

Carleton University

Fall Term 2013

College of the Humanities

Religion Program: RELI 4852A/5852 F

“Secularism, Religion, and Public Space in India and Canada.”

**Professor:** Richard Mann

**Office:** Paterson Hall 2A51

**Office Hours:** Tuesdays and Thursdays 10-11am, Mondays 5pm

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**Classroom:** PA 2A46

**Class time:** 6:05pm-8:55pm

### Course Introduction and Description:

Somewhat famously in the 1960s Peter Berger laid out an argument in his book, *The Sacred Canopy: Elements of a Sociological theory of Religion*, that eventually secularism would dominate the world. The secularization hypothesis, popular in the social sciences in the 1960s, and 70s, claimed that progress and secularism moved together and as the world progressed religion would fade away and be replaced by secular institutions. Religion, it was thought, would have no place in the modern world. More recent historical events have done much to challenge the notion that religion will fade from relevance on the global scene. Indeed, in 1991 Berger published an article in another book, *The Desecularization of the World: Resurgent Religion and World Politics*, summarizing his thoughts on why secularization had not come to dominate the world in the manner he predicted three decades previous, and that, if anything, the inverse process had occurred.

Since the 1990s ideas of secularism and related terms and concepts like multiculturalism and reasonable accommodation have been much debated in academia and elsewhere. This course seeks to understand what secularism (or perhaps the plural ‘secularisms’ is more appropriate) is and debates related to the term in two national contexts: Canada and India. The course begins with a brief survey of the history of secularism in the west and then shifts to the Canadian and North American contexts. In the Canadian context we will explore two case studies both dealing with legal decisions related to minority groups. The first is the 2003 to 2006 debate in Ontario related to the desire by some to allow for sharia law in arbitration cases. The second is a Supreme Court of Canada case (*Multani v. Commission scolaire Marguerite-Bourgeoys*) dealing with the display of the Sikh *kirpan* in public places. The course then shifts to the Indian context. Here we explore the history of secularism in modern India with particular attention to the last two decades that has seen much debate over Indian secularism. We will also examine two Indian Supreme Court cases (*Bommai v Union of India*, and the group of decisions collectively referred to as ‘the Hindutva’ cases) to determine their impact on ideas of secularism both in India and elsewhere.

**Required Texts:**

Needham, Anuradha Dingwaney and Rajeswari Sunder Rajan. *The Crisis of Secularism in India* (Durham and London: Duke University Press, 2007).

Bose, Sugata and Ayesha Jalal. *Modern South Asia: History, Culture, Political Economy, 3<sup>rd</sup> edition*. (London and New York: Routledge, 2011).

Additional weekly readings are listed in the schedule below. Most of these readings can be obtained online or through the Carleton library.

**Useful Additional Resources:**

The CBC Radio One program, *Ideas*, ran a seven episode feature in secularism called, “The Myth of the Secular”, see [www.cbc.ca/ideas](http://www.cbc.ca/ideas). The episodes began on Oct 22, 2012 and ran through to Oct 30, 2012. Most of the contemporary thinkers we will read for the course appeared on this *Ideas* series. I would encourage you to listen to the episodes – they are free as podcasts from the CBC.

Also of use will be the Social Science and Research Council (SSRC) site: <http://blogs.ssrc.org/tif/religion-in-the-public-sphere> . A number of other links to blogs related to secularism, religious freedom and specific case studies can be found at the SSRC site *The Immanent Frame* <http://blogs.ssrc.org/tif/exchanges/> .

Additional resource readings specific to the weekly readings have also been listed in the weekly reading schedule below.

**Course Requirements and Evaluation:****For Students Registered in RELI 4852A:**

1. Two response papers, 2 X 10% = 20%

Each undergraduate student will submit two papers responding to the assigned readings for two of the eleven classes we have starting in week two. Each paper is to be 750-1000 words long. The response papers must demonstrate two things: 1. a clear grasp of the key issues in all of the readings assigned for that week; 2. a well-developed critical evaluation of the central arguments of each reading. One of the two response papers will be due on the day you present to the class and the other will be free for you to choose. The response paper that accompanies your presentation is due the day before you present and must be distributed to the class. The response paper that does not accompany your presentation is due at the start of that week’s class.

2. One presentation based on assigned readings, 1 X 15% = 15%

Starting in week two, each student will make a 15 minute presentation on that week’s readings to the class. On the week you present your response paper for that week must be circulated to the class the day before class. Your presentation should be based on your response paper, but you should not simply read your paper to the class. Each presenter is also required to take questions from the class and the instructor. Presentation dates will be selected in week one along with the dates for your two response papers.

3. One essay proposal, 1 X 10% = 10%

On November 9, each student must submit an essay proposal. The proposal must include a thesis statement or organizing question, a brief plan for the paper and an annotated bibliography. The thesis statement and plan should be 1-2 pages in length; the page length for the bibliography is not limited. Students are encouraged to speak with me well before November 9 to determine a suitable paper topic.

4. Active participation in class discussions, 12 X 1% = 12%

Each student is expected to come to class with the readings completed and ready to discuss the material. You will receive 1% each class after the first class for active participation. If you are absent from a class you cannot make-up the lost percent.

5. A Final Research Paper, 1 X 43% = 43%

Each student will submit a 15-20 page research paper on the last day of class – December 9.

### **For Students Registered in RELI 5852F:**

1. Four response papers, 4 X 5% = 20%

Each graduate student will submit four papers responding to the assigned readings for four of the eleven classes we have starting in week two. Each paper is to be 750-1000 words long. The response papers must demonstrate two things: 1. A clear grasp of the key issues in all of the readings assigned for the week; 2. A well developed critical evaluation of the central arguments of each reading. One of the four response papers will be due on the day you present to the class and the others will be free for you to choose. The response paper that accompanies your presentation is due the day before you present and must be distributed to the class. The response papers that do not accompany your presentation are due at the start of classes that correspond to the readings in your response papers.

2. One presentation based on assigned readings, 1 X 15% = 15%

Starting in week two, each student will make a 15 minute presentation on that week's readings to the class. On the week you present your response paper for that week must be circulated to the class the day before class. Your presentation should be based on your response paper, but you should not simply read your paper to the class. Each presenter is also required to take questions from the class and the instructor. Presentation dates will be selected in week one with the dates for your two response papers.

3. One essay proposal, 1 X 10% = 10%

On November 9, each student must submit an essay proposal. The proposal must include a thesis statement or organizing question, a brief plan for the paper and an annotated bibliography. The thesis statement and plan should be 1-2 pages in length; the page length for the bibliography is not limited. Students are encouraged to speak with me well before November 9 to determine a suitable paper topic.

4. Active participation in class discussions, 12 X 1% = 12%

Each student starting in week two is expected to come to class with the readings completed and ready to discuss the material. You will receive 1% each class after the first class for active participation. If you are absent from a class you cannot make-up the lost percent.

5. A Final Research Paper, 1 X 43% = 43%

Each student will submit a 20-25 page research paper on the last day of class – December 9.

**General Notes on Evaluation:**

1. Please see “Regulations Common to all Humanities Courses” attached to the syllabus for policy on plagiarism, grading systems, requests for academic accommodation and petitions to defer.
2. Missed quizzes, tests and assignments can only be made up if the student supplies adequate written documentation (i.e., a doctor’s note, an obituary) for the absence.
3. Assignments submitted after the due dates are subject to a 2% penalty per day late.

**Class Reading and Lecture Schedule:****Week One (Sept. 9)**

**Topics:** Course introduction

**Readings:** Craig Calhoun et al “Introduction” in *Rethinking Secularism* (New York: OUP, 2011): 3-30.

**Week Two (Sept. 16)**

**Topics:** The history of secularism in the west

**Readings:**

1. John Locke “A Letter Concerning Toleration”  
<http://etext.lib.virginia.edu/etcbin/toccer-new2?id=LocTole.xml&images=images/modeng&data=/texts/english/modeng/parsed&tag=public&part=all>)
2. Also see: William Uzgalis, “John Locke” Stanford Encyclopedia of Philosophy (Fall 2008 edition), esp. Section 4, “Locke and Religious Toleration”  
<http://plato.stanford.edu/archives/fall2008/entries/locke/>
3. Thomas Jefferson “The Virginia Statute for Religious Freedoms”  
<http://usa.usembassy.de/etexts/democrac/42.htm>

**Additional Resources:**

1. James Madison “A Memorial and Remonstrance Against Religious Assessments”  
[http://religiousfreedom.lib.virginia.edu/sacred/madison\\_m&r\\_1785.html](http://religiousfreedom.lib.virginia.edu/sacred/madison_m&r_1785.html)
2. United States Constitution, esp. Amendment 1  
<http://www.law.cornell.edu/constitution/>

**Week Three (Sept. 23)**

**Topics:** The history of secularism in the west

**Readings:**

1. Charles Taylor “Western Secularity” in *Rethinking Secularism* (New York: Oxford University Press, 2011): 31-53.
2. Charles Taylor “Modes of Secularism” in *Secularism and Its Critics* ed. Rajeev Bhargava (Delhi: Oxford University Press, 1998): 31-53.
3. Charles Taylor. Introduction, *A Secular Age* (Cambridge: Harvard University Press, 2007): 1-22.

## Week Four (Sept. 30)

**Topics:** The history of secularism in the west continued: debates over the idea

### Readings:

1. José Casanova "The Secular, Secularizations, Secularisms" in *Rethinking Secularism* (New York: OUP, 2011): 54-74.
2. Jurgen Habermas "Notes on a post-secular society"  
<http://www.signandsight.com/features/1714.html>
3. Talal Asad *Formations of the Secular* (Stanford: Stanford UP, 2003): 1-17.
4. Akeel Bilgrami "Secularism: Its Content and Context"  
<http://blogs.ssrc.org/tif/2011/10/20/secularism-its-content-and-context/>

### Additional Resources:

1. José Casanova "Rethinking Secularization: A Global Perspective," *Hedgehog Review* 8, nos.1-2 (2002): 7-22.
2. Charles Taylor "Why We Need a Radical Redefinition of Secularism" in *The Power of Religion in the Public Sphere* (New York: Columbia UP/SSRC, 2011): 34-59.

## Week Five (Oct. 7)

**Topics:** Secularism in Canada: legal issues related to freedom of religion and the law

### Readings:

1. Canadian Bill of Rights (1960) <http://www.canlii.org/en/ca/laws/stat/sc-1960-c-44/latest/sc-1960-c-44.html>
2. Canadian Charter of Rights and Freedoms (1982) <http://laws-lois.justice.gc.ca/eng/Const/index.html>
3. Beverley McLachlin "Freedom of Religion and the Rule of Law: A Canadian Perspective" *Recognizing Religion in a Secular Society* (Montreal and Kingston: McGill-Queen's Press, 2004): 12-40 (including the response from Elshstain) – available as an e-text via Carleton's library
4. Lori G. Beaman "Is Religious Freedom Impossible in Canada?" *Law, Culture and the Humanities* 8 (2010): 266-284. (this journal is available as an e-journal via Carleton's library)

### Additional Resources:

1. M. H. Ogilvie *Religious Institutions and the Law in Canada* 3<sup>rd</sup> edition (Toronto: Irwin Law, 2010).

## Week Six (Oct.14) Thanksgiving Day – No Classes

**Week Seven (Oct. 21)** For this class, half of the class will be assigned the Sharia Law readings and the other half will be assigned the *kirpan* case readings.

**Topics:** Sharia Law and Arbitration, and wearing the kirpan

**Readings for Sharia Law:**

1. Janice Gross Stein "Religion, Culture, and Rights: A Conversation about Women"  
[http://www.chumirethicsfoundation.ca/files/pdf/Religion%20Culture%20&%20Rights\\_Stein.pdf](http://www.chumirethicsfoundation.ca/files/pdf/Religion%20Culture%20&%20Rights_Stein.pdf)
2. Anver M. Emon "Islamic Law and the Canadian Mosaic: Politics, Jurisprudence, and Multicultural Accommodation" *The Canadian Bar Review* 87 (2008): 391-425.  
<http://www.law.utoronto.ca/documents/emon/CBR-CanadianMosaic.pdf>
3. Natasha Bakht "Were Muslim Barbarians Really Knocking On the Gates of Ontario? The Religious Arbitration Controversy – Another Perspective"  
<http://www.commonlaw.uottawa.ca/en/200708142437/publications-and-scholarship/connect/were-muslim-barbarians-really-knocking-on-the-gates-of-ontario-religious-arbitration-controversy.html>

**Additional Resources:**

1. Marion Boyd "Dispute Resolution in Family Law: Protecting Choice, Promoting Inclusion" (Report to the Government of Ontario) 2004  
<http://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/boyd/fullreport.pdf>
2. Family Statute Law Amendment Act (2006) esp. 1.(1)(b) [http://www.e-laws.gov.on.ca/html/source/statutes/english/2006/elaws\\_src\\_s06001\\_e.htm](http://www.e-laws.gov.on.ca/html/source/statutes/english/2006/elaws_src_s06001_e.htm)
3. Arbitration Act, 1991. [http://www.canlii.org/en/on/laws/stat/so-1991-c-17/latest/so-1991-c-17.html#P145\\_1928](http://www.canlii.org/en/on/laws/stat/so-1991-c-17/latest/so-1991-c-17.html#P145_1928)

**Readings for the kirpan case:**

1. Multani v. CSMB <http://www.lexisnexis.ca/documents/2006SCC006.pdf>
2. David Koussens "Neutrality of the State and Regulation of Religious Symbols in Schools in Quebec and France" *Social Compass* 56 no. 2 (2009): 202-213.
3. Rita Kaur Dhamoon "Exclusion and Regulated Inclusions: The Case of the Sikh *kirpan* in Canada" *Sikh Formations* 9 no. 1 (2013): 7-28.

**Week Eight (Oct. 28)** Fall Break – No Classes

**Week Nine (Nov. 4)**

**Topics:** An Introduction to Modern India

**Readings:**

1. Sugata Bose and Ayesha Jalal, *Modern South Asia: History, Culture, Political Economy*, 3<sup>rd</sup> edition, (London and New York: Routledge, 2011). Ideally, read the entire text, but we will focus our attention on chapters 15-20 (pages 130-210).
2. Paul S. Rowe "Chapter 6: Religion and Politics in India" in *Religion and Global Politics* (Don Mills: OUP, 2012): 131-153.

## Week Ten (Nov. 11)

**Topics:** Secularism in India, early developments

### Readings:

1. The Constitution of India <http://indiacode.nic.in/coiweb/welcome.html> esp. sections 12-15, 17, 25-29 and 44.
2. Rajan and Needham "Introduction" in *The Crisis of Secularism in India* (Durham, 2007): 1-42.
3. Section I of *The Crisis of Secularism in India*, 45-103.

### Additional Resources:

1. V. K. Sinha "Introduction" in *Secularism in India* (Bombay, 1968): v-xiv.
2. A. B. Shah "Secularism in India" in *Secularism in India*, 1-6.
3. V. K. Sinha "Secularism and Indian Democracy" in *Secularism in India*, 7-43.

## Week Eleven (Nov. 18)

**Topics:** Secularism in India, recent debates and issues

### Readings:

1. Section II of *The Crisis of Secularism in India*, 107-188.
2. Amartya Sen "Secularism and its Discontents" in *Secularism and Its Critics* (Delhi: OUP, 1998): 454-485.

## Week Twelve (Nov. 25)

**Topics:** Religion, Secularism and Indian Personal Law

### Readings:

1. Section IV of *The Crisis of Secularism in India*, 267-330.

### Additional Resources:

1. <http://www.hindu.com/2003/08/10/stories/2003081000221500.htm>
2. Nawaz B. Mody "The Press in India: The Shah Bano Judgment and Its Aftermath" *Asian Survey* 27 no. 8 (1987): 935-953.

## Week Thirteen (Dec. 2)

**Topics:** Religion, Secularism and Indian Law

### Readings:

1. Marc Galanter "Hinduism, Secularism and the Indian Judiciary" in *Secularism and Its Critics* (Delhi: OUP, 1998): 268-293.
2. Ronojoy Sen "The Indian Supreme Court and the Quest for a 'rational' Hinduism" *South Asian History and Culture* 1 no. 1 (2010): 86-104.
3. S. R. Bommai v Union of India <http://www.indiankanoon.org/doc/596735/> or see: [http://www.supremecourtcases.com/index2.php?option=com\\_content&itemid=1&do\\_pdf=1&id=223](http://www.supremecourtcases.com/index2.php?option=com_content&itemid=1&do_pdf=1&id=223)

### Additional Resources:

1. Gary Jacobsohn *The Wheel of Law* (Princeton, 2003).

## **Week Fourteen (Dec. 9)**

Topics: The Hindutva Cases

Readings:

1. <http://judis.nic.in/supremecourt/imgs1.aspx?filename=10192>
2. <http://judis.nic.in/supremecourt/imgs1.aspx?filename=10193>
3. <http://judis.nic.in/supremecourt/imgs1.aspx?filename=10194>
4. <http://judis.nic.in/supremecourt/imgs1.aspx?filename=10196>
5. <http://judis.nic.in/supremecourt/imgs1.aspx?filename=10197>
6. <http://judis.nic.in/supremecourt/imgs1.aspx?filename=10199>
7. <http://judis.nic.in/supremecourt/imgs1.aspx?filename=10200>

### **Additional Resources:**

1. Gary Jacobsohn *The Wheel of Law* (Princeton, 2003).



## REGULATIONS COMMON TO ALL HUMANITIES COURSES

### COPIES OF WRITTEN WORK SUBMITTED

Always retain for yourself a copy of all essays, term papers, written assignments or take-home tests submitted in your courses.

### PLAGIARISM

The University Senate defines plagiarism as “*presenting, whether intentional or not, the ideas, expression of ideas or work of others as one’s own.*” This can include:

- reproducing or paraphrasing portions of someone else’s published or unpublished material, regardless of the source, and presenting these as one’s own without proper citation or reference to the original source;
- submitting a take-home examination, essay, laboratory report or other assignment written, in whole or in part, by someone else;
- using ideas or direct, verbatim quotations, or paraphrased material, concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings;
- failing to acknowledge sources through the use of proper citations when using another’s works and/or failing to use quotation marks;
- handing in “*substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs.*”

Plagiarism is a serious offence which cannot be resolved directly with the course’s instructor. The Associate Deans of the Faculty conduct a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of “F” for the course

### GRADING SYSTEM

Letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100 (12)	B = 73-76 (8)	C - = 60-62 (4)
A = 85-89 (11)	B- = 70-72 (7)	D+ = 57-59 (3)
A- = 80-84 (10)	C+ = 67-69 (6)	D = 53-56 (2)
B+ = 77-79 (9)	C = 63-66 (5)	D - = 50-52 (1)

F	Failure. Assigned 0.0 grade points
ABS	Absent from final examination, equivalent to F
DEF	Official deferral (see "Petitions to Defer")
FND	Failure with no deferred exam allowed -- assigned only when the student has failed the course on the basis of inadequate term work as specified in the course outline.

Standing in a course is determined by the course instructor subject to the approval of the Faculty Dean.

### WITHDRAWAL WITHOUT ACADEMIC PENALTY

The last date to withdraw from **FALL TERM** courses is **DEC. 9, 2013**. The last day to withdraw from **FALL/WINTER (Full Term)** and **WINTER** term courses is **APRIL 8, 2014**.

### REQUESTS FOR ACADEMIC ACCOMMODATION

You may need special arrangements to meet your academic obligations during the term because of disability, pregnancy or religious obligations. Please review the course outline promptly and write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at: [carleton.ca/equity/accommodation/](http://carleton.ca/equity/accommodation/)

Students with disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (PMC) for a formal evaluation of disability-related needs. Documented disabilities could include but not limited to mobility/physical impairments, specific Learning Disabilities (LD), psychiatric/psychological disabilities, sensory disabilities, Attention Deficit Hyperactivity Disorder (ADHD), and chronic medical conditions. Registered PMC students are required to contact the PMC, 613-520-6608, every term to ensure that your Instructor receives your Letter of Accommodation, no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you only require accommodations for your formally scheduled exam(s) in this course, please submit your request for accommodations to PMC by **Nov. 8, 2013** for the Fall term and **March 7, 2014** for the Winter term. For more details visit the Equity Services website: [carleton.ca/equity/accommodation/](http://carleton.ca/equity/accommodation/)

### PETITIONS TO DEFER

If you miss a final examination and/or fail to submit a **FINAL** assignment by the due date because of circumstances beyond your control, you may apply a deferral of examination/assignment. If you are applying for a deferral due to illness you will be required to see a physician in order to confirm illness and obtain a medical certificate dated no later than one working day after the examination or assignment deadline. This supporting documentation must specify the date of onset of the illness, the degree of incapacitation, and the expected date of recovery.

If you are applying for a deferral for reasons other than personal illness, please [contact](#) the Registrar’s Office directly for information on other forms of documentation that we accept.

Deferrals of assignments must be supported by confirmation of the assignment due date, for example a copy of the course outline specifying the due date and any documented extensions from the course instructor.

Deferral applications for examination or assignments must be submitted within **5 working days** of the original final exam.

### ADDRESSES: (Area Code 613)

College of the Humanities 520-2809	300 Paterson
Greek and Roman Studies Office 520-2809	300 Paterson
Religion Office 520-2100	2A39 Paterson
Registrar's Office 520-3500	300 Tory
Student Academic Success Centre 520-7850	302 Tory
Paul Menton Centre 520-6608/TTY 520-3937	501 Uni-Centre
Writing Tutorial Service 520-2600 Ext. 1125	4 <sup>th</sup> Floor Library
Learning Support Service 520-2600 Ext 1125	4 <sup>th</sup> Floor Library