RELIGIOUS PROPAGANDA AND MISSIONARY COMPETITION IN THE NEW TESTAMENT WORLD

Essays Honoring Dieter Georgi

EDITED BY

LUKAS BORMANN
KELLY DEL TREDICI
ANGELA STANDHARTINGER

E.J. BRILL
LEIDEN · NEW YORK · KÖLN
1994
IS BELIEF THE CENTER OF RELIGION?1

Bernadette J. Brooten
(Brandeis University, Waltham, Massachusetts)

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.

I express gratitude to Denise Kimber Buell, Caroline Johnson, and Melanie Johnson-DeBaufre for their assistance with this article, as well as to Ronald Thiemann and Preston Williams for their helpful comments.
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 Court emphasized its guarantee of freedom of religious opinion, but insisted that this freedom did not extend to religious practice in the case of bigamy, which it classified as a threat to the social order. In a 1940 landmark decision, the Court slightly expanded the scope of the Free Exercise Clause to include some religious acts when it stated that the Free Exercise Clause of the First Amendment embraces “two concepts, — freedom to believe and freedom to act. The first is absolute but, in the nature of things, the second cannot be.”

This debate concerning opinion or belief and practice also has continued in several recent free exercise cases. In 1988 the Court held that the Free Exercise Clause does not prohibit the government from constructing a road or harvesting timber on a piece of federal land historically used by the Yurok, Karok and Tolowa tribes for Native American religious ceremonies requiring “privacy, silence and an undisturbed natural setting.” The Court conceded that the road construction and timber harvest “could have devastating effects on traditional Indian religious practices,” but determined that the government was not thereby coercing the Yurok, Karok and Tolowa tribes “into violating their religious beliefs.” The Court assumed the existence of Native American religious beliefs that exist independently of religious ceremonies and that could continue even if the geographically-specific religious ceremonies ceased. Justice Brennan, however, recognized the problem of forcing “Indian concepts into non-Indian categories.” In his dissenting opinion Justice Brennan attempted to make clear that land, sacred space, is central to Native American religion, rather than “dogma” or “[e]stablished or universal truths.”

In another case concerning Native American religious practices, the Court held in 1988 that employers at a drug and alcohol abuse prevention agency may dismiss Native American

---


3 Reynolds *v.* United States, 98 U.S. at 164 (1879).
rehabilitation counselors for the use of peyote in religious ceremonies. Here once more the Court viewed religious action, in this case the ceremonial ingestion of peyote, as protected to a lesser degree than religious belief. In its argument the Court implied that religious groups can rest assured that, at the minimum, it will protect their religious beliefs, if not all of their religious practices. However, this belief/practice schema may not apply to Native American religion at all.

A 1986 case of an Orthodox Jewish man, in which the Court upheld an Air Force order prohibiting him from wearing his yarmulke while on duty, poses somewhat similar problems. The Court defined as evenhanded the Air Force’s prohibition of visible religious apparel and acceptance of religious apparel that is not visible. In his concurring opinion Justice Stevens emphasized the military’s need for the “uniform treatment for the members of all religious faiths.” In contrast, in his dissenting opinion, Justice Brennan rejected the implied division of religions into “two categories—those with visible dress and grooming requirements and those without,” a categorization that Brennan recognized as favoring majority religions over minority ones.

While I cannot address the full complexity of these cases, the problem I have outlined here needs to be addressed. Since a conceptual framework that distinguishes between belief and practice and grants privilege to the former over the latter will not lead to the fair treatment of religions that call for special clothing, sacred space, or the ingestion of particular substances, I propose that scholars of religion assist the Court in developing a better understanding of religion for adjudicating Free Exercise of Religion challenges. I recognize that a society may need to impose limits on religious practices, such as when it deems these practices as damaging to society. But the view of belief as religiously more central than practice does not correspond with the self-understanding of many of our society’s religious traditions.

### Paul and Belief: The Individual and the Community

A better understanding of the history of religions can assist us to recognize the Court’s focus on belief as culture-specific and Christian-centered. The apostle Paul exemplifies the early Christian paradigm shift in conceptualizing religion as belief. An examination of his views within the context of the Roman world will enable us to understand better the extent and limits of that shift within Western religious history.

In placing belief in Christ at the center of human existence, Paul altered the Judaism into which he had been born, which had law as its center. Paul’s move was an unusual one since in his world few, if any, would have thought of belief as the central characteristic of religion. To be sure, ἄνθρωπος had been a term of religious piety since Plato, but nevertheless, sacred space, blood sacrifice, drink offerings, veneration of one’s ancestors, rituals concerning the dead, festivals, cultic objects, commandments concerning gifts to the poor, tithing, cultic purity, and a host of other concerns were more likely than belief to come to the mind of a person in the Roman world at the mention of religion. Thus, Paul’s theology signals a paradigm shift within ancient religious history in its placement of faith as central and sacred space, seasonal religious festivals, and many other religious practices as peripheral.

Paul’s shift to faith as central for salvation created a theo-

---

12 Goldman v. Weinberger, infra, at 512.
13 Goldman v. Weinberger, infra, at 521.
14 I am aware that factors other than the belief/action distinction also play a role in these cases and that, in some states, the Court has protected religious actions under the Free Exercise Clause, e.g., Wisconsin v. Yoder 406 U.S. 205 (1979). Moreover, Christian thinking is certainly not the only influence on the Supreme Court’s view of religion.


16 See, e.g., Plato, Laws 966 D. Plato defines an ἄνθρωπος person as one who questions the existence of the gods (Apology 26 C). A hypostatized ἄνθρωπος also enjoyed status as a deity, e.g., Hesiod refers to ἔθνος as a deity, who under Augustus the worship of Fides as a deity was revived and a temple built to her in Rome. (See Der Kleine Pauly, s.v. Fides and Pithis.) See Dieter Georgi, Theories in Paul’s Praxis and Theodicy, 84.

logical conflict for him, namely: What is the relationship between God’s revelation in Christ and God’s earlier revelations to the people of Israel? Was the believer in Christ to follow the ancestral customs of Israel? Some of Paul’s earliest opponents apparently feared that his focus on belief meant that Paul understood ἡμεῖς as purely personal and private and unconcerned with behavior (e.g., Rom 3:8, 31). Accordingly, Paul had to answer, first, whether faith in Christ meant that good deeds were no longer necessary; second, whether such faith meant that God’s revelations to Israel had run their course and no longer were valid; and third, whether people who did not follow the ancestral customs of Israel could be saved. In response to these questions Paul argued that life in the spirit bears the fruit of good works, and that life in the spirit is not life under the law (e.g., Gal 5:16-24); that God has not rejected Israel (e.g., Rom 11:1); and that people are saved by faith and not the works of the law (e.g., Rom 3:21-2). Paul’s answers differ greatly from the ways in which other Jews of his time addressed the religious function and meaning of behavior.

For Jews in this period (and subsequently), proper behavior rather than proper belief characterized a righteous Jew. Thus, Josephus defines an apostate from Judaism as a person “who hates the customs of the Jews” or “who does not abide by the ancestral customs.” Similarly, the divisions between the Jewish sects arose to a far greater extent over disputes about law than over disputes about belief. Jews in antiquity did, of course, have beliefs. Ephraim Urbach, for example, has attempted to systematize the concepts and beliefs of the Tanna’im and Amora’im. But Urbach recognizes that the implicit concepts that he systematizes do not form the basis of the organization of the rabbinic corpus, which is organized around questions of practice. Practice as the observance of ancestral customs not only conveyed a special relationship to God, but also shaped Jewish group-identity. In fact, observance of the Torah required economic and social cooperation in such matters as dietary laws and sabbath observance. Ancient Jewish practice, therefore, even though carried out by private individuals, had certain public and group aspects that aided in the preservation of the Jewish community.

Paul’s Jewish contemporaries, for whom the preservation of the Jewish community and of Jewish group-identity were central, apparently viewed his response to the Jewish law with considerable skepticism. According to Acts 28:17, Paul defended himself vis-à-vis the Jewish leaders of Rome, claiming he “had done nothing against our people or the customs of our ancestors.” According to his own correspondence, however, he was quite willing to depart from such ancestral customs as circumcision and dietary laws (Gal 2:11-14; 5:2-12; Rom 14).

If Paul’s response to the Jewish law raised questions about his commitment to Jewish ancestral customs and the preservation of the Jewish community, does that mean that he understood ἡμεῖς as a purely individual phenomenon? Traditionally, theologians have interpreted Paul’s concept of ἡμεῖς as deeply personal and focused on the individual. But more recently, interpreters coming from different positions, such as

---

19 Josephus Bell. 7:33, § 80; Ant. 20:25.2 § 100. See Shaye J.D. Cohen, From the Maccabees to the Mishnah (Philadelphia: Westminster, 1987) 61, 124-75.
20 Shaye J.D. Cohen points out that ancient Judaism lacked the organization necessary to impose dogma on Jewish communities scattered throughout the Mediterranean basin. The Roman Catholic Church, for example, has the pope and the teaching magisterium of the world’s bishops to ensure that Catholics think “everywhere in the same dogma” (From the Maccabees to the Mishnah: Philadelphia: Westminster, 1987) 61, 124-75.
23 E.g., the availability of ritually slaughtered meat and of wine from which no libation to pagan deities had been made or the creation of multi-unit dwellings through external boundaries in order to facilitate sabbath observance required an extensive Jewish infrastructure.
Krister Stendahl, Robert Jewett, and Dieter Georgi have recognized Paul’s communitarian concern with the salvation and well-being of groups of people and not simply of the individual believer. In other words, the current individualistic understanding of belief implied in recent Supreme Court decisions may not correspond to that of Paul, one of the most fundamental shapers of Christian concepts of faith.

If we look beyond the debate between Paul and his fellow Jews, we find that in other Greco-Roman religions, practice rather than belief shaped self-understanding and identity. Pagans did, however, presuppose the presence of awe or intentionality in one’s religious activity, although the precise relationship between acts and awe or intentionality in Greek and Roman religion has posed difficulties for interpreters. Perhaps the difficulty lies not in the unclarity of the relationship between belief and practice in antiquity so much as in modern scholars’ tendency to see these religions as wholly other and as consisting of cultic acts devoid of anything resembling the depths of Christian faith. Some scholars, in contrast, go to great lengths to defend pagan religions as incorporating the same depths of piety as Christianity, thereby placing these religions within a Christian interpretive framework. Current inter-religious dialogue, which often concep-

---

[59] See especially Dieter Georgi, Theology in Paul’s Praxis and Theology.
[60] While atheism (déism) in the Roman world could refer to people not believing in the existence of the deities, it also connoted not participating in the cults of the deities.
[62] In addition, scholars often have viewed ancient pagan religions through the lens of Protestant/Catholic debates. See, e.g., Jonathan Z. Smith, Drudgery Divine: On the Comparison of Early Christianities and the Religions of Late Antiquity (Chicago: University of Chicago Press, 1990), who argues this point for modern research on the Greek mystery religions.
[63] André-Jean Fresque appears to employ an overly Christian framework for describing Greek religion. He is at pains to describe the Greeks as having a depth of personal piety, a thirst for closeness with God, and “belief in a fourth dimension,” which is his definition of religion (Personal Religion among the Greeks [Berkeley: University of California Press, 1954] 1 and passim).