

Course Outline

COURSE:	LAWS 3903 “Is Religious Freedom a Human Right?”		
TERM:	Summer 2018		
PREREQUISITES:	<i>(Please refer to the public schedule on Carleton Central)</i>		
CLASS:	Day & Time:	Tuesdays, Thursdays 8.30-11.30	
	Room:	Please check with Carleton Central for current room location	
INSTRUCTOR:	Dr. Melanie Adrian		
CONTACT:	Office:	Loeb C-465	
	Office Hrs:	Tuesdays 12-1.30 or by appointment. All students are encouraged to meet with Dr. Adrian at least once during the semester.	
	Telephone:	613-520-2600 x. 2085	
	Email:	melanie.adrian@carleton.ca	

Academic Accommodations:

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: 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. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Religious obligation: 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. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website (www.carleton.ca/pmc) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes 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. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn

from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:

<http://carleton.ca/studentaffairs/academic-integrity/>

Student Services: The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>

Important Information YOU NEED to read:

Please, read this outline: Students are responsible for knowing the information contained in this outline and for following instructions on assignments. If you have any questions, please contact your teaching assistant first and the course instructor second.

Cell phone Policy: Please turn your cell phones off while in class. Texting or playing with your phone gives others the impression that you have better and more important things to do with your time. Plus, it's rude. If your cell phone rings while in class, you will be asked to stand up and sing a verse from your favorite song or recite a stanza from your favorite poem.

Reading and Participation: This class will succeed or fail based on your commitment. You should be coming to class having done the reading and prepared to contribute to a discussion. The texts are important, but you, the students, are the greatest resource. You all bring different perspectives and distinctive ways of thinking to the class. Speak up. Be heard.

Please note: we will be discussing sensitive and controversial issues in this class. No doubt there will be differing ideas on right and good. Everyone must do their best to be respectful at all times. Racist, misogynist and otherwise inappropriate comments will not be tolerated.

COURSE DESCRIPTION

This course will consider the legal, theoretical, and theological interconnections between religion and human rights. The first weeks of the course will familiarize students with key concepts

including definitions of human rights and religious freedom, universalism and cultural relativism. Attention will be paid to the interdependence of legal and religious perspectives. These fundamental concepts will be brought into dialogue in subsequent weeks when we examine the idea of human rights from philosophical and theological perspectives and apply these to various world belief traditions. In this way, we give special attention to competing theological and philosophical assessments of human rights.

(For more information, please refer to the public schedule on [Carleton Central](#))

REQUIRED TEXTS

Witte, John Jr. and Christian Green. *Religion & Human Rights: An Introduction*. New York: Oxford University Press, 2012.

Where to buy the text? The required text has been ordered and is available for purchase at **Octopus Books** [116 Third Ave, Ottawa, (613) 233-2589]. Copies of the text have also been placed on reserve for you in the library. You will need **MY NAME** and the **COURSE CODE**.

For more information see: <http://octopusbooks.ca/book/course-book-faq>

My philosophy on ordering texts: I am keenly aware that most of us are on tight budgets. Thus, if we will use less than 3 chapters of a book, I do not order it for you to purchase. Please read through the syllabus and if there are texts that you feel would be good to have, please order them from one of the many online sources. I have placed books on reserve for you at the library (both physical and e-copies, when available) and made the articles available through our class website on CULearn (Ares).

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

1) Class Activity	30%
2) Submission of Questions for final exam (DUE June 17 by midnight via CULearn)	15%
3) Final Exam – Part I (Date Scheduled by Registrar)	40%
4) Final Exam – Take Home portion (DUE June 28 on CULearn)	5%
5) Class Contributions	10%

1) Class Activity (30%): In small groups, students will be responsible for conceptualizing, developing, planning and executing a class activity. The class activity should be creative in nature (no powerpoint presentations allowed) and should take up the key themes, readings, and theoretical ideas for that week. The activity should aim to be about 30 minutes in length. Each group will be required to submit a 1 page activity outline at the start of the class in which they are presenting. Please see 3 associated handouts (Guidelines, grading and 1-page submission form) on course website.

2) Submission of Multiple Choice Questions for Final Exam (15%): Students will write and submit three multiple-choice questions which will be (potentially) included on the final exam. With a total value of 15% of the final grade, questions will be graded based on clarity, complexity, and writing style (e.g. grammar, spelling, etc.). Each question should provide four possible answers with one correct option. The correct option needs to be fully explained. DUE: June 17 by midnight via CULearn.

3) Final Exam – Part I (40%): The final exam will be multiple-choice and will be taken twice by each student. First, the

exam will be completed individually via CULearn in class. This portion counts for 85% of the final exam grade. Second, students will retake the same exam in specified groups, with each group discussing amongst themselves what the correct answer is. The collective portion of the exam will be worth 15%. The final exam will be scheduled by the registrar between 22-28 of June.

Any student who misses the final exam for legitimate, documented, reasons, will write the exam during the fall term on an individual basis only. Their grade will be worth 100% of the final grade.

4) Final Exam – Take home portion (5%): Each student will complete a survey and series of short written reflections about the course, final exam, and their learning two days after they have taken the final exam. The submission will be made to an online portal that will open shortly after the first part of the final exam is written and the portal will close two days later. More instructions and grading guidelines will be distributed in class.

5) Class Contributions (10%): This grade is partly about putting up your hand and speaking up in class. It is also about supporting other students in their learning, eagerly contributing during activities, taking a leadership role, suggesting an additional reading or poem, movie, piece of art, that speaks to our discussions. Overall, this grade is about taking your education seriously and thoughtfully extending that concern to others.

In accordance with the Carleton University Undergraduate Calendar (p. 45), the letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100	B+ = 77-79	C+ = 67-69	D+ = 56-59
A = 85-89	B = 73-76	C = 63-66	D = 53-56
A - = 80-84	B - = 70-72	C - = 60-62	D - = 50-52
F = Below 50	WDN = Withdrawn from the course		

ABS = Student absent from final exam

DEF = Deferred (See above)

FND = (Failed, no Deferred) = Student could not pass the course even with 100% on final exam

Policy on late submission of work: Late submissions will be deducted one letter grade per 24 hours (including weekends). Thus, a paper/proposal etc. with a value of B+ would be given a B on Thursday and C- on Monday.

SCHEDULE*May 8***Session 1: Introduction to the Course**

- What is this class about?
- Expectations and grading

*May 10***Session 2: Career Session (mandatory attendance)***May 15***Session 3: Religion and Human Rights**

Please read:

- Witte, John Jr. and Christian Green. *Religion & Human Rights: An Introduction*. New York: Oxford University Press, 2012. [Textbook]
 - Introduction: P.3-24
- Berkley Center for Religion, Peace, & World Affairs, Georgetown University. *Religion, law and the Politics of Human Rights: Talal Asad and Abdullahi An-Na'im in conversation*. September 29, 2009. P.1-11. [PDF available on course website].
- Smith, Rhona K.M. *Texts and Materials on International Human Rights*. 3rd ed. New York: Routledge, 2013. P. 2-18; 22-27. [available on Ares].
- SKIM: Stahnke, Tad and Martin, J. Paul, eds. *Religion and Human Rights: Basic Documents*. New York: Center for the Study of Human Rights, 1998. Especially P.88-96; 101-104. [Available on Ares]

For those students with less background in Human Rights theory and law, I highly recommend you read:

- Orend, Brian. *Human Rights: Concept and Context*. Ontario: Broadview Press, 2002. Ch. 1 "Basic Vocabulary and Core Concepts"; ch. 3 "What Justifies Human Rights?".
- Stahnke, Tad and Martin, J. Paul, eds. *Religion and Human Rights: Basic Documents*. New York: Center for the Study of Human Rights, 1998. P. 56-85.

Possible Movie: Faith and Human Rights with John Witte, Jr. and Kamari Clarke at Yale University

<http://www.youtube.com/watch?v=RszpzkQITbE>

May 17

Session 4: Religion, Human Rights, and Secularism

Please read:

- Witte, John Jr. and Christian Green. *Religion & Human Rights: An Introduction*. New York: Oxford University Press, 2012. [Textbook]
 - Chapter 8: “Religion, Human Rights, and Public Reason: The Role and Limits of a Secular Rationale.” P.135-154.
 - Chapter 22: “Patterns of Religion and State Relations.” P. 360-378.
- Bhandar, Brenna. “The Ties that Bind: Multiculturalism and Secularisms Reconsidered” in *Journal of Law and Society*. Vol 36 (3), 2009. P. 301-326. [PDF Available on course website]

May 22

Session 5: Religion and Secularism in France (Case study)

Please read:

- Bowen, John R. *Why the French Don't Like Headscarves*. Princeton: Princeton University Press, 2007. Ch. 1 "Introduction"; ch. 2 "Remembering Laïcité"; ch. 3 "Regulating Islam"; ch. 4 "Scarves and Schools". [Ares]
- Adrian, Melanie. “France, the Veil and Religious Freedom” in *Journal of Religion, State and Society*. Vol. 37. No. 4. P.345-374. [Available on course website]

[Possible Movie: *They Call Me Muslim*]

May 24

Session 6: Religious Perspectives: Judaism

Please read:

- Witte, John Jr. and Christian Green. *Religion & Human Rights: An Introduction*. New York: Oxford University Press, 2012. [Textbook]
 - Chapter 1: “A Jewish Theory of Human Rights.” By David Novak. P.27-42.
- Dorff, Eliot N. "A Jewish Perspective on Human Rights." In *Human Rights and Responsibilities in the World Religions*, by Joseph Runzo, Nancy M. Martin and Arvind Sharma, Oxford: Oneworld Publications, 2003. P. 209-230. [PDF available on course website]

If you know nothing or very little about Judaism, please consider these readings:

Sylvia Barak Fishman, *The Way Into The Varieties of Jewishness*

Robert M. Seltzer, *Jewish People, Jewish Thought: The Jewish Experience in History*

Paul Mendes-Flohr and J. Reinharz, *The Jew in the Modern World*

A. Cohen & Paul Mendes-Flohr *20th Century Jewish Religious Thought*

Yosef Haim Yerushalmi, *Zakhor: Jewish History and Jewish Memory*

Y. Leibowitz, *Judaism, Human Values, and the Jewish State*

Guest Speaker: Rabbi Chaim Boyarski (confirmed)

May 29

Session 7: Cultural Diversity and Relativism

Please read:

- Sachedina, Abdulaziz. *Islam and the Challenge of Human Rights*. New York: Oxford University Press, 2009. [Ares]
 - “Foreword”;
 - Ch. 1 “The Clash of Universalisms: Religious and Secular in Human Rights.
- Parekh, Bhikhu. “Cultural Diversity and Liberal Democracy.” In *Democracy, Difference, and Social Justice*, by Gurpreet Mahajan. Delhi: Oxford University Press, 1998. P. 207-227. [Ares]

May 31

Session 8: Religious Perspectives: Indigenous Religion

Please read:

- Witte, John Jr. and Christian Green. *Religion & Human Rights: An Introduction*. New York: Oxford University Press, 2012. [Textbook]
 - Chapter 7: “Indigenous Religion and Human Rights.” By Ronald Niezen. P.119-134.

Guest Speaker: Benny Michaud (confirmed)

June 5

Session 9: Religious Perspectives: Islam

Please read:

- Witte, John Jr. and Christian Green. *Religion & Human Rights: An Introduction*. New York: Oxford University Press, 2012. [Textbook]
 - Chapter 3: “Islam and Human Rights.” By Abdulahi Ahmed An-Na’im. P. 56-70.
- El Fadl, Khaled Abou. “The Human Rights Commitment in Modern Islam.” In *Human Rights and Responsibilities in the World Religions*, by Joseph Runzo, Nancy M. Martin and Arvind Sharma. Oxford: Oneworld Publications, 2003. P. 301-364. [Ares]
- Environics Institute. *Survey of Muslims in Canada*. 2016. [PDF available on course website]

If you know nothing or very little about Judaism, please consider reading this:

The Introduction to Sophia Arjana's book, *Muslims in the Western Imagination* (OUP, 2015) which may be found here on [Ta'seel Commons](https://www.taseelcommons.com/):

<https://www.taseelcommons.com/politics/introduction-to-muslims-in-the-western-imagination>

Guest Speaker:

June 7th – No Class – Dr. Adrian presenting a paper at LSA in Toronto

June 12

Session 10: Limitations and Restrictions on Belief Rights

Please read:

- Witte, John Jr. and Christian Green. *Religion & Human Rights: An Introduction*. New York: Oxford University Press, 2012. [Textbook]
 - Chapter 15: “Permissible Limitations on the Freedom of Religion or Belief.” By T. Jeremy Gunn. P.254-268.
- Barry, Brian M. *Culture and Equality: An Egalitarian Critique of Multiculturalism*. Cambridge, MA: Harvard University Press, 2001. [Ares]
 - “Introduction”;
 - ch. 3 “Dynamics of Identity: Assimilation, Acculturation, and Difference.”

Discussion of Holt v. Hobbs (case on CUlearn)

June 14

Session 11: Religious Perspectives: Christianity

Please read:

- Witte, John Jr. and Christian Green. *Religion & Human Rights: An Introduction*. New York: Oxford University Press, 2012. [Textbook]
 - Chapter 2: “Christianity and Human Rights.” By Nicholas P. Wolterstorff. P.42-55.
- Little, David. “A Christian Perspective on Human Rights.” In *Human Rights in Africa*, by Abdullahi An-Na’im and Francis M. Deng. Washington, D.C.: The Brookings Institution, 1990. P.59-103. [Ares]

Guest Speaker: Ambassador Andrew Bennett

OR

June 14

Session 11: The Question of Minorities

Please read:

- Witte, John Jr. and Christian Green. *Religion & Human Rights: An Introduction*. New York: Oxford University Press, 2012. [Textbook]
 - Chapter 14: “The Right to Self-Determination of Religious Communities.” By Johan D. Van Der Vyver. P.236-253.
- Barry, Brian. *Culture and Equality: An Egalitarian Critique of Multiculturalism*. Cambridge: Harvard University Press, 2001.
 - Ch. 4 “Theories of Group Rights”;
 - ch. 5 “Liberal States and Illiberal Religions”; ch. 8 “Politics of Multiculturalism.” [Ares and on reserve]

June 17 (by midnight) Final Exam Questions Due (CUlearn)