

**RELIGION IN THE PUBLIC SPHERE:
INTERDISCIPLINARY PERSPECTIVES ACROSS THE CANADIAN PROVINCES**

**LA RELIGION DANS LA SPHÈRE PUBLIQUE:
PERSPECTIVES INTERDISCIPLINAIRES À TRAVERS LES PROVINCES CANADIENNES**

**FINAL PAPERS TO BE PUBLISHED: UNIVERSITY OF TORONTO PRESS (AFTER
REVISION)**

LES CHAPITRES SERONT PUBLIÉS AUX PRESSES DE L'UNIVERSITÉ DE TORONTO

The myriad public discussions on religion have reached a critical point within Canada and globally, but there has been little effort to relate diverse case studies and theoretical frameworks on a comparative and interdisciplinary basis. The recent years, however, offer increasing lyric material in this regard, including the public discourses of religious groups, juridical matters like reasonable accommodations, compelling changes to public policy, the social contributions through interactions between civic organizations and religious groups, and the functions and roles of religions in public services and institutions like health-care and education. As a response to these lines of inquiry, this workshop on religion in the public sphere brings together a multidisciplinary group of scholars from the often autonomous yet interconnected fields of religious studies, sociology, anthropology, political sciences, theology, and law. Together, we will define new emerging models that explain the contemporary relations between religion, civil society, and the state within the broader context of Canada while keeping both regional and international concerns in mind. The international concerns are significant as they help shed light on some of the common and distinct concerns that permeate Western societies en masse. **The direct purpose of this workshop is to identify and analyze the regional specificities that occur in relation to diversity management and to use the interface between case studies and theories across the Canadian regions** as a didactic platform.

Plusieurs discussions publiques sur la religion ont court au Canada et globalement, mais il y a eu jusqu'à maintenant peu d'efforts pour relier des études de cas régionales et des cadres théoriques, de manière comparative et interdisciplinaire. Les récentes années offrent un matériau très riche à cet égard, incluant les discours publics des groupes religieux, les questions juridiques comme les accommodements raisonnables, les changements aux politiques publiques, les contributions sociales à travers les interactions entre les organisations civiques et les groupes religieux, et les fonctions et rôles des religions dans les services publics et les institutions comme la santé et l'éducation. Cet atelier réunit des universitaires de plusieurs disciplines. Il vise à faire émerger les nouveaux modèles théoriques qui expliquent les relations contemporaines entre religion, société civile et l'état dans le contexte canadien, en gardant à l'esprit les différences régionales.

PROGRAMME

PAVILLON MARGUERITE-D'YOUVILLE
2375, CHEMIN DE LA CÔTE-SAINTE-CATHERINE

Jeudi, 4 novembre
Thursday, November 4th, 2010
LOCAL 1020

16:00 – 18:00: Public Lectures – Conférences publiques
International Initiatives Regarding Religion in the Public Sphere
Initiatives internationales sur la religion dans la sphere publique

Introduction

- **Marie-Claire Foblets:** Diversité religieuse et modèles de laïcités en Europe : Le projet européen RELIGARE (Texte lu par Jean-François Gaudreault-Desbiens, membre du comité aviseur de RELIGARE) (30 minutes)

This presentation will sketch the objects and methodologies of the new international research project "Religare." 13 research teams are participating in this research and the project covers 9 countries. "Religare" starts from the idea of equality and how it is challenged by the increasing diversity of religions and other convictions that are transforming Europe. The Union's expansion, together with important migration fluxes, partly explains a process of increasing diversity within the EU. An increasing number of citizens, many of whom are new EU citizens, hold beliefs and values different from the majority. These belief systems sometimes question and disturb the existing models of secularism in Europe and public authorities therefore face demanding challenges, probably more than ever before in history, of establishing social cohesion. A number of case studies will be broached as points of comparison to present the findings of this study.

- **Lori Beaman:** "How Much is Too Much? Governing Religion in the Public Sphere" (30 minutes)

Canada is presently at a crossroads in terms of the governance of religious diversity and the interpretation of religious freedom. Much of the discussion focuses on the degree to which religion has any place in the public sphere. Implicated in the dialogue at this crossroads are a variety of models and concepts of governance, including "laïcité ouverte", multiculturalism, interculturalism, pluralism, "Canadian values", and "Québec values". Using case law as a beginning place for analysis, this paper will consider the ways in which these models and concepts interface and differ around issues of religious diversity. The paper will explore the privatized solution of concerted adjustment proposed in the Bouchard Taylor Commission Report, and its impact on the presence of religion in the public sphere.

- **Question & Discussion**

18:00 – 20:00 Reception (local 4030)

**Vendredi et samedi, le colloque a lieu au local 4030
Friday and Saturday, ROOM 4030**

Vendredi 5 novembre - Friday, November 5th, 2010

Coffee and brioche (8:15 – 8:50 a.m.)

Session # 1: Regional Specificities 1: From Coast to Coast (9:00 – 10: 15 a.m.)

President: Jean-Claude Breton, Doyen, Faculté de théologie et de science des religions

- **Peter Beyer:** “Regional Differences and Continuities at the Intersection of Culture and Religion: A Case Study of Immigrant and Second Generation Young Adults in Canada” (20 minutes)

Referring primarily to current research being conducted in urban centres located in the five regions of British Columbia, the Prairies, Ontario, Quebec, and Atlantic Canada, this paper examines regional variations and continuities among groups of immigrant and second generation Christian young adults from different cultural backgrounds, including Haitian, Filipino, Korean, Chinese, Caribbean/African, and Eastern European. It focuses on how cultural differences intersect with regional, linguistic (French and English), and internal Christian differences (Roman Catholic, mainline and conservative Protestant, Eastern Orthodox), thereby contributing to an understanding of the relative contribution of these dimensions of variation to the reconstruction of majority and minority religion in Canada, at both the level of individuals and collectivities. In the process it sheds light on the degree to which differences which are publicly considered to be salient (region, language, religion, majority/minority status, culture) actually make a difference in the concrete religious lives of this important segment of the population.

- **Solange Lefebvre:** “L’adaptation à la diversité religieuse dans le secteur privé au Québec” (20 minutes)
- **Le contexte** de la recherche est la Commission Bouchard-Taylor, très centrée sur les institutions publiques et parapubliques, de même que sur des organismes communautaires, d’où la question de départ : *Où en est l’entreprise privée en regard de la gestion de la diversité culturelle et religieuse ?* L’enquête a été menée d’octobre 2009 à avril 2010. Cet exposé en présente les résultats, fruits d’une analyse des législations sur l’équité, du thème relatif à l’entreprise privée lors de la Commission Bouchard-Taylor, et d’une analyse des vingt-cinq entrevues individuelles et trois focus-groupes effectués auprès d’une quinzaine d’entreprises québécoises.
- **Question & Discussion** (35 minutes)

Coffee Break (10:15 – 10:30 a.m.)

Session # 2: Religion and Integration: Comparative Perspectives (10:30 am – 11:45)

President: Donald Boisvert

- **Margarita Mooney:** “Accommodation or Marginalization? Comparing Religion and the Integration of Haitians in Miami, Montreal and Paris” (20 minutes)

This paper explores how macro-level structures of law, policy and culture influence the ways that one particular group of immigrants—Haitians—form religious communities in three cities of their

diaspora—Miami, Montreal and Paris. In all three cities, Haitians, who are a very religious group, turned to their local religious communities and leaders for support in their adaptation. In addition to the community of worship, religious leaders founded social service institutions in Miami, Montreal and Paris to assist Haitians with their socio-economic adaptation. However, government policies towards these faith-based mediating institutions ranged from a cooperative approach in Miami to invisibility in Paris and conflict in Montreal. When compared with the cooperative approach toward faith-based mediating institutions in the U.S., Quebec’s discourse of reasonable accommodation toward immigrant religions actually appears in practice to marginalize the social project of faith-based institutions and hence works against the stated goal of successful immigrant integration.

- **Yolande Cohen**, « Genre, religion et migration : le cas des Juifs marocains à Montréal dans une perspective comparée » (20 minutes)

Les migrations post-coloniales permettent d’appréhender les reconstructions communautaires et nationales à partir du positionnement singulier des migrants à leur arrivée dans leur nouveau pays d’accueil. C’est le cas des migrations maghrébines qui conduisent chrétiens (rapatriés et pieds-noirs d’Algérie surtout mais pas seulement), musulmans et juifs à quitter les espaces coloniaux et nationaux pour se retrouver dans des villes de la France métropolitaine, un peu plus tardivement au Canada et ailleurs dans le monde occidental. Parce que ces migrants transnationaux conservent dans un premier temps les caractères propres à leur pays d’origine, il convient d’étudier le phénomène dans une perspective longitudinale, de leur départ à leur arrivée. Il devient ainsi possible d’identifier les processus à l’œuvre et d’analyser au plus près les reconfigurations auxquelles ces migrations ont pu donner lieu. Nous présenterons les résultats des travaux effectués sur les déplacements/exils/migrations des membres de cette communauté à Montréal, les processus de leur installation/incorporation à leur pays d’accueil selon les périodes (1968 à 1990) et le rôle joué par les organisations communautaires dans leur intégration (sources et archives des synagogues de Montréal). Les questions d’appartenance religieuse, ethnique et de genre de ces personnes seront également analysées (récits de vie d’une quinzaine de personnes vivant à Montréal). La perspective comparée sera réalisée avec les migrants installés en France et en Israël à partir de sources secondes.

- **Question & Discussion** (35 minutes)

Lunch (12:00 – 13:30)

Session # 3: Religious Diversity and the Legal Sphere (13:30 – 14:45)

Presidence: Paul Eid, Commission des droits de la jeunesse et des droits de la personne

- **Jean-Francois Gaudreault-Desbiens**: “The Political Sensitivity of the Supreme Court of Canada and its Impact on Freedom of Religion” (20 minutes)

The 2009 case of Hutterian Brethren is as important as it is puzzling. It is important as it operates a significant shift in the Supreme Court of Canada’s policy on the burden of justification imposed upon the state when trying to demonstrate the reasonableness of a restriction to freedom of religion under s. 1 of the Canadian Charter. Although majority judges do not question the subjective interpretation given to freedom of religion at the stage of delineating the scope of that freedom, their opinion clearly eases the state’s task in justifying a limit to that freedom, this, by seemingly requiring from the claimant stronger evidence of the deleterious effects of the impugned measure on his religious rights. The majority further confirms the lowering of the state’s burden of justification by insisting that ‘[t]he Charter guarantees freedom of religion, but does not indemnify practitioners against all costs incident to the practice of religion.’ (par. 95) The majority’s opinion in Hutterian Brethren is puzzling in the way it operates the Court’s jurisprudential shift. Firstly, the level of scrutiny applied to the government’s defense of its blanket photo requirement seems rather minimal. It is almost as if the prima facie soundness of the government’s position is assumed.

Secondly, the majority's application of the proportionality test revolves around the government's internal reasons in an unprecedented manner. Thirdly, the majority painstakingly distinguishes its own relevant precedents from the case at bar, when it tries at all. In sum, the Supreme Court seems to have adopted in Hutterian Brethren a deferential approach under which a public good posited as such in a general rule enacted by the government becomes almost unassailable. I intend to examine the legal dimensions of the majority and dissenting opinions and their consistency or inconsistency with previous case law, as well as to provide a political analysis of the Supreme Court's jurisprudential shift, using Perelman's rhetorical analysis of legal discourse.

- **Avigail Eisenberg:** "Religious Identity and Discrimination in the Public Realm: The Case of Polygamy in Western Canada" (20 minutes)

Western history is full of examples of religious majorities persecuting religious minorities because of minority practices which the majority considers strange, repulsive, or harmful. Today, religious practices which are considered sexist or harmful to children are often the targets of public outcry and legislative restriction. We might agree that restricting sexist and harmful practices is justified, but nonetheless disagree about what sort of practices count as sexist or harmful and therefore which practices ought to be restricted. The question addressed in this paper is how can public institutions within societies with historical legacies of religious discrimination and minority persecution fairly evaluate the claims of minorities to engage in controversial religious practices, including practices that have historically been considered sexist or harmful. How can the court be sensitive to religious and cultural differences while providing a reasonably justified and unbiased assessment of whether a religious practice, which has been broadly viewed as repulsive (sexist, homophobic, or harmful) by the majority, is indeed harmful and ought to be prohibited? In light of these questions and concerns, this paper examines the debates surrounding the reference case soon to be heard by the British Columbia Supreme Court about whether polygamy should be criminally prohibited in Canada.

- **Question & Discussion** (35 minutes)

Coffee Break (14:45 – 15:15)

Session # 4: Religious Diversity and Sensitive Issues in the Public Sphere (15:15 – 16:30 p.m.)

President: Susan Palmer

- **Patrice Brodeur:** "Spaces of Interreligious Dialogue in Canada" (20 minutes)
This lecture is based on a recent report that provides a general, though by no means exhaustive, state-of-the-art picture of spaces of interreligious dialogue in Canada. It aims primarily to answer the following question: What can the Canadian government do to encourage interreligious/interfaith dialogue in ways that effectively promote equality of rights, especially for religious minorities, social cohesion and peace? This lecture present a brief history of interreligious dialogue in Canada followed by a broad description of this dialogue, including its contextualization in four urban spaces: Toronto, Montreal, Vancouver, and Halifax. It provides many specific examples of the complexities, challenges, and successes of interreligious dialogue in Canada based on these interviews and much of the collective experience of the research collaborating research team.
- **Nancy Nason-Clark:** "Talking about Domestic Violence and Communities of Faith in the Public Sphere: Celebrations and Challenges" (20 minutes)
Many religious men, women, teens and children look to their faith community for guidance and practical assistance in the aftermath of domestic violence. Whether someone is helped first by their

congregation (through a pastor or priest or other religious leader) or a community-based agency (through a social worker or DV advocate or legal counsel), those who respond need to understand both the issue of domestic violence and the nature of religious faith. Building bridges of common language, perspective, respect and understanding between sacred and secular sources of help presents both opportunities to be mined and challenges to be overcome. Based on over twenty years of social science research with religious victims, survivors and perpetrators of domestic violence and the professionals who walk alongside them, this presentation will focus on ways to develop trust between those who have been impacted by abuse and those assisting them on the journey to healing, justice, accountability and wholeness. As it reaches the public sphere, building cooperation and partnerships between people working from different constituencies is no small feat. The specific example of domestic violence in communities of faith enables the discussion to highlight both the structure and process of remaining sensitive to the unique information and spiritual needs of religious clients in an increasingly diverse and pluralistic cultural and religious context.

- **Question & Discussion** (35 minutes)

Dinner

Samedi 6 novembre 2010

Saturday, November 6th, 2010

Coffee and brioches (8:15 – 8:50 a.m.)

Session # 5: Islam in the Canadian Public Sphere (9:00 – 10:15 a.m.)

President: Barbara Thériault

- **Pascale Fournier** : “The "Naked Face" of Secular Exclusion: Québec’s Bill 94 and the Privatization of Belief” (20 minutes)

This presentation will consider the case study of Québec’s Bill 94 (*An Act to establish guidelines governing accommodation requests within the Administration and certain institutions*), introduced in March 2010, one of many recent bans imposed on the wearing of the *niqab* in the West. Citing the importance of “the right to gender equality and the principle of religious neutrality of the State,” Bill 94 emphasizes the necessity of “un visage découvert” or “naked face” when giving or receiving a broad range of public services in Québec, including all government services, childcare centres, hospitals, and health and social service agencies. According to section 6 of the *Act*, “If an accommodation involves an adaptation of that practice and reasons of security, communication or identification warrant it, the accommodation must be denied.” While quasi-neutral, this bill clearly has a disproportionate impact on religious women who wear the *niqab*. In fact, as a direct result of the legislation, several Muslim women will likely disappear from the public sphere and be restricted to the private home where they are effectively dependant on male family members to navigate the “market place” on their behalf. Borrowing from Charles Taylor’s *A Secular Age*, this paper will consider the distributive consequences of the *niqab* ban, a critical juncture of “religion-state relations” in which belief is more and more relegated to the private sphere in Quebec. The presentation will use Bill 94 to explore this peculiar manifestation of “secularism” with the concurrent existence of “governance feminism”—how the privatization of belief goes hand in hand and is perversely reinforced by a colonial discourse on gender equality, leaving some already marginalized women out of the public gaze. Is this legislated demand for a “naked face” truly the logical outcome of a successful feminist movement (as some have asserted) or is this erasure of religious women in fact the latest veil of patriarchy?

- **Rubina Ramji**: “Defining Islamic Belief and Membership in Canada: The Public Manifestation of Individual Faith” (20 minutes)

In order to better understand the current relationships between the “individual” Muslim, the Islamic community and the political manifestation of Islam in Canada, it is necessary to examine how

questions of religious identity and diversity manifest themselves. The way Islam is understood and is being practiced by Muslims growing up in Canada is influenced by globalized communication networks. Therefore the way a Muslim constructs an individual religious identity in Canada may not in any way reflect local or national community attitudes - reflecting an existing internal diversity within this broad religious tradition. Empirical data examining second generation Muslims from post-1970 immigrant backgrounds living in Toronto, Ottawa and Montreal, illustrates that their understanding of Islam is significant because it represents a sense of a global Islam, disengaged from cultural/ethnic frames of reference. Additionally, this cohort exhibits a collective refusal of politicized religion - these Muslims reject the idea that religious precepts should be imposed by the state or anyone else. This paper will explore how these Muslims relate as individuals to the majority, how they regard the importance of their religious practices and symbols within Canada's legal and cultural spheres, and how they are influenced by local and global religious movements and organizations.

- **Question & Discussion** (35 minutes)

Coffee Break (10:15 – 10:30 a.m.)

Session # 6: Religion in Canadian Public Institutions (10:30 – 11:45 a.m.)

President: Charlotte Baines

- **David Seljak:** “A Post-Secular Canada: Religion, Multiculturalism and Democracy” (20 minutes)

Because secularism, along with multiculturalism, was supposed to have settled the issues of religious discrimination and freedom of religion, the eruption of religious conflicts in public life has taken many Canadians and scholars by surprise. A new religious pluralism – along with developments in human rights and multiculturalism – has seriously called into question the secular consensus that increasingly defined Canadian society during the second half of the 20th century. The 21st century has seen the dramatic increase in non-Christian religious communities as well as non-European Christian churchgoers. Consequently, religion is foundational to the identity and group solidarity of many immigrant groups and established ethnic communities. These developments fundamentally challenge the current arrangement in which secularism is seen as a main pillar of multiculturalism. Canadian secularism now seems – as often as not – to be interfering with the agenda of multiculturalism: the recognition and promotion of diversity and the protection of the rights of minority communities. This is because Canadian-style secularism (both in Quebec and in the “rest of Canada”) is neither neutral nor entirely fair. Looking at current conflicts in Quebec around the niqab and Ontario around public funding for faith-based schools, the author suggests that Canadians may need to move towards a post-secular Canada in which they struggle to adapt to the new ethno-religious pluralism while safeguarding the moral advances represented by the secularism of the last century. Using the work of those interested in exploring post-secularism (Habermas, Casanova, etc.), suggestions regarding the outline of a post-secular perspective will be given.

- **Paul Allen:** “Curricular Heresy: God and the University Amidst the Triumph of Reason” (20 minutes)

Public policy debates involving religion in the public sphere have thus far ignored the critical role religion and especially theology play in the academy and society, beyond being sources of commentary and analysis. This paper draws on an informal survey of theology and religious studies in Canada, with some comparative remarks regarding the U.S.A. and the U.K., in order to introduce the claim that the retention of theological programmes in universities is not merely a remnant of historic affiliations with Christian churches. Rather, theological curricula consist of being a proactive, dissenting heresy to the consensus triumph of empirical reason with benefits for science and liberal society. With reference to Newman and McIntyre and in nuanced sympathy with D’Costa’s proposal to the contrary, this paper advocates theological education as a necessary counterpoint to hardening empiricist orthodoxies in the university and society.

- **Question & Discussion** (35 minutes)

Lunch (12:00 – 13:30)

Session #7: Regional Specificities 2: Quebec and the Prairies (13:30 – 14:45)

President: André Laliberté

- **Paul Bowlby:** “Mapping Religious Diversity in the Public Sphere in the Maritimes: Case Studies for a Reflection on the Critical Reassessment of Secularization Theory” (20 minutes)

The study is situated within the critical re-evaluation of secularization. In their fascinating reflection on the secularization thesis Peter Berger, Grace Davie & Effie Fokas [*Religious America, Secular Europe? A Theme and Variation* (Ashgate, 2008)] make passing reference to the possibility that Canada stands halfway (10) between the United States and Europe with regard to religion and secularization. We propose to take up this tantalizing suggestion and illustrate how it might apply in the Maritime region of Canada. Case studies will map three areas of the public sphere. The first is education now thoroughly situated in the public space and resistant to encroachment by religions. The second looks at the role of chaplaincies in healthcare, military, prisons and universities where religions have an established and continuing place within these public institutions. Thirdly, we will look at how religions are socially engaged in the transition from institutionalized Christian privilege toward a more inclusive, multi-religious public space through interfaith activities.

- **Clark Banack:** “The Liberal-Fundamentalist Divide, Political Thought and the ‘Religion in the Public Sphere’ Debate in Prairie Canada” (20 minutes)

Although the unorthodox political history of Alberta has received much academic attention, scholars have consistently resisted the urge to study, in a systematic way, the role played by religion within this political development despite its undeniable presence in a number of divergent political movements in both historical and contemporary periods. Drawing upon my larger doctoral dissertation, this paper provides a brief overview of the role played by religion in the development of political ideology within both the UFA and Social Credit parties before narrowing in on the contemporary Alberta Conservative Party. Responding to an electorate that now comprises, according to Statistics Canada, the second most secular province in Canada, the Alberta Conservatives have certainly presented a much more secular public face than previous governments yet have also enacted a number of social policies that tend to agree with basic tenants of the social philosophy espoused by the “religious right,” the most recent example being Bill 44 which allows parent to withdraw children from school lectures that deal with religion or sexual orientation. This paper examines in more detail this continuing influence of religion on political thought in Alberta and its impact on attitudes toward religion in the public sphere.

- **Question & Discussion** (35 minutes)

Coffee break

15:00 – 15:45 : Final session: Valérie Amiraux, Lori Beaman

SESSION FINALE : COMPARATIVE PERSPECTIVES

15:45 – 16:30: Discussion générale