IS BELIEF THE CENTER OF RELIGION?¹

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In the increasingly religiously pluralistic society of the United States, the U.S. Supreme Court faces the challenge of how to define religion. I believe that, while the Court has taken steps to conceptualize religion in a manner appropriate to this nation's religious diversity, a Christian understanding of religion shapes the Court's thinking. A number of U.S. Supreme Court decisions concerning free exercise of religion illustrate that the U.S. legal system distinguishes between religious belief and religious practice, and implicitly characterizes belief as the essence or core of religion. While the view that practice derives from belief may be well suited for conceptualizing Christianity, especially Protestant Christianity, it has not helped the Court to understand the religiosity of Native Americans or Orthodox Jews. In antiquity pagan judges, who held practice, rather than belief, as central to religion, tested early Christians, for whom belief was central, by demanding that they perform certain cultic acts to prove their loyalty to the Roman Empire. Thus, I am struck by the irony of the Supreme Court's testing of religions that do not hold belief central by means of the category of belief.

In what follows, I will give a brief historical sketch of several Supreme Court cases that illustrate the Court's focus on belief as central for religion and will argue that this focus does not do justice to the self-understanding and self-definition of several non-Christian religions. I then will discuss how the

¹ Dieter Georgi always has urged his fellow New Testament scholars, whether students or colleagues, to go beyond the narrow confines of scholarship on antiquity and to speak to the world. In this essay I take up his challenge by addressing a troubling aspect of U.S. legal discourse concerning religion. In suggesting ways in which a study of the New Testament in its cultural context can improve that understanding, I write out of gratitude to Dieter Georgi for challenging his students and colleagues to cross boundaries from which other scholars shy away.

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apostle Paul, as an influential representative of early Christianity, focused on belief in a way that changed religious history and redefined what it means to be religious.

In addition, the Supreme Court's focus on belief fosters an individualistic and privatistic understanding of religion, since belief is generally understood as a highly personal, private matter. Theologians and New Testament interpreters also sometimes have taken Paul's concept of belief as personal, private, and centered on the individual, but the more careful analysis undertaken by several recent scholars reveals the communitarian aspects of Paul's concept of belief.

Both historical situations, namely, that of the religiously pluralistic contemporary U.S. and that of the religiously pluralistic Roman world—including Paul and other early Christians—require conceptualizations of religion sufficiently complex to describe these religions and their communities. New Testament scholars have a responsibility to join the effort to define religion in a culturally appropriate way, since it is in the New Testament where we can investigate and clarify the earliest Christians' emphases on belief and from the New Testament that modern Christianity, especially Protestant Christianity, claims to draw its self-definition. Interpreters of early Christianity and of other Graeco-Roman religions, who have made great strides in conceptualizations, can give historical depth to the discussion of contemporary religion by illustrating that current definitions are culture-bound and historically relative.

THE U.S. SUPREME COURT ON RELIGION AS BELIEF

In 1879 the U.S. Supreme Court based its holding that religiously allowed bigamy is a criminal act on Thomas Jefferson's distinction between religious opinions and religious actions; this applied to Mormons, despite their permitting bigamy on religious grounds. Jefferson held that "the legislative powers of the government reach actions only, and not opinions." The

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3 Reynolds v. United States, 98 U.S. at 164 (1879).