

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2022-2023 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION SUMMARY¹

COURSE	LAW 379 Law and Religion
UNIT VALUE	1.5 Units (3 hours per week)
INSTRUCTOR	Kathryn Chan
TERM OFFERED	Fall 2022
CLASS TIMES	Monday/Wednesday, 1:30-2:50
PREREQUISITES/COREQUISITES	None

COURSE DESCRIPTION

Students enrolled in this seminar will engage in a close and critical examination of the complex interactions between law and religion, two social forces whose relationship has shaped – and continues to shape – our modern world. Students will begin by considering the nature of religious belief, identity, and belonging, as well as modern approaches to and theories about the study of religion. After exploring aspects of the deep historical relationship between law and religion, the seminar will focus upon contemporary “law and religion” issues arising in the modern liberal state, such as: the meaning of “secularism”, “conscience”, and “spirituality”; the use of religious reasoning in the public sphere; and the relationship between religious freedom and equality. Students will have the opportunity to conduct more in-depth research on a subject of their choosing.

OBJECTIVES

The broad objective of this course is to provide students with an opportunity to explore contemporary issues arising from the relationship between law and religion in society. More specifically, my intention is that students will:

- Gain an appreciation for the key ideas and debates that – both historically and in contemporary society – have informed the relationship of law and religion;
- Become familiar with the key doctrinal frameworks that Canadian courts rely upon when those courts adjudicate matters of religion, spirituality, and conscience;
- Become familiar with the ontologies, beliefs and practices of some of the religious communities that have raised religious freedom claims in Canada and abroad;
- Reflect on the relationship between those ontologies, beliefs and practices, and the positions taken by religious communities in religious freedom litigation;
- Develop skills in research and writing, as well as critical oral and written communication skills;
- Engage in passionate, informed, and civil discussion with colleagues on issues of central importance to contemporary Canadian society;

METHODOLOGY

This course will take the form of an advanced seminar. The course materials will include a diverse range of sources, including Canadian and foreign case law, legal and political theory, and scholarship from non-legal disciplines. Although I will sometimes provide you with context-setting lectures, the bulk of our class time will be spent in seminar discussions, exercises, and, when possible, engagement with guest speakers.

EXPECTED EVALUATION METHODOLOGY

There will be no final examination. The tentative evaluation method for the course is:

- (1) A **research paper** of 20-25 pages worth 75% of your final grade;
- (2) Three short (approx. 1 page) **written reflections**, worth 15% of your final grade;
- (3) **Course participation**, including participation in class exercises and discussions, completion of the essay description and preliminary outline/summary requirements, and class attendance, worth 10% of your final grade.

A limited number of students may be permitted to write a longer paper in fulfillment of their major paper requirement.

¹ The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaass@uvic.ca).