

What kind of faith should Ketanji Brown Jackson have?

## **We seem to want public figures with inconsequential beliefs.**

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United States Supreme Court nominee Ketanji Brown Jackson at the US Senate hearing on March 21, 2022. (Photo: C-SPAN / Public domain)

“On a scale of 1 to 10, how faithful would you say you are, in terms of religion?” If you were a Supreme Court nominee and this question were posed to you in public by a senator, as it was to Ketanji Brown Jackson last month, how would you answer?

In American civil religion, it is good to be faithful, but not too faithful. It is good to have religion, but not to have any specific beliefs that might get in the way of your ability to make good judgments. Belief is the answer to everything and has purpose for nothing. It is fundamentally necessary and, at the same time, untrustworthy.

In the theater in which civil religion is performed, some people probe others in an attempt to reveal if there is anything unusual about their religion. It can feel like theater of the absurd.

Do you believe? *Yes.*

Do you believe anything in particular? *No.*

Does belief make a difference in your life or work? *Certainly not.*

How important is your purported faith to you? *Very important, indeed.*

This performance—repeated most recently in the Supreme Court confirmation hearings for both Jackson and [Amy Coney Barrett](#)—rests on two competing impulses in American life. One impulse is to have all our public figures be human. We like to praise people for their backgrounds and hear them credit God and their parents for how far they've come. Religion can be an important and compelling part of this story.

But an even older counter impulse, one that's rooted in 19th-century American Protestantism, is central to our public life: religion belongs in the private realm. When the specificity of people's inner lives touches the blank slate that we imagine as the public sphere, religion should disappear except in platitude. Motivations based on specific beliefs are deeply suspect, because religious belief in public life is inherently suspicious.

The problem is especially acute for judges. Everyone might expect and even hope that a politician has views formed and informed by personal experience and perhaps by faith. But in our system, a judge needs to have risen above all of that in order, for example, to be able to judge the merits of a case on the basis of settled law—all of which is said to be beyond or above individual, potentially idiosyncratic beliefs.

This desire for a place beyond or above belief, but still somehow in need of faith, helps to create the Kafkaesque moments we saw in Jackson's recent confirmation hearings. The process doesn't call into question any person's faith, but only the inadequate public language we have for it and our uneasiness about its inclusion at all.

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