push any one religious belief' (ABC News 2004; The Age 2004; Levey 2006, 356, 358, 360). The US Veterans Association frequently runs into trouble from those who believe in the 'War on Christmas' because a policy of 'being respectful of our Veterans' religious beliefs', has led to requests to avoid outside groups singing carols or sending Christmas cards or gifts which include reference to 'Christmas' or other religious texts or images (American Legion 2013, Brown 2013, 163–165). Even as they sneer at the motives of the 'herbal-tea-and granola crowd', outspoken Christmas warriors John Gibson (2005) and Starnes (2014) took time to note that inclusion and tolerance in a multicultural community is a common motivating force.

And it is not just an American phenomenon, as the example from Sydney suggests. While debates about the First Amendment are unique to American law and history, debates about Christmas and inclusivity have been found in many liberal democracies around the world. In Canada, cities including Toronto and Edmonton have experienced debates about whether festive trees should be 'Christmas trees', 'holiday trees' or something else, whether trees should be included at all, and whether Christmas carols are appropriate in state school festive celebrations (Fox 2002; Vyhnač 2017; Wakefield 2022). Australia has experienced debates about Christmas parties, carol singing, and nativity plays at state schools and nurseries, as well as debates about trees and the status of Christmas decorations generally (Levey 2006, 356). Similar local debates have occurred

across the UK too. A short-lived ‘Winterval’ festival in Birmingham in the late 1990s designed to bring business into the newly renovated city centre continues to be used as an example of a war on the British Christmas despite the fact there was a simultaneous Christmas display and Winterval ran for only a single season (Gibson 2005, xviii). In 2022 a small-scale controversy erupted when a church in Loughborough rewrote some lyrics to ‘God Rest Ye Merry Gentlemen’ to be gender inclusive (Burkeman 2006; Miller 2022; Swerling 2022). Not unlike debates about the First Amendment, these discussions reflect questions about whether and how it is appropriate for religiously and culturally diverse communities and governments to celebrate a holiday which now includes both religious and secular elements. The ‘War on Christmas’ is also, then, part of a wider debate about inclusivity and multiculturalism.

Christmas in all of the nations mentioned, and many others, is a cultural and commercial juggernaut that dominates society for anything up to a month before the nominal day of celebration. As Petula Dvorak sardonically noted in the *Washington Post* in December 2016: ‘You can’t swing a cat anywhere in America today and not hit a piece of tinsel’. Or, as *Daily Show* host Jon Stewart observed, ‘the rest of us can’t swing a dead elf without knocking over an inflatable snow globe or a giant blinking candy cane’ (Johnson 2019, 237). For many, Christmas can be smothering, an experience into which they are drafted rather than volunteering. In Levey’s 2006 description, a ‘blanket set of practices and norms pervades the season to the extent that everyone is assumed to be a participant in the festival in some way or to some extent’ (358, 363).<sup>9</sup> It is perhaps then not surprising that in societies increasingly concerned to address discriminations of the past and avoid repeating them in the future those in the public sphere might be wary about how to mark a holiday that, according to Levey, ‘has not erased its still clear associations with Christian lore to many Christians and non-Christians alike’ (359). And some do note that Christmas can feel alienating or make them feel like outsiders. In the Preface to his book about the history of Christmas, Stephen Nissenbaum (1996, ix) recalled that Christmas in his Orthodox Jewish childhood home was, ‘that magical season which was always beckoning, at school and in the streets, only to be withheld each year by the forces of religion and family’ (Feldman 1997, 1–9; Marcus 2005). Sensitivity to those feelings of exclusion, alienation, and marginality are arguably hallmarks of modern liberal democracies.

Given the legal complications around challenges to Christmas celebrations discussed above and the tendency of disputes to end up as expensive lawsuits, it is perhaps not surprising that some officials are overzealous in their actions and risk infringing on First Amendment rights, whether renaming Christmas trees as ‘giving trees’ or ‘friendship trees’, barring the use of Santa or wrapped gifts as decorations, or preventing voluntary religious observances. While advocates of the ‘War on Christmas’ claim such overreach as evidence of anti-Christian animus, the reality is that confusion caused by both their own overreactions and by the Supreme Court are more likely to blame. The Court majority in *Lynch* and Justice Brennan in dissent in *Allegheny County* helped to muddy the waters around Christmas symbols. ‘Even the traditional, purely secular displays extant at Christmas, with or without a crèche, would inevitably recall the religious nature of the Holiday’, stated the Court in the former (*Lynch v. Donnelly* 1984, 685). Although they used this to make the case that including a crèche as part of a Christmas display would not make that display more religious, the wording in effect implied that any

recognition of Christmas might invoke religion. Five years later, Brennan hinted that even a Christmas tree might be considered religious in certain contexts.<sup>10</sup> Then religious conservatives, as they did with the school prayer cases in the 1960s, overstated the impact of the rulings and declared that schools and government bodies were being entirely prevented from recognising Christmas in any form. Nervous government officials or school administrators might well have been convinced that the Court had required that any and all symbols of the season be absent, or that it would be best to avoid trouble by avoiding as many trappings of the holiday season as possible, only to find themselves facing challenges from those seeking to ‘keep Christ in Christmas’. The irony is that such actions may not be necessary at all. Studies indicate that, in general, the vast majority of people have no objection to Christmas celebrations, recognising both its wider cultural symbolism and its importance to the Christian majority around them (Levey 2006, 356, 361; Nash 2020). The ‘War on Christmas’ is then largely unnecessary but also risks becoming a self-fulfilling prophecy, creating tension where none need exist.

So how do we then understand the position of those who believe in a war on Christmas if challenges to Christmas celebrations are seen as goodwill gestures motivated by avoiding causing offense to non-Christian groups? One argument is that accommodation has gone too far, potentially to the extent of violating the rights of the majority. ‘In recent years militant special interest groups have made it their goal to co-opt our religious liberties and force industry and government to go beyond tolerance of their views and demand full approval of them’, declared a somewhat overzealous Mike Huckabee (Starnes 2014, *Foreword*, 9). Although much more moderate, Gerry Bowler (2017) agreed with the sentiment, arguing that a ‘well-meaning but ill-conceived attitude toward social underdogs has preconditioned many officials, lawyers, reporters, and opinion leaders to distrust any expression of the dominant culture’. Inclusivity, he concluded, ‘has become the argument by which the claims of the majority are excluded’ (240). Implicit in this position is a deeply Christian-centric view of the world. When those who perceive a war on Christmas express astonishment that anyone would object to a Christmas carol or a card with a religious message, when they object that seemingly generous or harmless activities are being labelled as ‘toxic’, they see the world through the eyes of their normative Christian faith (Bowler 2017, 233–234; Starnes 2014, 137–162). Shocked as he is that anyone would prevent children seeking to pack innocuous boxes of ‘toys, candy, and hygiene items’ to be donated to evangelical Christian humanitarian organisation, Samaritan’s Purse, it’s highly likely that Starnes’ reaction would have been significantly different had those parcels been for Islamic Aid, Muslim Global Relief, Buddhist Global Relief, the World Hindu Federation, or the Jewish Joint Distribution Committee. Belief in the US as a Christian nation with Protestant Christianity at its centre, a view increasingly termed Christian Nationalism, and belief in the ‘War on Christmas’ have a tendency to overlap which fits with this propensity to assume that the presence of Christian symbols, groups, or activities is ‘normal’ while their absence, or the presence of a range of different beliefs or none, is not.<sup>11</sup> And it is also clear that advocates see this as a zero sum game: more rights for one group, or more, mean fewer rights for others. Conservative Australian journalist, Andrew Bolt, for example, called the perceived change to Sydney’s Christmas decorations ‘vandalism’ perpetrated by ‘our multicultural commissars’ which falls under ‘what the United Nations would call cultural genocide’ (quoted in Levey 2006, 360). From this perspective, the inclusion of more beliefs and



perspectives leaves less and less space for those of the original majority, seen, as Bowler argued, as a diminishment of the original faith. There is, in this view, only so much space to accommodate the views of the community and Christians are being squeezed out in favour of others.

Santa, Christmas trees, reindeer, and candy canes have become symbols of this high stakes debate, suggesting that the war about Christmas is far from over because it is part of a larger cultural battle about the shape and future of American society. At stake, 'is how we as Americans will order our lives together' (Hunter 1991, 34). On one hand are liberal groups, both religious and secular, who believe that society should recognise and respect the variety and differences of the views that constitute the community. While their attempts are sometimes overzealous and have, at times, risked violating the religious rights of some, their motive has generally been to ensure inclusion and avoid causing offence in increasingly diverse societies. On the other side are conservative groups who feel strongly and deeply that historic and contemporary attempts to create diversity and avoid causing offense to others has resulted in the denigration of Christianity. Attempts to deconstruct the 'moral establishment' of Christianity and to root out some of the more egregiously sectarian practices have, by this group, been seen as attacks on their beliefs and practices, as attempts to diminish or reduce their place in American national life. They demonstrate a tendency towards a Christian-centric view of the world which sees Christian values as normative, as widely accepted, and as 'normal' and challenges to them as therefore irrational or dangerous. They tend also towards a view of rights as finite, and that granting more to one group automatically means less for another. There is very little middle ground between these two positions which reflect fundamentally different views about the nation and its future, suggesting that there is little likelihood that the war about Christmas will diminish any time soon.

## Conclusion

Despite the persistence of claims that Christmas in the United States is under attack, it is fairly clear that the holiday, in both its religious and secular iterations, is not going anywhere. No-one is proposing to ban the celebration entirely as the Puritans did in the 17<sup>th</sup> Century, as Saudi Arabia did in the 20<sup>th</sup> Century, and as Brunei currently still does (Sehmer 2015; Yee 2021). But discussion of the 'War on Christmas' persists, as an increasingly familiar but somewhat unwelcome guest at the celebrations. It does so because the battle is only marginally about Christmas itself; in fact, to see it as only a debate about Christmas is to miss its deeper significance. Partisanship has given extra ferocity to the debates about the proper place of Christmas in government-affiliated spaces and in the public square more generally. While this has led to some exaggerated claims, the 'War on Christmas' should not be dismissed as hyperbole, the last gasp of a rose-tinted view of a past that never existed, or as a political theatre. While it has included all of those things it also embodies a much wider discussion in American society about how to balance the historic dominance of Christianity with a modern understanding of the country's religious diversity, how to understand the demands of the First Amendment in that context, and what it means to live in a culturally pluralistic society. The complexity of those issues, combined with the heat of political division and the emotional

connection many have to the Christmas holiday, means it is highly likely that the ‘War on Christmas’ is here to stay for the foreseeable future.

## Notes

1. These figures were down slightly from the 2013 poll which were 51% and 54% respectively.
2. This showed a slight increase from 32% in the 2013 poll.
3. The case involved a challenge to a New Jersey law which reimbursed parents from state funds for the cost of bus transportation for their children to private schools. Arch Everson argued this violated the Establishment Clause of the First Amendment by providing public funds to aid in the teaching of religious principles. The Court disagreed, arguing that the funds went to the parents and not to the schools, thus breaking the chain between the state and the religious function of the school. The tension between the result and the language has been a source of debate for scholars ever since. For a good overview see Formicola and Morken (1997).
4. Cases in which the Court demonstrated this included *Cantwell v. Connecticut* 1940; *West Virginia State Board of Education v. Barnette* 1943; *Sherbert v. Verner* 1963; *Wisconsin v. Yoder* 1972.
5. Cases included *Marsh v. Chambers* 1983; *Meek v. Pittenger* 1973; *Wolman v. Walter* 1977; and *Mueller v. Allen* 1983.
6. This led to a somewhat incredulous response from Justice William Brennan who observed in dissent: ‘I refuse to accept the notion implicit in today’s decision that non-Christians would find that the religious content of the crèche is eliminated by the fact that it appears as part of the city’s otherwise secular celebration of the Christmas holiday’ (*Lynch v. Donnelly* 1984, 708).
7. The majority’s response to Kennedy’s criticisms is worth quoting at length because it neatly summarized the argument for a secular state that had largely come to dominate legal thinking about the Establishment Clause, an argument that was increasingly under attack: ‘Justice Kennedy’s accusations are shot from a weapon triggered by the following proposition: if government may celebrate the secular aspects of Christmas, then it must be allowed to celebrate the religious aspects as well because, otherwise, the government would be discriminating against citizens who celebrate Christmas as a religious, and not just a secular, holiday . . . This proposition, however, is flawed at its foundation. The government does not discriminate against any citizen on the basis of the citizen’s religious faith if the government is secular in its functions and operations. On the contrary, the Constitution mandates that the government remain secular, rather than affiliate itself with religious beliefs or institutions, precisely in order to avoid discriminating among citizens on the basis of their religious faiths. A secular state, it must be remembered, is not the same as an atheistic or antireligious state. A secular state establishes neither atheism nor religion as its official creed’ (*Allegheny County v. ACLU* 1989, 610).
8. Cases have included *Town of Greece v. Galloway* 2014; *Burwell v. Hobby Lobby* 2014; *Trinity Lutheran Church v. Comer* 2017; *Espinoza v. Montana Dept. of Revenue* 2020; *Little Sisters of the Poor Saints Peter & Paul Home v. Pennsylvania* 2020; *Fulton v. City of Philadelphia* 2021; and *Kennedy v. Bremerton School District* 2022.
9. The growth of the season is both noted and lamented with the perennial observation that the celebrations seem to begin earlier each year, a phenomenon known as Christmas Creep, which actually dates back to at least the early 20<sup>th</sup> Century (Black 2022; Collins 2013).
10. ‘That the tree may, without controversy, be deemed a secular symbol if found alone does not mean that it will be so seen when combined with other symbols or objects’ (*Allegheny County v. ACLU* 1989, 633).
11. Christian Nationalism is a complex concept. As Andrew Whitehead and Samuel Perry noted in their 2020 study, it, ‘is not a single idea that can be measured solely by agreement with a founding myth, but rather a more dynamic ideology incorporating a number of beliefs and values’ (15). Here, it is used to reflect the beliefs of ‘War on Christmas’ supporters that Christianity was and is the normal, dominant

religious force in the United States. For a study of the historical foundations of Christian Nationalism see Fea (2016).

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