

WORDS MADE MANIFEST:

Canadian Print Media as Architects of Religion in the “Secular” Public Sphere

By

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ABSTRACT

Early to mid-twentieth century scholarship on religion and the “secular” public sphere largely perpetuated the Enlightenment categorization of religion as an element of the private sphere, not to be influential in public matters. Recently, however, a paradigm shift has emerged that has forced the re-evaluation of religion’s place in society. Spatial methodologies from scholars such as Henri Lefebvre and Kim Knott have allowed for religion to be considered as one of a number of constructs that influence the lives and spatial experiences of people. Applying the spatial methodologies of Lefebvre and Knott, I demonstrate how Canadian print media can be considered to be a gauge of the active presence of religion in the public sphere by revealing the ways in which the media construct the space they inhabit. This is done by considering two recent events in Canada that highlight the presence of the “religious other”: the 2002 *kirpan* debate in Quebec and the 2003 *sharia* law debate in Ontario. Through these cases, I explore how the conception, perception, and lived reality of the “religious other” as a spatial quality are solidified through the perceived sense of what Ulrich Beck considers to be risk and catastrophe. I ultimately conclude that, through this perceived sense of risk, Canadian print media’s portrayals of the “religious other” allow religion to remain manifest in the Canadian public sphere.

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INTRODUCTION

There is a debate in many Western nations in late modernity over whether religion has a role in the public sphere and what that role might be. This essay will demonstrate one way in which religion continues to inhabit and influence the Canadian public sphere. I aim to reveal the pervasiveness of religious thought and expression in the public sphere through an examination of print media coverage on two recent issues in Canada: the *Multani v. Commission Scolaire Marguerite Bourgeoys* Supreme Court case in 2006, in which the revealing of a *kirpan* in a schoolyard in Quebec raised questions of freedom of religion and perceived threat, and of the *sharia* law debate in Ontario of 2004, which forced provincial legislation to reconsider a 1991 act permitting religious arbitration to resolve personal and familial conflicts.

By employing a spatial methodology as developed by Kim Knott with the help of Henri Lefebvre, and Ulrich Beck's concept of risk society, I aim to demonstrate how the print media organizations *The Globe and Mail* and the *National Post*, through both their physical and virtual presences in Canada, create a place for religion in the so-called secular spaces that comprise the public sphere. Further, I will show that sometimes the media accomplish this by perpetuating a sense of risk in their presentation of some religious minorities; not only, as portrayed by these media outlets, might personal safety be at risk, but also the integrity and safety of Canada as a nation.

0.1 Why Print Media?

With the arrival of the Internet over the past few decades, the dissemination of information and communication has established itself on the World Wide Web. Indeed, according to Paul Sagan and Tom Leighton, while other communication technologies took decades to reach fifty million people (such as the telephone, which took seventy five years, and

the television, which took thirteen), the Internet was accessible to fifty million people in five years. “[T]he Internet has gone from an obscure technological novelty to something as basic and essential to our lives as electricity.”¹ Arguably, news pieces are being accessed increasingly on media websites, both international news organizations such as *Al Jazeera* or *Huffington Post*, and national organizations such as the Canadian *National Post* and *The Globe and Mail*. This might suggest that traditional sources of news are becoming increasingly obsolete and ineffective. However, while it may be more convenient for individuals to browse news headlines at their convenience on their smart phones or computers, it is perhaps equally as easy to refrain from it. The advantage that traditional newspapers hold over digital media that is particularly important for considering spatial analysis of the media is that they continue to be openly available in the public arena with their physical presence on newsstands in a variety of locations such as convenience stores, bus stops or street corners. Further, the recent phenomenon of free newspapers in major Canadian cities (such as *24* or *Metro*)² has facilitated the presence of print media in the everyday lives of readers. This visibility – specifically with front page headlines – provides the perfect platform upon which to consider how media portrayals of the “religious other” locate religion as within the supposed secular public sphere.

0.2 The “Religious Other” in Canada

Why is the “religious other” important? For the purposes of this paper, “the religious other” refers to non-Christian religions that may have been present in Canada for generations, such as Sikhism and Islam, yet are nevertheless categorized as being “non-Canadian” religions. As I will develop throughout this paper, these religions are strongly associated with risk to a

¹ Paul Sagan and Tom Leighton, “The Internet & the future of news,” *Daedalus* 139/2 (2010): 119.

² See 24hrs.ca and metronews.ca for details.

society and are frequently portrayed as a threat by the Canadian print media. It is essential to make clear that while some of these religions have been present in Canada for generations, the perception of them as “foreign” or part of a culture that is “other than” mainstream Canadian culture is key in my analysis of the media portrayals of religion within Canada's public sphere.

CHAPTER 1: THEORETICAL CONSIDERATIONS

1.1 Kim Knott's Spatial Methodology of Studying Religion

While not a new endeavour, studying religion within the context of geography and space had not been seriously considered until the twentieth century. Prior to this, while Gottlieb Kasche and Immanuel Kant engaged in “the possibility of a rational, non-confessional geography – of which the environmental and social study of religion would be a part,” little serious attention was given to space.³ It re-emerged in the twentieth century with the work of Mircea Eliade, who analyzed sacred spaces through theoretical frameworks, creating an academic separation between sacred spaces and profane, “every day” spaces.⁴ However, as will be made evident in this paper, the division between the sacred and profane is not as clear as has been suggested by Eliade.

In her work on developing a spatial methodology for studying religion, Kim Knott pulls religion out of the traditional spaces it inhabits – places of worship, religious organizations – and examines its manifestation and influence on supposedly secular places, such as an average street corner.⁵ Drawing from spatial philosophers such as de Certeau (1984), Lefebvre (1991) and Foucault (1977, 1993), Knott considers whether – and in what ways – religion is located “in the very fabric of the secular.”⁶ By recognizing that as with “religion,” the concepts “space”, “place” and “location” “have helped people to think about their social, cultural, and physical experience, their relationships to other people, things, and the cosmos”⁷ throughout history, Knott specifies that her interpretation of space is drawn from late-twentieth century, largely post-modern conceptualizations of space that are “self-consciously geared to contemporary global

³ Kim Knott, “Spatial Theory and the Study of Religion,” *Religion Compass* 2/6 (2008): 1104.

⁴ Mircea Eliade, *The Sacred and the Profane: The Nature of Religion* (New York: Harper & Row, 1961).

⁵ Kim Knott, “Spatial Theory and Method for the Study of Religion,” *Temenos* 41/2 (2005): 154.

⁶ Jeremy Carrette, *Foucault and Religion: Spiritual Corporality and Political Spirituality* (London; New York: Routledge, 2000), 152.

⁷ Kim Knott, *The Location of Religion: A Spatial Analysis* (London; Oakville, Conn: Equinox Pub., 2005), 11.

circumstances and their interpretation.”⁸ Considering religion within these parameters is a novel project; while there certainly is existing literature on sacred space and geography of religion, Knott's methodology for studying religion opens up the field for further study.⁹

1.1.1 Human Geography and Space

Space has been considered within the context of post-modernism and human geography for decades. It both shapes identity development by providing circumstances with which to interact, and is also shaped by us as we construct representations and lived realities. A study of space aids in developing an understanding of individuals' places within society, a fact asserted strongly by behavioural psychology, which holds the importance of environment as a molding force in a person's life.¹⁰ However, it is important to note that while the environment shapes humans, humans also shape and construct their environments. Knott's work is centred on the ways in which human beings conceptualize and construct space. She attributes much of her spatial analysis to scholars such as Henri Lefebvre, who, in opposition to the traditional Cartesian conceptualizations of space as three (or perhaps four) objective dimensions,¹¹ “proposed a new field reunifying physical, social and mental conceptions of space, ... focused attention on spatial practice and representations of space, discussed historical mediations of space, and stressed the importance of the *production and reproduction* of space.”¹² I have emphasized “production and reproduction” to highlight the focus on the subjective, human contributions to space.

⁸ Knott, *The Location of Religion*, 11.

⁹ Knott, “Spatial Theory and Method for the Study of Religion,” 155.

¹⁰ Stephen J. Ceci and Wendy M. Williams, *The Nature-Nurture Debate: The Essential Readings* (Oxford; Malden: Blackwell, 1999); Matt Ridley, *Nature via Nurture: Genes, Experience & What Makes Us Human* (Toronto: HarperCollins, 2003).

¹¹ The spatial dimensions of length, width, height and time.

¹² Knott, “Spatial Theory and the Study of Religion,” 1103. Emphasis added.; cf. Henri Lefebvre, *La production de l'espace* (Oxford; Cambridge, MA: Blackwell, 1991).

Space and the boundaries that delineate it have always been important to societies. In terms of religion, places that are considered to be sacred¹³ are often seen to be separated from the mundane and the profane; physical, social, and mental markers set that which is sacred aside from everyday life. Religious buildings, sanctuaries, and ritual spaces are given special qualities and possess special symbols and boundaries to ensure these sacred locations do not get polluted by the secular world around them. Similarly, the European hegemony of space and places during the colonial period formed boundaries between that which is “sophisticated” and that which is “barbarian,” “other,” or “non-human.”¹⁴ The sweeping of European colonization across the world caused the human world to become “divided into peoples, not only “by languages, inclinations and characters,” but even by “woods and mountains, seas and deserts, rivers and climates,” according to Immanuel Kant’s geographer pupil, Johann Gottfried von Herder.¹⁵ While, for the purposes of this paper, the physical aspects of space are not the major emphasis, it is important to note the expansive qualities of space. These qualities are particularly important when considering the ways in which the public and private spheres are separated in the civic life of a modern state. Increasingly, as will be shown through my analysis of the “religious other” in the media, the boundaries – both physical and mental – between the secular public sphere and the place of religion in Canadian life are blurred.

¹³As distinct from “profane” – see Mircea Eliade, *The Sacred and the Profane: The Nature of Religion* (New York: Harper & Row, 1961).

¹⁴Anthony Pagden, “Travel and the Domination of Space in the European Imagination,” in *Envisioning Landscapes, Making Worlds: Geography and the Humanities*, ed. Stephen Daniels, Dydia DeLyser, J. Nicholas Entrikin and Douglas Richardson (London; New York: Routledge, 2011), 118.

¹⁵*Ibid.*, 125.

1.1.2 Knott's Methodological Elements

Knott has identified five elements of space in approaching the problem of locating religion in secular spaces. As she states, these elements include “the body as the source of 'space' (and as a key resource for religion); the dimensions of space (physical, social, mental, and the unification of the three); the properties of space (configuration, extension, simultaneity, power); the aspects of space (spatial practice, representations of space, and spaces of representation); and the dynamics of space.”¹⁶ While all are unique and innovative aspects of constructing and examining space and the place of religion in it, Knott acknowledges that it is not essential to use all of these elements of her methodology in every case – any one of the elements in new venues can be beneficial in expanding the current knowledge and understanding of space and religion.¹⁷

Knott emphasizes the foundational role of the body for our experiences, interactions, and representations of space.¹⁸ Her focus on the body as the source of space begins with an analysis of Kant's 1768 essay, “Concerning the Ultimate Foundation of the Differentiation of Regions in Space.”¹⁹ Kant's analysis of space is existential in nature; his ultimate goal was to see if it were possible to prove “that absolute space has its own reality independently of the existence of all matter and that it is itself the ultimate foundation of the possibility of its composition.”²⁰ His concern was for “the way in which the intersection of the surfaces associated with the three spatial dimensions and their relation to the body generated 'the concept of regions in space',

¹⁶Kim Knott, “Spatial Theory and Spatial Methodology, Their Relationship and Application: A Transatlantic Engagement,” *Journal of the American Academy of Religion* (77/2): 414.

¹⁷Knott, “Spatial Theory and Method for the Study of Religion,” 177.

¹⁸*Ibid.*, 158.

¹⁹Knott, *The Location of Religion*, 15; original found in G.B. Kerferd and D.E. Walford, trans., *Kant: Selected Pre-Critical Writings and Correspondence with Beck* (Manchester: Manchester University Press, 1968), 36-43.

²⁰ Kerferd and Walford, *Kant: Selected Pre-Critical Writings and Correspondence with Beck*, 37.

notably of 'above and below', 'right and left', and 'front and back'.”²¹ Thus, the body is the source of directional orientation and space is relational to the body. Knott follows scholars like Bryan Turner, who argues that the deconstructionist dismissal of the body in favour of “the text [as] the all-pervasive topic of research”²² is premature. Placing the body as the primary architect of space and its representations is essential in considering the formation of social phenomena such as religion.

Secondly, as Knott identifies, space is multi-dimensional: not only is it comprised of the physical, Cartesian dimensions (height, length, width), it also is created through mental and social dimensions. Lefebvre recognizes that social relations and mental constructions have “no real existence save in and through space,” as the physical bodies (which themselves consume space) are required in order for social relations to occur.²³

This is also the reasoning behind the dynamic, relational nature of space. “The way in which space is both encountered and enacted is dynamic.”²⁴ From rituals to the reproduction, re-creation, and extensions of religions within transnational and global contexts, spaces become religious due to the social relations that exist within them. Knott emphasizes, however, that religious spaces are not unique or independent of secular or non-religious spaces. She indicates

They are particular forms of cultural expression, are fully social, and are as subject to political and economic forces (both within and without) as are other institutions and ideological systems. But what is their place in the configuration of these features of human life? Do they have an identifiable place? And how might these questions be answered from the perspective of a spatial analysis?²⁵

²¹Knott *The Location of Religion*, 16; Kerferd and Walford, *Kant: Selected Pre-Critical Writings and Correspondence with Beck*, 38.

²²Knott, *The Location of Religion*, 19; Bryan S. Turner, *The Body and Society: Explorations in Social Theory* (London: Sage Publications, 2008), 28.

²³ Lefebvre, *La production de l'espace*, 404.

²⁴Knott, *The Location of Religion*, 128.

²⁵*Ibid.*, 22.

In this context, religious spaces are synchronized and dynamic with other human spaces. They are always changing because of their relationship and intersections with other social spaces “and because they are internally in tension, being made up of multiple, contested, real, and imagined sites and relations.”²⁶ Knott employs the term “synchronicity” in her discussion of the relational and dynamic nature of religion spatially, a concept widely used by philosophers and first described by Carl Jung.²⁷ Synchronicity is a process within the human mind that associates and generates causal relationships between events and occurrences that objectively are not connected. According to Jung, the “temporally coincident occurrences of acausal events” create synchronicity.²⁸ For Knott, religious spaces encompass not only these “temporally coincident occurrences,” but also the past. She gives the example of a cathedral built on an early or pre-Christian site which may have layers of previous buildings underneath it. Lefebvre sees “the past [as] leav[ing] its traces; time has its own script.”²⁹ Present spaces, then, are created and recreated through the “shimmering simultaneity of the relations that constitute it,” which includes the interpretation and representations of spaces of the past.³⁰ I return to Knott's example of the cathedral built upon the ruins of a past religious space; the meaning of the religious space is not merely constructed through the present day activities and physical representations, or only the physical presence of the previous structures. Human perception and construction of the past on that location also contributes to its formation. “All intersections and configurations are the fluid outworkings of earlier occurrences or causes. They extend from those, in the past, to other events and consequences in the future.... Space and time cannot be teased apart.”³¹

²⁶ Knott, *The Location of Religion*, 23; Lefebvre 86-86.

²⁷ Karl Jung, “The Structure and Dynamics of the Psyche,” in *Collected Works of C.G. Jung, Volume 8*, ed. Sir Herbert Read et al. (Princeton: Princeton University Press, 1960), 417-519.

²⁸ Jung, 419.

²⁹ Lefebvre, *La production de l'espace*, 37.

³⁰ Knott, *The Location of Religion*, 24.

³¹ Knott, *The Location of Religion*, 24; Lefebvre, *La production de l'espace*, 37.

Knott's element "properties of space" encompasses the other four elements (the third of which – aspects of space – will be described in detail below under Lefebvre's "spatial triad"). As she states, "a social space is the sum of the things, activities, ideas, processes, relations that are brought together within it. It simultaneously envelopes and contains various spaces, and exists alongside and in relation to others."³² Thus, social spaces, as will be shown with my analysis of newspaper articles on the *kirpan* case and the *sharia* law debate in Canada, are not mutually exclusive. They manifest as an amalgamation of the physical, mental and social dimensions brought to a social relationship. Each body (physical) and mind (mental) are expressive of their own historicity (familial, cultural, national), and add their own realities to the common social space. Religion is simply one of the social manifestations that is brought into the mundane spaces in which social relations occur.

1.1.3 Lefebvre's Spatial Triad

Central to Knott's spatial methodology is a focus on Henri Lefebvre's "spatial triad," also referred to by Knott as the "aspects of space" (see above). This triad was formed in order to provide a practical, "concrete [way in which to] articulate [space] variously in relation to particular places or times, such as the spaces of the body, the Middle Ages, and modernity (abstract space)."³³ It is explored fully in his book, *The Production of Space*, and is comprised of the "representation of space" (also called "conceived space"), "spaces of representation" (or "lived space"), and "spatial practice" (or "perceived space").³⁴

Lefebvre's first element of the triad, "representations of space" or "conceived space," is perhaps best exemplified by the plans of buildings created by architects, engineers, and

³² Knott, *The Location of Religion*, 170.

³³ *Ibid.*, 35.

³⁴ Knott, *The Location of Religion*, 36-39.

scientists. Andre Merrifield, who expands on Lefebvre's triad, indicates that “*representations of space* refers to conceptualized space, the discursively constructed space of professionals and technocrats such as planners, engineers, developers, architects, urbanists, geographers and those of a scientific bend. This space comprises the various arcane signs, jargon, codifications, objectified representations used and produced by these agents.”³⁵ It is the way in which space is controlled and thought about. As Knott expands, “It [conceived space] is the space of capital, its objective examples being factories, monuments, towers and office blocks. Always embedded in such representations are ideology, knowledge, and power.”³⁶ According to Lefebvre, human space absent of a plan existed first historically; space was conceived from what already existed. The modern period on the other hand is characterized by the fact that representation now exists *before* the practical, physical consumption of space.³⁷ Buildings and other components of space are only built after a purpose is first given to them by their creators. The modern period has become so entrenched and influenced by representations that the world of representations and of “conceived space” becomes more immanent to the mind than this objective, physical world.³⁸ Lefebvre surmises that “conceptions of space tend...toward a system of verbal (and therefore intellectually worked out) signs.”³⁹ This system of verbal signs is the medium through which representations of space become manifest and present in the world. Lefebvre indicates that

they [representations of space] intervene and modify spatial *textures* which are informed by effective knowledge and ideology. Representations of space must therefore have a substantial role and a specific influence in the production of space. Their intervention occurs by way of construction – in other words, by way of architecture, conceived of not as the building of a particular structure, palace, or monument, but rather as a project

³⁵ Andrew Merrifield, “Place and Space: A Lefebvrian Reconciliation,” *Transactions of the British Institute of Geographers* 18 (1993): 523.

³⁶ *Ibid.*

³⁷ Lefebvre, *La production d l'espace*, 45.

³⁸ Knott, *The Location of Religion*, 37.

³⁹ Lefebvre, *La production d l'espace*, 42.

embedded in a spatial context and a texture which call for 'representations' that will not vanish into the symbolic or imaginary realms.⁴⁰

In the modern world, conceived space dictates the ideologies that are attached to any given delineated space.

The second point of the triad, “spaces of representation” (or, “lived space”) is, according to Lefebvre “space as directly *lived* through its associated images and symbols. ...This is the dominated – and hence passively experienced – space which the imagination seeks to change and appropriate. It overlays physical space, making symbolic use of its objects.”⁴¹ Lived space is ultimately different from conceived space in that it is not an ideology that influences the production of space, but rather the “intervention of culture...through the imagination as tradition and symbol.”⁴² Specifically important with the idea of lived space, possibly more than the other two components of the triad, is its relationship with *history*. Lived spaces, as Knott identifies, are “imbued with distinctively local knowledge, often run counter to spaces generated by formal, technical knowledge. They may be experienced as 'moments' of presence, glimpses of totality in the banality of everyday life when alienation is transcended.”⁴³ As such, these spaces of representation are not forged by hegemonic ideologies like conceptual space, but rather through individual experiences with one’s surroundings and one’s personal history.

The third point of Lefebvre’s triad is “spatial practice,” or “perceived space.” Spatial practice “structures all aspects of daily life and urban living, from minute, repeated gestures to the rehearsed journeys from home to work and to play. It is experienced through practical perception, through common sense, and is taken for granted.”⁴⁴ Through the repeated act of

⁴⁰ Lefebvre, *La production d l'espace*, 42.

⁴¹ *Ibid.*, 39.

⁴² Knott, *The Location of Religion*, 37.

⁴³ *Ibid.*

⁴⁴ Knott, *The Location of Religion*, 39.

living – of habituating one’s life into a sequence of actions – spatial practice can even be, according to Rob Shields, “concretised in the built environment and sedimented in the landscape,”⁴⁵ thus influencing the manifestation of relational, social space.

As indicated above, Knott places emphasis on the body as the architect of the social space around it; Lefebvre, too, considers the body to be paramount, and essential in understanding his spatial triad:

All the more so inasmuch as the relationship to space of a 'subject' who is a member of a group or society implies his relationship to his own body and vice versa. Considered overall, social practice presupposes the use of the body: the use of the hands, members and sensory organs, and the gestures of work as of activity unrelated to work. This is the realm of the *perceived* (the practical basis of the perception of the outside world...). As for *representations of the body*, they derive from accumulated scientific knowledge, disseminated with an admixture of ideology: from knowledge of anatomy, of physiology, of sickness and its cure, and of the body's relations with nature and with its surroundings or 'milieu'. Bodily *lived* experience, for its part, maybe both highly complex and quite peculiar, because 'culture' intervenes here, with its illusory immediacy, via symbolisms and via the long Judaeo-Christian tradition.⁴⁶

Lefebvre highlights the practicality of his spatial triad; it is not simply an abstract model. In fact, it is completely useless unless it is applied and considered with respect to concrete, lived situations:

If it cannot grasp the concrete (as distinct from the 'immediate'), then its import is seriously limited, amounting to no more than that of one ideological mediation among others. That the lived, conceived, and perceived realms should be interconnected, so that the 'subject', the individual member of a given social group, may move from one to another without confusion – so much is a logical necessity.⁴⁷

This emphasis on the realistic, practical nature of Lefebvre’s spatial triad is integral to my analysis of newspaper articles. The newspapers themselves, in addition to the editors, journalists, public contributors, and readers all play a role in how print media places religion

⁴⁵ Rob Shields, *Lefebvre, Love and Struggle: Spatial Dialectics* (London; New York: Routledge, 1999), 162-163.

⁴⁶ Ibid.

⁴⁷ Lefebvre, *La production d l'espace*, 40.

spatially within the secular public sphere; an understanding of the beliefs, practices, and history of actors involved that will ultimately allow my spatial analysis to succeed.

Ultimately, Knott uses space as a medium and method through which to place religion in the late-modern West. She acknowledges that traditionally, if a space is not officially “religious” (such as a church, temple, cemetery, or shrine), it has then been automatically assumed to be non-religious, or “secular”.⁴⁸ In some cases, religion has been, according to Hervieu-Léger, “forced back into a specialized social sphere, with the task of producing and treating symbolic assets, appropriate to religious institutions, which are designated for the purpose.”⁴⁹ Such is the case with Britain, in which the religion (the Church of England) has an official role in the state, yet it has been relegated to a symbolic role since the state is constitutionally secular. In other cases, such as in France, religion is officially delegated to the private sphere, constitutionally having no place in the public, political sphere. Richard King recognizes this split, indicating that “privatized religion becomes both clearly defined and securely contained by excluding it from the public realm of politics.”⁵⁰ While this division between the secular public sphere and the private sphere where religion is allowed to manifest itself has long been accepted and supported in many political arenas, it has come under scrutiny in recent scholarship which argues that social phenomena are never as binary as the western world has often perceived them to be. There are, as identified by Foucault, “force relations at work both in the engagement between the 'religious' and the 'secular' in the socio-political domain, and within any intellectual account of it.”⁵¹ Theorizing religion as a concept has historically caused differentiation to occur –

⁴⁸ Knott, *The Location of Religion*, 62.

⁴⁹ Daniele Hervieu-Léger, *Religion as a Chain of Memory*, trans. Simon Lee (New Brunswick, NJ: Rutgers University Press, 2000), 108-109.

⁵⁰ Richard King, *Orientalism and Religion: Postcolonial Theory, India and “The Mystic East”* (London; New York: Routledge, 1999), 11.

⁵¹ Knott, *The Location of Religion*, 63.

distinguishing religion from other spheres and distinguishing religions from one another (such as “world religions” or “aboriginal religions”). This practice has existed since early Christianity, according to King. King illustrates that the early Christians sought to differentiate the path which is true from that which is false, thus forming the split between the “religious” and the “secular” in western thought.⁵² While this has become an ideological stance in the modern period, as John Caputo asserts, “‘religion’...as some *separate* sphere, apart from ‘the secular’ order, [does] not exist.”⁵³

Although Knott explores the history of “religion” and “the secular” in detail, it is not necessary to elaborate on this for the purposes of this paper. Knott's consideration of what she terms the “post-secular” is quite important, however. Knott has developed ways in which to consider the relationship between the religious and the secular. In order to locate “religion”, she muses, it must be defined in relation to another entity. In the modern period, religion and the secular have largely been defined as being mutually exclusive, possessing two separate and opposite spaces in society. “Secularisms are seen as a-theistic ideologies which hold that discourse and practice directed to the divine should be confined to the private domain and...eschew the potential public role of religions”;⁵⁴ it is the secular, not the religious, that is seen as the compromising element to society.

Through adopting Knott's stance of the post-secular, I will endeavour to consider the place of religion in Canada's public sphere through print media's portrayal of immigrant religions. By accepting that the body is the foundation for the production of space, that space is multi-dimensional (physical, mental and social), dynamic and relational, the site of power and simultaneity, actively brought into being and exclusively social constructed, I seek to situate

⁵² King, *Orientalism and Religion*, 37.

⁵³ John D. Caputo, *On Religion* (London; New York: Routledge, 2001), 43.

⁵⁴ Knott, *The Location of Religion*, 79.

religion as an active and vibrant agent within the public sphere through the construction of risk as a space identifier. Before embarking on this task, however, the relationships between the religious “other” and Beck's concept of risk must be explained.

1.2 Ulrich Beck's Risk Society

Knott's spatial methodology for locating religion in the secular is, as indicated above, best applied to specific cases, such as her examination of a busy street. In my attempt at demonstrating how media portrayals of the religious “other” ultimately reveal the location and spatial construction of religion within the “secular” realm, I will employ Ulrich Beck's concept of risk society not only as the dominant ideology for the representation of space, but also its manifestation in spaces of representation. In doing so, the “religious other” as a specific case is isolated from the larger religious environment of Canada, and becomes significantly more important in both the symbolic and physical creation of space.

As Ulrich Beck posits, late modernity is unique, and the development of the concept of risk defines “modernity.”⁵⁵ “Modernization is becoming *reflexive*; it is becoming its own theme. Questions of the development and employment of technologies are being eclipsed by questions of the political and economic 'management' of the risks of actually or potentially utilized technologies.”⁵⁶ Indeed, he sees a collision about to happen between “wealth-distributing” society and “risk-distributing” society.⁵⁷ However, while Beck's early application of the term “risk” was founded within the context of an increasingly capitalistic, Marxist West Germany in the late 1970s and 1980s, it has since been expanded and used by many of the social science disciplines. Gabe Mythen acknowledges that “although the language of risk is prolific, the

⁵⁵ Gabe Mythen, *Ulrich Beck: A Critical Introduction to the Risk Society* (London: Pluto Press, 2004),

6.

⁵⁶ Ulrich Beck, *Risk Society: Towards a New Modernity* (London: Sage, 1992), 19.

⁵⁷ *Ibid.*, 20.

concept itself remains cloaked in ambiguity. The residual lack of clarity surrounding both the constitution and the social impacts of risk have made it an irresistible area of inquiry for the social sciences.”⁵⁸ In *Ulrich Beck: A critical introduction to the risk society*, Mythen recognizes that, like all other concepts, risk has gone through an evolution; however its etymology is unclear. Either derived from the Arabic *risq*, referring to the acquisition of wealth, or from the Latin *risco*, a navigational term for uncharted waters, risk became the balance between acquisition and potential loss.⁵⁹ These root words propelled it to be used almost exclusively within economics. However,

despite its ubiquity, the meaning of risk remains indeterminate. In contemporary society, the effects of various risks are keenly contested by politicians, scientific experts, media professionals and the general public. It is this very lack of consensus that makes risk such a fascinating topic of inquiry; and one which is always likely to produce disagreements.⁶⁰

Not only does the indeterminate nature of the term “risk” provide for “a fascinating topic of inquiry”, it also allows for its application in different contexts. Ultimately, using Beck's conceptualization of risk – which will be expanded upon below – I aim to demonstrate how the Canadian media construct a risk society not on economic or capitalist grounds – although they do factor in – but rather on cultural and religious grounds. Indeed, while, for example, Samuel Huntington's thesis in *Clash of Civilizations* has largely been refuted, the notion that global conflict in the late modern period will be a result of contesting cultures and religions is perpetuated in the media by fearing not nations, but the “religious other” “invading” secular, democratic society.

How would religion be constructed as a risk? First, more detail about Beck's conceptualization of “risk” and “risk society” is warranted. Beck acknowledges that risk has

⁵⁸ Mythen, *Ulrich Beck*, 4.

⁵⁹ *Ibid.*, 13.

⁶⁰ *Ibid.*, 2.

occurred throughout human history, although the nature of concerning risk has shifted. He makes a differentiation between “classical” and “modern” risks – classical risks include nature-produced catastrophes such as plagues, natural disasters or famines. Modern risks, on the other hand, are human-designed. They are

generated by industrial and large-scale technologies [which are] the result of conscious decisions, decisions which, first, are taken in the context of private and/or state organizations for economic gain and to seize the corresponding opportunities and, second, are based on a calculation for which hazards represent the inevitable downside of progress. Hence these hazards associated with industrialization do not become a political issue because of their scale but because of a social feature: they do not assail us like a fate; rather we create them ourselves, they are a product of human hands and minds, of the link between technical knowledge and the economic utility calculus. These kinds of risks also differ clearly from the impacts of words, for they enter the world peacefully, they thrive in the centres of rationality, science and wealth and enjoy the protection of those responsible for law and order.⁶¹

Again the economic and technological emphasis is illustrated – Beck focuses strongly on risks such as gene technologies, uncontrollable communication and information flows, stock market/financial system crashes, environmental destruction and nuclear war technology.⁶² However, important for this paper is the focus on *human created* risks. While classical risks are supra-human and out of human control, modern risks only exist out of human agency. As Beck continues, “large-scale risks have a social explosiveness over and above their physical explosiveness.”⁶³ Due to this, while perceived risk may actually cause an increase in safety measures and overall make a society safer, “even the *possibility* of their occurrence can cause the facades of security assurances to collapse.”⁶⁴

Most importantly, “*risks are social constructions and definitions based upon corresponding relations of definition.* Their existence takes the form of (scientific and

⁶¹ Ulrich Beck, *World at Risk* (Cambridge; Malden: Polity, 2009), 25-26.

⁶² *Ibid.*, 27.

⁶³ Beck, *World at Risk*, 28.

⁶⁴ *Ibid.*, 29; emphasis added.

alternative scientific) knowledge.”⁶⁵ These constructions are determined by the relations between “risk donor countries” and “risk recipient countries.”⁶⁶ Crossing international borders inconspicuously (whether they be humans or technological implements), a sense of risk is only evident once they are defined as such by the recipient nation. “Risks and the social definition of risks are one and the same, collective knowledge and lack of knowledge concerning the concrete injuries, possible injuries, standards...are an essential part not only of risk assessment but also of coping with risks.”⁶⁷ Thus, unlike classic risks, modern risks are entirely human-constructed perceived threats that may or may not come to fruition.

What, then, is a risk society? Perhaps the primary quality of a risk society is the *anticipation of catastrophe* which changes the way in which societies function internally and also how they interact with the external world. For example, Beck describes a situation in 2006 in London, where an anticipated terrorist attack on aircraft between the Heathrow airport and the United States was prevented through increased airport security. “The new security measures are the worldwide reaction to *anticipated* terrorist attacks which, as stated, did *not* occur. ... The passengers, in whose minds the terrorist threat has become lodged, accepted such restrictions on their liberties without demur.”⁶⁸ This is paramount in a risk society, which is, according to Beck, ultimately hindered in its modernization process due to “the condition for calculating and institutionally processing it break down in part. Under such conditions a new moral climate of politics develops in which cultural, and hence nationally varying, *evaluations play a central role and arguments for and against real and possible consequences...* [and] are publicly

⁶⁵ Beck, *World at Risk*, 28.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*, 31.

⁶⁸ *Ibid.*, 1.

conducted.”⁶⁹ The “evaluations” I will use – of the question of security regarding the *kirpan* and allowing *sharia* law in Ontario – are expressed and debated in the newspaper sources I will elaborate upon in section two. Further, the perception of a constant risk within a risk society elicits one of three reactions: denial, apathy, or transformation.⁷⁰ While the first two reactions may be self-evident – the third is ultimately a chain reaction: “How can one lead one’s life when old certainties come to naught or prove to be lies? [...] The expectation of the unexpected means that the taken-for-granted can no longer be taken for granted. The shock of danger is a call for a new beginning. Where there is a new beginning, there are new possibilities of action. For example, people forge relations across established borders.”⁷¹

This is reflective of Hannah Arnedt’s (*Was ist Politik?*) belief that new beginnings of freedom from risk have occurred in only a few moments in history - in the Athenian *polis*, in the founding of the United States, and following the Holocaust.⁷² This is perhaps a restrictive model, one upon which Beck expands to include the “cosmopolitan moment of world risk society.”⁷³ Beck means here that ultimately, the cosmopolitan nature of many modern societies has faced the reality of risk society and has influenced the

particular social way of dealing with cultural differences – in contrast, for example, to hierarchical exclusion, to the *universalism* which declares the dissolution of differences, to the *nationalism* which levels differences and at the same time excludes them in conformity with national antagonisms, and to the *multiculturalism* which is understood and practised as a plural monoculturalism (mostly within the national framework).⁷⁴

Indeed, Beck sees *global* risk as a way in which “national peculiarities – culture, language, religion, law – have to be pushed into the background to allow cooperation across borders and

⁶⁹ Beck, *World at Risk*, 6. Emphasis added.

⁷⁰ *Ibid.*, 48.

⁷¹ *Ibid.*, 49.

⁷² Hannah Arnedt, *Was ist Politik?* (Munic: Piper, 1993), 34.

⁷³ Beck, *World at Risk*, 49.

⁷⁴ *Ibid.*, 56.

differences even where hostility exists.”⁷⁵ Cosmopolitanism, then, allows for communities to face global risk. However, when the risk *is*, to a certain degree, cosmopolitanism, different processes are at work. As will be made evident through the analysis of newspaper articles on two key sources of risk in Canadian society – the *kirpan* case and the *sharia* law debate – the media frames Canada as being a nation in conflict over its *multicultural* or *cosmopolitan* nature. Media portrayals generally frame the country as either a multicultural nation which hosts multiple, separate cultures all striving for independent rule, or a cosmopolitan system in which members desire “one law for all.”

1.2.1 Risk Society Informing the Media

As Mythen asserts, “over the last 50 years, the mass media has been recognised as a primary source of public information about risk. In contemporary western cultures, media portals act as important sites of knowledge, advice and debate.”⁷⁶ Even without risk, the media influence society by providing the symbols, meanings, and even ideologies through which people experience their world. The perception and anticipation of risk, however, has been a prominent theme in the mass media since the 1980s; the media drives social recognition of risk and of ways to maintain order in the face of this threat.⁷⁷ Indeed, the media determine “*which* risks become the focus of public concern and which escape scrutiny.”⁷⁸ Thus, by demonstrating how the *National Post* and *The Globe and Mail* have considered multiple angles and opinions of the *kirpan* case and the *sharia* law, I hope to reveal how the perceived risk is brought to the forefront of each article examined.

⁷⁵Ulrich Beck, “Cosmopolitanism as Imagined Communities of Global Risk,” *American Behavioral Scientist* 55/10 (2011): 1353.

⁷⁶Mythen, *Ulrich Beck*, 74.

⁷⁷Mythen, *Ulrich Beck*, 75.

⁷⁸*Ibid.*, 80.

1.3 Conclusion

Print media continue to be an influential source of information in the late-modern period. While the ease with which one can access online news sources may eventually render print media obsolete, they currently remain a visible fixture in Canadian society. As such, there is opportunity to consider the ways in which the secular is “broken open” and religion is revealed as a living force within the secular public sphere. In order to do this, I will consider how space is conceived, perceived, and lived as informed by newspaper articles on the Multani *kirpan* court case and the *sharia* law debate. My conclusions will provide insight into the ways in which Canadian social space is created via a sense of conflict between the supposed secular public sphere and the development of a risk society found within the pages of major national newspapers.

CHAPTER 2: THE “RELIGIOUS OTHER” IN PRINT MEDIA

Print media remain prominent and influential sources of accessible information for the general population of a state. As Diana Lowe, Naomi Schmold and Mary Stratton indicate in their report for the Canadian Forum on Civil Justice, “the various forms of mass media [especially print] make a major contribution to the flow of information, ideas and opinions that are an inevitable and unavoidable part of daily life in the 21st century. It is historically accepted that the media assumes the role of a public representative, informant and educator on the socio-political issues of the day.”⁷⁹ Thus, undertaking an analysis of how print media construct religion as a matter of importance within the public sphere provides insights into how a nation like Canada – with what is assumed by many to be a “secular” constitution and the separation of the public and private spheres (with religion residing in the latter) - continues to find religion firmly situated within the public sphere.

In order to represent the opinions and perceptions of the Canadian print media on the “religious other”, I will draw from newspaper articles published by the *Globe and Mail* and the *National Post*. These newspapers are available nation-wide, and highlight the information chosen to be disseminated to the national – as opposed to local – reader population. This reader population remains high, despite the introduction of electronic media, which shifts news sources from traditional journalism to pieces of personal opinion published on blog spaces and other unofficial platforms on the internet. According to the Newspaper Audience Databank, as of 2009, Canada still boasted a 77 percent readership of news from traditional media organizations, both in print and electronically.⁸⁰ The distinction between print and electronic formats, while not affecting the content of the articles that are discussed in this chapter, will become important

⁷⁹ Diana Lowe, Naomi Schmold and Mary Stratton, *Beyond the Headlines: The Role of Print Media in Public Understanding of the Civil Justice System*, Edmonton: Canadian Forum on Civil Justice, 2006), 1.

⁸⁰ Kim Covert, “Canadian Newspapers ‘Alive and Kicking,’ Survey Suggests,” *CanWest News*, 23 Sept 2009.

in chapter 3 as I look at how the physical and virtual presence of news organizations in the public sphere contribute to revealing the place of religion within it.

In this section, I will provide an overview of print media coverage of issues involving the “religious other” that have been of public interest in Canada since the 9/11 terrorist attacks on the United States initiated an atmosphere of fear, and perception of invasion and risk with respect to foreign cultures and religions. By focusing on media coverage of the Multani *kirpan* case and of the *shari’a* law debates in Ontario, I aim to demonstrate how, using Kim Knott’s spatial methodology of religion, religion continues to inhabit and influence the Canadian public sphere.

2.1 The *Kirpan* in Canada: Multani v. Commission scolaire Marguerite –Bourgeois

In the Multani (2006) case in the Supreme Court of Canada, a 12 year old Sikh boy attending École Saint-Catherine-Labouré was originally permitted to wear his ceremonial *kirpan* as part of his every day attire to school until he accidentally dropped it in the school yard. While at the school he attended – in accordance with reasonable accommodation as called for in 1985 – advised him to ensure the *kirpan* was securely tied underneath his clothing following the incident, the School Board, influenced by concerned parents, overruled this request and cited violation of the school’s prohibition of dangerous weapons under its code of conduct.⁸¹ Perhaps in an attempt to uphold the reasonable accommodation law, the School Board suggested a symbolic replacement of the actual *kirpan* (such as a pendant) would be sufficient for the boy to express his faith without infringing on the school’s code of conduct. This conflict was taken to court, and it was ultimately held that the decision by the School Board to disallow the student’s

⁸¹ Multani v. Commission scolaire Marguerite-Bourgeois, 2006 SCC 6, (2006) 1 S.C.R. 256 (Multani), 4.

wearing of the *kirpan* infringed on his freedom of religion under s.2 (a) of the *Canadian Charter of Rights and Freedoms* and s.3 of Québec's *Charter of Human Rights and Freedoms*.⁸²

A conflict of authorities can be seen from this court case. The school's attempt to abide by the 1985 Supreme Court establishment of the legal duty of reasonable accommodation in the workplace was overruled by the School Board's code of conduct, which viewed the *kirpan* not as a religious requirement, but rather as a weapon. Multani's appeal to the Supreme Court, however, was successful on the premise of the *Charter's* freedom of religion clause. This conflict between what is viewed as religious or non-religious within the context of reasonable accommodation—specifically with minority or immigrant communities in comparison with the majority of Caucasian Canadians—has been addressed continuously by print media, ultimately framing religion within and around the public sphere.

2.1.1 Print Media Sources on the *Kirpan* Debate

While initially permitted to continue carrying his *kirpan* at school following the incident, Multani's freedom to wear the religious symbol was rescinded in February 2002 by his School Board. Multani's lawyer, Julius Grey, told Graeme Hamilton of the *National Post* in “Dagger debate leaves Sikh boy to study at home” that “the prohibition, decided by a committee of teachers and parents at Sainte-Catherine-Labouré school [appointed by the School Board], infringes on the child's religious freedom. The family had agreed to have the kirpan sewn into a sheath and worn beneath his shirt, but the school ruled it still constituted a dangerous object.”⁸³

'I think the danger from a chair, the danger from a belt, the danger from scissors that might be used in art class or from a baseball bat is much greater. Let's not get excessive over safety,' Mr

⁸² Multani v. Commission scolaire Marguerite-Bourgeoys, 4.

⁸³ Graeme Hamilton, “Dagger debate leaves Sikh boy to study at home: 'Dangerous object': Will appeal decision to ban kirpan from school grounds,” *National Post*, 22 February 2002, A5.

Grey said. 'When you talk about fears, they have to be reasonable fears...If we take the nightmare scenario to be the reasonable one, then we shall have to have a very, very timorous society.'⁸⁴

According to the boy's father, when Multani was asked why he had a knife in the school office, he responded with "no, I don't have a knife. I have a kirpan. It's a religious symbol."⁸⁵ In a follow up to this statement, Hamilton also interviewed Multani's principal, who was the first to be made known of the *kirpan* when a parent witnessed it falling off of the boy's body in the school yard. She indicated that "We respect all religious symbols as long as security measures are followed."⁸⁶ Hamilton notes that other Sikhs who attended Multani's school wore, instead of the *kirpan*, a plastic replica or a medallion. However, Hamilton's article stresses Grey's insistence that "authorities need to understand that just as some Christians and Jews observe the Sabbath more strictly than others, there is a range of beliefs among Sikhs. 'Each person has a degree of religiosity.'⁸⁷

Giving voice to those opposing Multani's wearing of the *kirpan* on a practical level, Hamilton includes a quote from Jean Laporte of the provincial teachers' union, who asserts that "If we're requiring plastic knives in planes, shouldn't we be removing daggers from the schools?"⁸⁸ This statement is a far cry from Mr. Multani's insistence in the article that "everybody knows that in this country, every religion is respected."⁸⁹ Indeed, Hamilton indicated that Multani could "end up sitting at home for months as officials decide whether he should be allowed to wear a religious dagger."⁹⁰

One month later, in March 2002, a second article by Graeme Hamilton appeared in the National Post, indicating that "Sikh boy ordered back to school without dagger: Family appeal

⁸⁴ Hamilton, "Dagger debate leaves Sikh boy to study at home."

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

denied.”⁹¹ The School Board, which originally rescinded the school's decision to continue to allow Multani to wear his *kirpan*, ultimately decided that he was “no longer eligible for home tutoring and must report to school immediately without the knife...[as] the kirpan is incompatible with the school's zero-tolerance of 'dangerous objects'.”⁹² According to Hamilton, the School Board had paid for a tutor to instruct Multani until the dispute had been resolved, and terminated the arrangement without informing Multani and his family.⁹³

'We have made our decision, and now it's up to the family to respond. We ruled that the child must show up for school without his kirpan,' Brigitte Gauvreau of the school board said. 'If they were waiting for the arrival of the tutor, we were waiting for the arrival of the child at school.' She added that if the board is aware of a child not receiving schooling, the matter could be referred to child-protection officials.⁹⁴

Hamilton repeats lawyer Julius Grey's opinion that a pendant would not be an acceptable replacement for Multani, whom Grey felt had such strong religious convictions that no compromises would be an option.⁹⁵ This conflict never occurred in the school Multani had previously attended, according to Hamilton, which was a private English school. Mr. Multani enrolled his son in the French speaking Sainte-Catherine-Labouré public school because “[w]e want to live in Quebec, and I think if we want to live in Quebec, we should learn French [...] Now I am worried about the education of my son'.”⁹⁶

Interestingly, an opinion piece by a Sikh immigrant was published in the *National Post* three days after Hamilton's second article announcing the School Board's decision to prohibit Multani from donning his *kirpan*. Gian S. Thind, who had been raised in India but been a resident of Canada for 50 years at the time of the incident, tells the *National Post* that

⁹¹ Graeme Hamilton, “Sikh boy ordered back to school without dagger: Family appeal denied,” *National Post*, 20 March 2002, A5.

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

[a] kirpan is just a kirpan no matter what other name we give to it. I have gone through Guru Granth, our Sikh holy book, and found no mention of the kirpan as claimed to be part and parcel of a Sikh. Wearing of and use of the kirpan was associated with Guru Gobind Singh, but we do not find his name or his hymns in Guru Granth Sahib, which the Sikhs are supposed to follow and consider as their Guru. Guru Gobind Singh...created Khalsa⁹⁷ from amongst the Sikhs...to save Hindus from being converted to Islam by force by fanatical Muslim ruler Aurangzeb...and dictated that Khalsa be armed 24 hours a day to save Hinduism. Those were the days when there was no law and order in India. The kirpan, then, belonged to a particular time and set of circumstances. It was a matter of self-defence, but there is nothing religious about it. Ignorance breeding violence continues in the name of religion. It has no place in the Canadian way of life.⁹⁸

Thus, a Sikh – who was also, as he indicated, secretary to the *Khalsa Diwan*⁹⁹ for a year in 1960, disagrees not only with the Multani family but also their lawyer and those who defended Multani's right to wear what he considers to be a religious symbol.

The same day Mr. Thind's opinion piece appeared in the *National Post*, an article was included in *The Globe and Mail* considering the real danger of the *kirpan*. According to “Kirpan, ballot, and prom” (no listed author), only if “the kirpan posed a real threat... would [it] justify imposing limits on the Sikh boy's right to wear it.”¹⁰⁰ According to the article, there is absolutely no evidence that the *kirpan* is a “dangerous object,” as concluded by Multani's school board. Instead, it refers to a board of inquiry that Ontario commissioned in 1990 which concluded that, after 100 years of kirpans being present in Canadian schools, no violence as a result of a kirpan had been reported.¹⁰¹ Thus, there should be no issue with students wearing *kirpans* if they adhere to the rules set up by the Ontario board of inquiry – no longer than 17 centimetres and secured under clothing. The article suggests Montreal should adopt these guidelines.¹⁰²

⁹⁷ The *Khalsa* is the governing body of Sikhs -those who are baptized under the order of the *Khalsa* must follow the “five K's” - *Kesh* (uncut hair), *Kangha* (a wooden comb), *Kara* (a metal bracelet), *Kachera* (cotton undergarments), *Kirpan* (strapped dagger).

⁹⁸ Gian S. Thind, “Kirpan is not religious,” *National Post*, 23 March 2002, A19.

⁹⁹ The governing Sikh body in British Columbia.

¹⁰⁰ “Kirpan, ballot and prom,” *The Globe and Mail*, 23 March 2002, A16.

¹⁰¹ *Ibid.*

¹⁰² “Kirpan, ballot, and prom.”

An opinion piece was submitted in response to this article, appearing in the 27 March 2002 issue of *The Globe and Mail*. Entitled “Ceremonial weapon,” the author, P.W. Currie, cautions that while there may not have been any instances of *kirpan* violence in a school setting, there have nevertheless been stabbings with a *kirpan* in Canada, including an situation involving a Sikh priest in a Toronto temple.¹⁰³ The submitter states,

Given the routine violence of our world, it's almost guaranteed that anything that can be used as a weapon, will be. Unlike other religious symbols such as a crucifix, menorah or prayer wheel, a kirpan is clearly a weapon and its intent, since it was introduced to Sikhism more than 300 years ago, was as part of a martial tradition. This is not India, and this is not the 17th century. Carrying a knife with a blade 17 cm (almost seven inches) long in public would likely get any non-Sikh citizen arrested, probably not very gently.¹⁰⁴

This quote questions the equal treatment of all Canadians in this opinion piece. It points toward a discrepancy between an individual citing religious justification for wearing a particular item or acting in a certain way and an individual who does not. This is especially highlighted with the *kirpan* debate, where, according to the writer of this opinion piece, although there had been no evidence of *kirpan* violence in schools, there is evidence that proves the dagger can and has been used as a weapon in the Canadian context.

On 18 May 2002, Tu Thanh Ha of *The Globe and Mail* covered Multani's victory at the Quebec Superior Court to be allowed once again wear his *kirpan* to his public school. In “Sikh student wins case, but he must carry kirpan in scabbard,” Ha indicates that the court gave Multani's religious right back due to “the absence of violent incidents involving kirpans in the province and the willingness of the school board to find an accommodation.”¹⁰⁵ Although the Multanis, according to Ha, were happy that they got their right back, interviews with parents of other children at Multani's school indicated that the debate was far from over: “The fight is not

¹⁰³ P W. Currie, “Ceremonial weapon,” in *The Globe and Mail*, 27 March 2002, A16.

¹⁰⁴ Ibid.

¹⁰⁵ Tu Thanh Ha, “Sikh student wins case, but he must carry kirpan in scabbard,” *The Globe and Mail*, 18 May 2002, A7.

over,' said [a mother] of a 10 year old boy and a seven year old girl who attend Multani's school. ... 'Would you accept somebody with a gun, even if it's sealed?' asked [a father] whose children...are students at the primary school, where about 40 of the 450 pupils are Sikhs. 'It's not racism. For us, it's a potential danger'.¹⁰⁶ Ha adds that the kirpan debate is reflective of the type of controversies occurring across Canada regarding religious freedom and immigrant integration, which involves “well-meaning people on both sides [having] a hard time finding an acceptable compromise for their clashing, divergent traditions.”¹⁰⁷

Both sides felt they were the embattled minority and that any concession would mean the others would take advantage of them. 'If we start making changes, they'll ask for bigger and bigger changes,' said...a woman at the hearing. Conversely, the parents who oppose the kirpan said it was up to the newcomers to adapt to local customs. 'We're talking about integration here.' ... The kirpan debate was a disquieting sign that Sikhs are flexing too much legal muscle, said one woman who attended the hearings. 'They are taking up more and more space,' said the woman, a member of a parents' committee at the school board. ... 'We feel invaded,' she said.¹⁰⁸

Ha adds that the Sikhs, too, felt oppressed and discriminated against, indicating that “after the Sept. 11 terrorist attacks in the United States, too many have lumped them into the ranks of generic, dark-skinned villains.”¹⁰⁹ Ultimately, Ha quotes Multani's father, who “feel[s] shocked” at the attention given to the issue, adding that “he never expected his son would be the centre of so much rancour.”¹¹⁰

2.1.2 Multani v. Commission Scolaire Marguerite-Bourgeoys

The *kirpan* debate largely disappeared from media sources after the 2002 attention until 2006, when the Supreme Court issued a ruling regarding the *kirpan*. While Multani was finally permitted by the Quebec Superior Court to attend school wearing his *kirpan* in early 2002, a later

¹⁰⁶ Ha, “Sikh student wins case.”

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

Court of Appeal ruling reinstated the School Board's council of commissioners' decision to disallow the *kirpan* at school. The Supreme Court case stated that for the Court of Appeal, while “the decision in question infringed G's freedom of religion under s. 2(a) of the *Canadian Charter of Rights and Freedoms* and s. 3 of Quebec's *Charter of human rights and freedoms*, the infringement was justified for the purposes of s. 1 of the *Canadian Charter* and s. 9.1 of the *Quebec Charter*.”¹¹¹ Ultimately, the Supreme Court overturned the Court of Appeal decision and voted unanimously for lifting the ban on the *kirpan* that the school board had created following Multani's mishap. Much media attention was given to the situation in the aftermath of the Supreme Court's decision, sparking further and unresolved conflicts about religion and space for religion in a “secular” society.

Journalist Graeme Hamilton was the first to comment on the Supreme Court ruling on 2 March 2006. Reminding readers of the situation the day that the court made its ruling, he indicates in his article, “Top court to rule on case of kirpans in schools,” that “it will only be the second time the country's highest court has ruled on a case dealing with the religion of Canada's growing Sikh community, and its impact is expected to reach beyond Canada's borders.”¹¹² Hamilton quotes World Sikh Organization lawyer Palbinder Shergil's belief that the case would not only be followed by Canadians, but also by Sikhs and nations worldwide who may have also experienced a similar situation.¹¹³ Indeed, “the case boiled down to a struggle between two conflicting rights: Multani's right to attend public school and express his religion freely versus

¹¹¹ Multani v. Commission scolaire Marguerite-Bourgeoys, 4. Section 1 of the *Canadian Charter* indicates that it “guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.” *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act, 1982* being Schedule B to the *Canada Act 1982* (U.K.), 1982, c. 11, s. 1. Section 9.1 of the *Quebec Charter* indicates that “In exercising his fundamental freedoms and rights, a person shall maintain a proper regard for democratic values, public order and the general well-being of the citizens of Québec.” *Quebec Charter of Human Rights and Freedom 1975*, R.S.Q., c C-12.

¹¹² Graeme Hamilton, “Top court to rule on case of kirpans in school,” *National Post*, 2 March 2006, A10.

¹¹³ Hamilton, “Top court to rule on case of kirpans in school.”

the school board's right to set safety policies to protect students.”¹¹⁴ To support Multani's side, Hamilton again includes the fact that “there is no recorded incidence of the violent use of the kirpan in any school across this country, or even internationally, that any of the parties are aware of... It is an article of faith that reminds Sikhs of their duty and obligation to stand up against injustice and to protect those who are unable to protect themselves. It has symbolic significance for a Sikh’.”¹¹⁵

The day following the Supreme Court's ruling to lift the ban on the *kirpan*, a *National Post* editorial supported the stance that the *kirpan* is not a weapon and poses no threat to Canadian citizens. “A final word on kirpans” (3 March 2006) affirms that “the kirpan Multani wears is a religious symbol which poses no practical danger – the blade is no sharper than a butter knife.”¹¹⁶ In denying any danger associated with a student donning the *kirpan* in a school environment, the editorial does indicate that the Supreme Court “does not say students are allowed to bring dangerous items to school on religious grounds. Instead the court has ruled that religious objects that pose no public danger are permitted. In weighing the evidence, the Supreme Court of Canada has in this case quite rightly come down on the side of religious liberty.”¹¹⁷

Responding to this public support for ultimate religious freedom, the author of an opinion piece featured the following day resorted to “shaking my head in disbelief.”¹¹⁸ Gerald Platel indicated,

A kirpan is a metal instrument with a pointy end, and though, as you say, it is no sharper than a butter knife, could still inflict considerable damage. School kids being what they are, every Sikh schoolboy will inevitably now be subjected to jibes and ragging. Some may even be pushed too far and could decide to use their kirpans. Besides, this will bring up the question of why some are

¹¹⁴ Hamilton, “Top court to rule on case of kirpans in school.”

¹¹⁵ Ibid.

¹¹⁶ “A final word on kirpans,” *National Post*, 3 March 2006, A14.

¹¹⁷ Ibid.

¹¹⁸ Gerald Platel, “Call the kirpan police?” in *National Post*, 4 March 2006, A21.

allowed to carry a dagger and others are not. There should be one law for all Canadians. Either it's lawful to carry a dagger or it's not. If you want to contend that a kirpan is not a dagger but a religious symbol, then having it made of cardboard would suffice.¹¹⁹

Platel questioned if there will be police who determine if a child's *kirpan* is lawfully religious or instead a non-religious weapon that could pose a threat to those around him. He then asked readers to consider how far this special treatment of religious matters will be taken – how far into “lawlessness” will Canada descend in order to defend the religious rights of minority groups?

A *Globe and Mail* article also appearing on 3 March 2006 provided further information and insight into the conflict. “Kirpan ban overturned,” written by Richard Blackwell, includes quotes from Madam Justice Louise Charron, who, on behalf of five of the eight judges who oversaw the case, indicated that “Religious tolerance is a very important value of Canadian society.... A total prohibition against wearing a kirpan to school undermines the value of this religious symbol and sends students the message that some religious practices do not merit the same protection as others’.”¹²⁰ Ultimately, according to Blackwell, the court stated that “individuals should be able to follow a religious practice if they sincerely believe it is necessary and there is no proven reason to prevent it.”¹²¹ Blackwell also includes the opinions of Palbinder Shergill, a lawyer of the Canadian branch of the World Sikh Organization, who stressed that the way in which students who do carry the *kirpan* keep it poses no threat to those around them.¹²² Indeed, a director of the Canadian Civil Liberties Association is quoted as being “thrilled’ with the Supreme Court ruling because it underscores freedom of religion and ensures that policies regarding the country will be uniform.”¹²³ Blackwell focuses on this point – indicating that the

¹¹⁹ Gerald Platel, “Call the kirpan police?”

¹²⁰ Richard Blackwell, “Kirpan ban overturned,” *The Globe and Mail*, 3 March 2006, A1.

¹²¹ Blackwell, “Kirpan ban overturned.”

¹²² Ibid.

¹²³ Ibid.

kirpan conflict had been largely resolved in other provinces, but the rescinding of the Quebec Superior Court ruling by the Court of Appeals “dismissed any possibility of a compromise in that province.”¹²⁴ The decision by the Supreme Court that overrode the Court of Appeal’s decision, according to the World Sikh Organization's lawyer, “could make it difficult for schools to ban other religious wear that individuals sincerely feel is necessary – such as the head covering worn by some Muslim women.”¹²⁵ Whether or not this is viewed as a good thing is not mentioned in the article. Finally, Blackwell indicates that this conflict drove Multani's family to pull him out of the public school system and enrol him in a private school where his *kirpan* wearing was a non-issue.¹²⁶

Also featured in *The Globe and Mail* on 3 March 2006, “Teen's kirpan still sparks anger” provides readers with the responses of parents whose children attended Multani's school. “Five years after Mr. Multani's kirpan sparked a furor...the men and women who came to pick up their children yesterday remained adamant that the Sikh dagger had no place in their kids' classrooms. Their worries over safety mingled with the conviction that Quebec, after its long domination by the Catholic church, had consciously chosen to keep religion outside school walls.”¹²⁷ Indeed, author Ingrid Peritz quotes parents who indicate “We've taken down all the crucifixes in our schools.... We got rid of one religion. We're not about to let another one come in.”¹²⁸ “It's a knife,” Peritz quotes, “We think the kirpan is a weapon and could be dangerous.”¹²⁹ Peritz implies that all parents of non-Sikh children were against the Supreme Court's decision to lift the *kirpan* ban that led Multani to enrol in a private school. She indicates that,

¹²⁴ Blackwell, “Kirpan ban overturned.”

¹²⁵ Ibid.

¹²⁶ Ibid.

¹²⁷ Ingrid Peritz, “Teen's kirpan still sparks anger,” *The Globe and Mail*, 3 March 2006, A4.

¹²⁸ Ibid.

¹²⁹ Ibid.

if there were dissenting voices outside the schoolyard yesterday, they belonged to the children. Surinder Deol, a 12 year old, is Sikh. He does not wear a kirpan, but was well aware that because of Mr. Multani's struggle, he now would have the freedom to do so. 'To force someone to remove their kirpan is like forcing a Catholic to take off their cross,' Surinder said. 'It's the same thing. Someone who feels they want to wear it should be able to.' 'Besides,' chimed in his best friend, Marco Dubois, 'I know Surinder. And he would never hurt anybody.'"¹³⁰

This focus on the opinions of those actually living in the centre of the conflict provides crucial insight into the *kirpan* debate.

The following day provided newspaper readers with a wealth of opinions and coverage of the Supreme Court's decision to overturn the ban on the *kirpan*. A *Globe and Mail* piece by Lysiane Gagnon emphasized the laws regarding the carrying of weapons “and possibly offensive objects in airplanes and schools, and these laws should be respected by all [regardless of the relative danger of carrying them].”¹³¹ Further, she stated that “there is a reasonable limit to the extent that Canada should accommodate religious rights. (Incidentally, most religious Sikhs do not wear, and do not claim the right to wear, a real kirpan and opt for a small symbolic representation of the dagger).”¹³² Questioning the limits of religious freedom, Gagnon muses:

A degree of common sense should be used by the courts. Otherwise, why not allow fundamentalist Muslims to slit the throat of sheep in the middle of the street, as they ritually do in Muslim countries to celebrate the sacred day of Eid-al-Adha? Or should streets be closed to traffic on Shabbat in the districts where the Hasidim are concentrated? After all, didn't Ontario come within an inch of allowing sharia-based civil courts to deal with family issues? And aren't some Toronto academics seriously talking about the possibility of legalizing polygamy in order to accommodate some religious groups? There should be a rational way of balancing individual religious rights with the mainstream values of a secular society whose main pillar is the separation of church and state. There should be a middle way between, for instance, the overly rigid French model, that forbids students to wear hijabs, kippas or prominent crucifixes in public schools, and the Canadian model, which is at the opposite end of the spectrum. As it is taking form through a series of Charter decisions, it is about to become a case of multiculturalism gone mad.¹³³

¹³⁰ Peritz, “Teen’s kirpan still sparks anger.”

¹³¹ Lysiane Gagnon, “The kirpan decision isn't welcome in Quebec,” *The Globe and Mail*, 4 March 2006, A15.

¹³² Ibid.

¹³³ Gagnon, “The kirpan decision isn’t welcome in Quebec.”

The question of *degree* of religious practices is raised in the above quote, to counter the advocates of full religious freedom. Many opinions and beliefs about the *kirpan* debate are expressed in the above articles, and all, as will be demonstrated in the next section, contribute to creating space for religion in the “secular” public sphere.

2.2 The Ontario *Sharia* Law Debate

According to the Arbitration Act of 1991, a wide variety of legally binding arbitration processes, including faith-based arbitration, were permitted in Ontario as long as they were entered into voluntarily by the parties and did not violate the Canadian *Charter of Rights and Freedoms*. In 2003, the Islamic Institute of Civil Justice in Toronto proposed the creation of a formal sharia-based arbitration tribunal to authorize and resolve issues between Muslims. Some members of the public (both Muslim and non-Muslim) raised heated concerns about allowing such religiously-based arbitration in a secular society.¹³⁴ As a reflection of Canada's religious and cultural diversity, Canadian laws have supported multiculturalism and expressed the importance of equality for every Canadian citizen. The official incorporation of *sharia* law for Muslims as an arbitration mechanism would, according to those in opposition to blending religious and secular law, result in a failure to protect the equality rights of Muslim women. Critics of allowing the use of *sharia* law in Ontario argued that the vulnerable Muslim women, would be easily persuaded into agreeing to be bound by the religious tribunals, possibly resulting in a discriminatory ruling.¹³⁵ As will be seen through the media coverage of the *sharia* law

¹³⁴ John Winterdyk and Kiara Okita, “Mixing Sharia Law with Canadian Legal Traditions,” *Law Now* 30/3 (2005-2006): 18.

¹³⁵ Winterdyk and Okita, “Mixing Sharia Law with Canadian Legal Traditions,” 18.

debates in Ontario, the “religious other” is once again viewed as a risk and threat to the Canadian way of life.

2.2.1 The *Sharia* Law Debate in the Media

An 11 December 2003 article that appeared on the front page of *The Globe and Mail* notified Canadians of a group of Muslims who had “established a judicial tribunal that will implement the use of *sharia*, or Islamic law, in Ontario to resolve marital disagreements and other civil disputes, and make decisions.”¹³⁶ At that point in time, “courts must uphold the agreements as long as they are voluntary and negotiated through an arbitrator. The courts will not uphold the agreements if they violate Canada's Charter of Rights and Freedoms.”¹³⁷ The author of the article, Marina Jimenez, indicated that while the movement to create a tribunal is welcomed by some Muslims “as a less costly, private and more expedient way to address civil disputes, others wonder how *sharia*, a body of law based on religious principles, will be interpreted in Ontario and whether it is inherently biased in favour of men.”¹³⁸ Jimenez indicates that *sharia* law allows men greater inheritance rights, that men are the ones given authority to seek divorce, and that men also gain custody of children if a divorce occurs.¹³⁹ While a member of the Muslim Canadian Congress, Tarek Fatah, is quoted as believing the tribunal is beneficial “in theory,” he voiced his concern for dissent within the Muslim community: “Which interpretation of Islamic family law will be used? In a society like Canada, equality is based on common law,’ he said, ‘I also worry that this idea will become the whipping post for all right-wing bigots. A community that is already feeling bewildered will face another set of

¹³⁶ Marina Jimenez, “Islamic law in civil disputes raises questions,” *The Globe and Mail*, 11 December 2003, A1.

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ Ibid.

criticisms'.¹⁴⁰ Other (male) Muslims involved with the initiative, as Jimenez reported, were not concerned like Fatah. Syed Mumtaz Ali, the dominant figure behind the movement for *sharia*-based arbitration, praised the newly formed “Islamic Institute of Civil Justice,” which “will appoint and train arbitrators – imams and religious scholars – to resolve civil disputes. If one part reneges on the agreement, the other party can take it to court to be enforced.”¹⁴¹ Jimenez continues with Mumtaz Ali's desire for some of the arbitrators to be women as “[while] Muslims are obliged to follow *sharia*, [they] are also required to obey the laws of the country in which they live. 'Islamic law obliges Muslims to follow local law, and Islamic law where possible. Under Ontario's Arbitration Act, Muslims will be able to settle disputes in matters of contracts, divorce and inheritance privately with the help of arbitrators'.¹⁴² One area in which Canadian law would trump Islamic law, he indicated, is in child-custody battles as “Canadian law is very sensitive to the interests of the child and the courts must decide custody’.”¹⁴³ Perhaps recognizing that the Canadian public would be concerned about sexism in these tribunals, Jimenez quotes Mumtaz Ali as indicating that “women may use the tribunal to negotiate prenuptial agreements that allow them to initiate divorce proceedings without the permission of their husbands: 'They are in the driver's seat before they marry,' Mr. Mumtaz Ali said.”¹⁴⁴ At the time of the article, the Institute had about fifty members, one fifth of whom were women, who would ultimately all be “well-versed in Islamic law as well as Canadian law.”¹⁴⁵ Perhaps perceiving the responses by readers, Jimenez lastly quotes a spokesman for the Ontario Ministry of the Attorney General, who indicated that “people can use any arbitrator they want and can use a religious framework if

¹⁴⁰ Jimenez, “Islamic law in civil disputes raises questions.”

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Ibid.

¹⁴⁵ Ibid.

it is mutually acceptable.... The Charter of Rights and Freedoms is the supreme law of Canada and the Arbitration Act is subject to it. If the award is not compatible with Canadian law, then the court will not enforce it. You can't agree to violate Canadian law'.¹⁴⁶

Absent from the media for a number of months, an article in the *Globe and Mail* in May of 2004 revitalized the *sharia* law debate in Ontario. Margaret Wentz reintroduced readers to the issue with her story about Homa Arjomand, who “knows what it's like to live under *sharia* law. In Iran, she endured it until someone tipped her off that she was about to be arrested and imprisoned. Many of her activist friends had already been tried and executed. She, her husband, and two small children (the youngest was barely one) escaped on a gruelling trip by horseback through the mountains.”¹⁴⁷ Due to her experiences in Iran, Wentz reports, she has fought against the implementation of *sharia* arbitration in Ontario. “We must separate religion from the state. ... We're living in Canada. We want Canadian secular law’.”¹⁴⁸ Wentz proceeds to indicate that *sharia* law has been authorized by the province in to be used in civil arbitrations – property, marriage, divorce, custody and inheritance matters were able to be legally resolved through *sharia* tribunals. While, she recognizes, the decisions by religious arbitration can be appealed in the official provincial court, “for Muslim women, the pressures to abide by the precepts of *sharia* are overwhelming. To reject *sharia* is, quite simply, to be a bad Muslim.”¹⁴⁹ Arjomand, who at the time of the article lived in Toronto, helped new immigrant Muslim women and, at the time of the interview, was concerned about the nine year old daughter of a client who had just died of cancer. The girl's father was abusive, “and now the dead woman's family is terrified that he's going to take the daughter, who was born in Canada, and go back to Iran. Mrs. Arjomand has

¹⁴⁶ Jimenez, “Islamic law in civil disputes raises questions.”

¹⁴⁷ M. Wentz, “Life under sharia, in Canada?” *The Globe and Mail*, 29 May 2009, A21.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

been trying to get Children's Aid to intervene.”¹⁵⁰ Another situation Arjomand dealt with involved a husband who was told he could stop sleeping with his wife and find a temporary wife to “satisfy his sexual needs” because the wife tried to keep \$50 a month of her salary for coffee and other small purchases. The wife, as Wentz indicated, sought separation and custody of her children, who under *sharia* would be given to the father. While these cases – among others – demonstrate concerns for the implementation of *sharia* in Ontario, a strong voice among women supporting *sharia* also occurred. “Many women are enthusiastic about giving Islamic law an official place in Canada, and they emphatically deny that it will harm women's interests. On the contrary. They insist that under Islam, a woman's rights are protected. 'We follow the Islamic law, secure with a perfect sense of equality between the sexes'.”¹⁵¹ Regardless of the support amongst some Muslim women, however, Wentz's article stresses the opponents' side of the debate. “To apply Muslim family law in Canada is not appropriate,” Alia Hogben, president of the Canadian Council of Muslim Women concurred. She also said that her council was not consulted when the decision to set up an official *sharia* tribunal occurred.¹⁵² Additionally, as Wentz indicates, “Immigrant women are among the most vulnerable people in Canada. Many don't speak English, are poorly educated, and are isolated from the broader culture. They may live here for decades without learning the language, and stay utterly dependent on their families. They have no idea of their rights under Canadian law.... Both Hogben and Arjomand say that we are sacrificing these women on the altar of multiculturalism.”¹⁵³ Multiculturalism, as Wentz quotes Arjomand, “has become a barrier to women's rights'.”¹⁵⁴

¹⁵⁰ Wentz, “Life under sharia, in Canada?”

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ Ibid.

¹⁵⁴ Ibid.

By September of 2004, a year before Premier Dalton McGuinty claims to have banned religious arbitration in Ontario, Jimenez had submitted a second article on the *sharia* law debate, informing readers that B'nai Brith, a Jewish human-rights organization, had supported the maintenance of *sharia* courts because Jewish religious courts had been effective since the 1991 Arbitration Act.¹⁵⁵ Jimenez indicated that the organization had shown their support for religious arbitration to Marion Boyd, former NDP attorney-general who, as a result of the controversy over *sharia* law, was commissioned by the province to submit a report on religious-based arbitration.¹⁵⁶ Jimenez again quotes Muslim Canadian Congress member Tarek Fatah, who said that “Women will always get a worse deal under *sharia*. It is inherently discriminatory and divisive [...] It is flea-market justice!”¹⁵⁷ However, B'nai Brith stressed that if certain amendments were made to the act to protect women, *sharia* should be accepted as a viable alternative to family courts in the province.¹⁵⁸

An article submitted by Jimenez two days later continues with giving those for the arbitration a voice. The Council on American-Islamic Relations in Canada believed, much like the B'nai Brith, that just as long as certain “safeguards [were built] into Ontario's faith-based arbitration system to ensure that participation is voluntary and informed [in addition to ensuring] arbitrators are qualified,” *sharia* tribunals do not violate Canadian law, nor do they pose a threat to women or other vulnerable persons.¹⁵⁹ This group also submitted its beliefs to Marion Boyd, and indicated that “the use of the word *sharia* is inappropriate because a faith-based tribunal is not a full-fledged Islamic court, but is limited in its jurisdiction and constrained by Canadian law

¹⁵⁵ Marina Jimenez, “B'nai Brith recommends sharia-based tribunals,” *The Globe and Mail*, 9 September 2004, A8.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Marina Jimenez, “Arbitration based on faith is working,” *The Globe and Mail*, 11 September 2004, A11.

and the Charter of Rights and Freedoms.”¹⁶⁰ Further, Jimenez notes a representative of the Council on American-Islamic Relations Canada insisting that “there are different schools of scholarship within Islam, and room for flexibility. 'It is not cast in stone. Although there is differential treatment of women and men, overall Islamic law does provide equity'.”¹⁶¹

The debate continued into 2005 with a submission to the *National Post* by political science professor Salim Mansur of the University of Western Ontario entitled “Sharia's underclass.”¹⁶² Mansur situates Ontario's *sharia* debate within the context of the rejection of “Islamic tribunals” by the Quebec National Assembly, which “placed the spotlight on the Liberal government in Ontario and its pending decision relating to the use of Sharia under the province's Arbitration Act.”¹⁶³ Mansur's historicizing of *sharia* “in various Arab and Muslim societies – for instance, in Afghanistan under the Taliban, in Saudi Arabia under that country's tribal monarchy, in Pakistan under various military dictators, in Iran, and even in parts of northern Nigeria,” fully displays his negative opinion of granting *sharia* tribunals legal status.¹⁶⁴ Indeed, he recognizes that “the most egregious aspects of Sharia rulings – such as stoning of women charged with adultery, amputating limbs for stealing, public lashings for taking intoxicants and bearing false witness, ritual decapitation for capital offence, the death sentence for apostasy – have particularly captured the attention of the Western media.”¹⁶⁵ However, while these harsh aspects of *sharia* are certainly not the only or even dominant qualifiers of the law, Mansur insisted that *sharia* is completely incompatible with contemporary Western values. He quotes 4:34 of the Qur'an, which states that “men are in charge of women,” and thus “any...ruling in an arbitration

¹⁶⁰ Marina Jimenez, “Arbitration based on faith is working.”

¹⁶¹ Ibid.

¹⁶² Salim Mansur, “Sharia's underclass,” *National Post*, 22 July 2005, A18.

¹⁶³ Ibid.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

panel on marriage, divorce, child custody, guardianship, income and property settlement, if it is to be consistent with Sharia requirements, would – by definition - be in violation of the equality rights protected by the Charter.”¹⁶⁶ He continues, “on these matters Sharia's prescriptions would contradict not only the gender equality mandated by the Charter, but also the Ontario Family Act, and numerous other statutes.”¹⁶⁷ The Islamic Institute of Civil Justice – the organization that sought to maintain and further develop the *sharia* tribunals in Ontario, were, according to Mansur, completely aware of these discrepancies but continued to push for the maintenance of these tribunals so that “Muslims...be permitted to live by their own laws, separate from every other Canadian. The IICJ thereby seeks to set a precedent for other nations with a Muslim minority. Boyd's endorsement of Sharia law [as by this time she had submitted her report to the province], therefore, unintentionally provides a Trojan horse for the global project of Muslim fundamentalists.”¹⁶⁸ Ultimately, as can perhaps be inferred by Mansur's treatment of *sharia* in his article, the desire that *sharia* “and Canada's secular laws may coexist harmoniously is either a vain wish, or a cynical ploy....Modern Muslim women in Canada, though unapologetic when it comes to their faith and confident of their status in society, generally recognize that their rights and freedoms are best protected under the Charter. It remains a puzzle to them, as it does to others, why any government would entertain the proposal of encouraging the use of Sharia in this country.”¹⁶⁹

Responding to Mansur's dismissal of *sharia* is Anver M. Emon, assistant professor of Law specializing in Islamic Law at the University of Toronto. In his 29 July *National Post* counterpoint, “Shades of grey on Sharia,” Emon points out that family law arbitration has never

¹⁶⁶ Mansur, “Sharia’s underclass.”

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.”

¹⁶⁹ Ibid.

been permitted in Quebec, and thus comparing Ontario with its Arbitration Act to Quebec's more rigid system of family law is flawed. In addition, the “motion [by Quebec][being] little more than a gratuitous swipe at Islamic law without actual teeth,”¹⁷⁰ thus Mansur’s comparison held no content. Due to this, he criticizes Mansur for perpetuating the “polarized nature of the debate on Sharia arbitration in Canada, with those on one side uncritically arguing 'Sharia good' and opponents viscerally holding 'Sharia bad’.”¹⁷¹ Upon revealing Mansur’s unbalanced approach toward the issue, Emon indicated that, in Ontario, family law arbitration is a positive practice as it provides a consensual, low cost alternative to seeing all personal disputes in an official court setting. While Emon acknowledges the popular belief that *sharia* disadvantages women, he insists that the issue is not so simple.

Whether or not women will be disadvantaged depends on how one defines 'Sharia.' For example, under classical Islamic law, a husband did not need to petition a court to divorce his wife. He simply pronounced to his wife that she was divorced. A wife, however, had to petition a court for a divorce. Certainly this difference in pleading suggests a disparity in rights. But interestingly, modern Muslim nations often ignore this rule. Some require husbands and wives to file a petition with a court. Others, like Egypt, require the husband to provide a notarized document to his wife stating that she is divorced. The point is that these Muslim countries have grappled with the Sharia tradition and the role a modern nation-state plays in regulating rights to arrive at a modified rule that arguably accords with the spirit of Islamic law.¹⁷²

To demonstrate the flexibility and vastness of *sharia*, Emon employs the example of Tunisia, which, using Qur'anic verses, justifies banning polygamy even though many other Muslim countries allow it. “The point is that 'Sharia' is not simply an ancient code of rules. It is a process of analysis that must take into account more than just scripture, but also the context of the nation where it is being applied.”¹⁷³ Also addressing the multiculturalism question that was raised in

¹⁷⁰ A. M. Emon, “Shades of grey on Sharia: Counterpoint,” *National Post*, 29 July 2005, A12.

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

earlier articles as demonstrated above, Emon notices that while some of those opposing *sharia* do so because,

Ontario must be governed by one law [...] religious arbitration in family law disputes allows the diverse communities in Canada to express their multicultural identities. In light of the above understanding of Sharia, there is a way to both preserve that rule of law and Canada's commitment to multiculturalism: Ontario's Arbitration Act should be amended to require that family law arbitral awards must be reasonable relative to what an Ontario Court would have decided had it heard the case. In other words, Ontario law is supreme. Muslim arbitral bodies, whether on the left or right, must grapple with the Islamic tradition prior to any arbitration in order to arrive at decisions that reflect the substantive spirit of both Ontario law and Islamic law. The arguments and results may be Islamic, but the decision parallels to a reasonable degree what an Ontario court would have done.¹⁷⁴

Ultimately, Emon recognizes that Islam is, like all other traditions in Canada, a living one. As such, context needs to be taken into account. “This proposal preserves family law arbitration, takes into account that Islamic law is an evolving tradition; upholds the supremacy of Ontario law; and most importantly, puts the onus of grappling with Islamic law on the Muslim communities in Canada, which is where the onus should be.”¹⁷⁵

2.2.2 Premier Dalton McGuinty's Decision as Represented in the Media

Immediately preceding the Ontario government's ruling regarding *sharia* tribunals on 12 September 2005, many articles appeared in *The Globe and Mail* and the *National Post* warning of the repercussions of the decision to either continue to allow or to ban religious arbitration. The dominant concern for many of them (see “Female MPPs' concerns delay sharia decision,” “A Muslim woman's sharia ordeal,” “Ontario urged to spurn sharia,” “Debate Sharia rationally,” “Ontario Sharia law proposal protested in Europe, Canada,” “Voices against Sharia”)¹⁷⁶ was that

¹⁷⁴ Eamon, “Shades of grey on Sharia.”

¹⁷⁵ Ibid.

¹⁷⁶ M. Valpy and K. Howlett, “Female MPPs' concerns delay sharia decision,” *The Globe and Mail*, 8 September 2005, A8.; Marina Jimenez, “A Muslim woman's sharia ordeal,” *The Globe and Mail*, 8 September 2005, A1.;

allowing *sharia* tribunals to continue would put Muslim women at severe risk of being abused and having their constitutional rights taken away from them. In “Female MPPs' concerns delay sharia decision,” Michael Valpy and K Howlett indicate that the “17 Liberal MPPs who make up the women's caucus urged the government this year to go slowly in deciding whether to permit Islamic law to be used in Ontario family arbitration cases.”¹⁷⁷ Valpy and Howlett indicated that the government was originally planning on making its decision on the case in the spring of 2004, but concerns raised by the female members of the provincial government caused the matter to be considered more fully.¹⁷⁸ The cause of concern, as has been seen in many 2004 articles, continued to be outlined in many print media articles during the first few weeks of September 2005. As Jimenez reported in the same edition of *The Globe and Mail*, women are not treated equally by Muslim communities who have turned to *sharia* tribunals. A Toronto woman for example, Jimenez wrote, was required to pay up \$5000, all of her gold jewelry, child-support payments and alimony in order for her husband – who had left her and married another woman in polygamy-friendly South Asia– to agree to a divorce.¹⁷⁹ “‘The imam told me, 'there are some *sharia* conditions you must follow, we must come to a settlement within *sharia*.' I agreed because I was desperate,' said the woman.... 'If the mullah, our religious leader, didn't grant the divorce, then under *sharia* I would have lost custody of my son when he turned eight. Also, I could not remarry'.”¹⁸⁰ While achieving a legal divorce was fairly simple, “she still needed a religious divorce in order to be free to remarry within Islam. She also worried that without a religious divorce, her husband could end up taking the child out of Canada and end up with

Marina Jimenez, “Ontario urged to spurn sharia,” *The Globe and Mail*, 9 September 2005, A10.; F. Khokhar, “Debate Sharia rationally,” *National Post*, 10 September 2005, A17.; Melissa Leong, “Ontario Sharia law proposal protested in Europe, Canada,” *National Post*, 9 September 2005, A5.; Ronald M Wilson, “Voices against Sharia,” *National Post*, 10 September 2005, A17.

¹⁷⁷ Valpy and Howlett, “Female MPP’s concerns delay sharia decision.”

¹⁷⁸ Ibid.

¹⁷⁹ Jimenez, “A Muslim woman’s sharia ordeal.”

¹⁸⁰ Ibid.

automatic custody of their son.”¹⁸¹ Further, Jimenez added that this particular situation was harrowing because the woman was not even able to speak directly with the imam – she was required to do so through her male relatives, which further threatened her achieving her divorce.¹⁸² In a follow-up article on 9 September, Jimenez returned to Homa Arjomand, whom she had interviewed in 2004, and quoted Arjomand as indicating that “McGuinty flirting with political Islam is playing a dangerous game.... He is putting the lives of women and children in jeopardy. Shame’.”¹⁸³ However, as Jimenez reported, the conclusions of Marion Boyd's inquiry into the *sharia* debate did not take this into consideration, indicating that “Muslim women are not being discriminated against and [the only thing needed is to create] safeguards to strengthen the existing arbitration system.”¹⁸⁴ Adding to this is an interview by Melissa Leong of *National Post* in the article, “Ontario Sharia law proposal protested in Europe, Canada.” This interview with Samira Mohyeddin of the Canadian Committee for Democracy in Iran resulted in Mohyeddin's conclusion that “the victims of these laws will be the ones we will never hear from.”¹⁸⁵ Interestingly, Leong quoted Wahida Valiante, vice-president of the Canadian Islamic Congress, as indicating that “these women...don't know the law. They are put into our mainstream courts, what happens to them then? They are at a great disadvantage’.”¹⁸⁶ Valiante believed that the *sharia* arbitration should be voluntary and that women should have the right to choose. Responses from women countered this point with the reality that, in many cases, women were trapped within the confines of their communities' standards, as was extensively covered by print media. One response to Leong's article restressed the harm *sharia* law in Ontario would put

¹⁸¹ Jimenez, “A Muslim woman’s sharia ordeal.”

¹⁸² Ibid.

¹⁸³ Jimenez, “Ontario urged to spurn sharia.”

¹⁸⁴ Ibid.

¹⁸⁵ Leong, “Ontario Sharia law proposal protested in Europe, Canada.”

¹⁸⁶ Ibid.

women in (see “Voices against Sharia”), begging “To allow Sharia law here is to send the message to Muslim women that the old values are the values of Canada. Do not condemn these women to the past.”¹⁸⁷ A second (“Debate Sharia rationally”), however, cautioned:

Leaving aside for a moment the merits and demerits of faith-based arbitration in a secular security, I am shocked that opponents of the proposal are categorically spreading untruths that Islam is unfair to women, and therefore has no role in a Western secular state. The opponents have taken up a mission to save Muslim women from themselves. This is an insult to the intelligence of Muslim women. It is as if being a Muslim automatically reduces your IQ, and therefore women in particular should be saved from the folly of their decisions. Similarly, claims that we are moving toward an Islamic Republic of Ontario are without merit and are only made to scare people from rational debate on the issue. Regardless of the final decision by Ontario's Premier, the smear campaign against Islam will seriously harm Canadian civil society where citizens have the legal right to live with their faith.¹⁸⁸

The author, Farhan Khokhar, concludes his comment with a provocative “it is Islam today. Will it be Judaism tomorrow and Christianity the day after?”¹⁸⁹

The results of the Ontario government's deliberation were announced to the nation with a headline in the *National Post* on 12 September 2005, “Ontario rejects sharia law.” The subheadline, “Jews, Christians to lose their religious tribunals as Premier vows 'one law for all',” informed readers that the *sharia* law debate culminated not in a failure of multiculturalism, but rather in an aim to standardize the conditions under which Ontario residents resolve family court conflicts.¹⁹⁰ Alcoba cites many key players who participated in the *sharia* considerations throughout the previous two years. Homa Arjomand indicated that she was “so happy. Today is my day.... Believe me, [the government's decision] is the first step. The second step is to let the community know about their rights’.”¹⁹¹ Tarek Fatah, also, indicated his support for McGuinty's decision, citing that “the premier's decision sends a 'huge message' to Islamic fundamentalists

¹⁸⁷ Wilson, “Voices against sharia.”

¹⁸⁸ Khokhar, “Debate sharia rationally.”

¹⁸⁹ Ibid.

¹⁹⁰ Natalie Alcoba, “Ontario rejects sharia law,” *National Post*, 12 September 2005, A1.

¹⁹¹ Alcoba, “Ontario rejects sharia law.”

that they cannot impose their laws on Canadians.”¹⁹² Alternately, Alcoba reported, Dr. Mohamed Elmasry of the Canadian Islamic Congress indicated that the government had “lost a golden opportunity,” stating that licenses could have been revoked if a decision was biased against women, and stressing that “faith-based arbitration will continue.... but on an ad hoc basis and without the rules or standards what would have been imposed with legal recognition and regulation.”¹⁹³ Supporting Elmasry was Salam Eimenyawawi of the Muslim Council of Montreal, who believed that McGuinty's decision was “short-sighted. [...] Faith-based arbitration will still continue, but within closed doors, which could spawn serious abuses.”¹⁹⁴

The front page article of *The Globe and Mail*, “McGuinty government rules out use of sharia law,” also reported McGuinty's decision to ban all religious arbitration, and, while also reporting the opinions that this ruling was a triumph for Muslim women, focuses on the possible responses from leaders of other religions who had participated in religious-based arbitration since the Arbitration Act of 1991. “This means that orthodox Jews and some Christian leaders may soon make a common cause with fundamentalist Muslims in seeking to limit the scope of the new proposals.”¹⁹⁵ Members of the Canadian Jewish Congress in particular voiced their opinions on the decision in the media, with Freeze and Howlett quoting chairman Joel Richler as being extremely disappointed as “orthodox Jews have used tribunals to settle family disputes for centuries, but the future of these tribunals is no longer clear in Ontario.”¹⁹⁶

¹⁹² Alcoba, “Ontario rejects sharia law.”

¹⁹³ Ibid.

¹⁹⁴ Ibid.

¹⁹⁵ C. Freeze and K. Howlett, “McGuinty government rules out use of sharia law,” *The Globe and Mail*, 12 September 2005, A1.

¹⁹⁶ Freeze and Howlett, “McGuinty government rules out use of sharia law.”

Articles that appeared the following day raised questions about the ruling and the reality that it would do nothing to protect the women who had so vehemently opposed *sharia* tribunals.

“Of common values and the sharia fight” of *The Globe and Mail* reported that

Mr. McGuinty's ruling does nothing to help women who are vulnerable to unfair Islamic rulings. Marion Boyd...considered the issue from all angles on behalf of Mr. McGuinty. In her view, the balance between minority rights and the protection of vulnerable people within minority groups could best be struck by allowing Islamic arbitration – as long as it was fair and met certain safeguards. As far as one can tell, faith-based arbitrations will still occur (no one can ban them, any more than one could ban a husband and wife from negotiating their own separation agreement); the difference is that they will not be legally enforceable.¹⁹⁷

Indeed, the article indicated that while the complete rejection of religious arbitration was understandable due to “a shift in the public mood,” it “gives short shrift to religious freedom. Religious freedom is woven into the fabric of Canadian law and life.”¹⁹⁸ Ultimately, the article argued that “Ontario is showing a lack of faith in a system that has served it well since 1991.... But... Canadians believe passionately in common values, in the rights of women and in equality under the law. That is why Ontario changed course and decided against religious arbitration.”¹⁹⁹

Regardless of the reasoning behind the decision to ban religious tribunals, Leong's contribution on 15 September 2005, “Muslim groups promise Liberals a fight on sharia,” reported that “several Muslim groups have joined the fight for faith-based tribunals, arguing Premier Dalton McGuinty's decision to outlaw all religious arbitration will not better protect the vulnerable.”²⁰⁰ The article indicated that the opinion of many, as indicated above, was that *sharia* arbitration would continue to occur regardless of the ban, and Dr. Katherine Bullock of the Islamic Society of North America was quoted to have said that she was “concerned with the ‘Islamophobia’ and ignorance of sharia law expressed by the Canadian public during the debate.

¹⁹⁷ “Of common values and the sharia fight,” *The Globe and Mail*, 13 September 2005, A20.

¹⁹⁸ *Ibid.* It should be noted that, in fact, religious arbitrations are not actually banned provided the arbitrators meet all the requirements of the new Arbitration Act.

¹⁹⁹ *Ibid.*

²⁰⁰ Melissa Leong, “Muslim groups promise Liberals a fight on sharia,” *National Post*, 15 September 2005, A1.

'The level of hatred has been frequently astonishing and raises serious concerns for the safety of our community'.²⁰¹ Most importantly, as Leong reported, "the debate has created the perception that 'Jewish and Christian family laws are fine but Muslim family laws are somehow oppressive and barbaric'.²⁰²

2.3 Conclusion

As can be seen from the content of this section, *The Globe and Mail* and the *National Post* provided numerous articles on both the Multani *kirpan* case and the Ontario *sharia* law debate. Representing a range of opinions on these issues, they highlighted the conflictual nature of Canadian society: while some advocated freedom of religion, others feared the repercussions of allowing Sikhs to carry the *kirpan* and Muslims to legally use *sharia* as a basis for arbitration. As I will expand in Chapter 3, using Knott's spatial methodology and Ulrich Beck's concept of risk society, these media examples reveal how religion exists within that which is usually considered to be the secular, public sphere.

²⁰¹ Leong, "Muslim groups promise Liberals a fight on sharia."

²⁰² Ibid.

CHAPTER 3: PRINT MEDIA AS ARCHITECTS OF RELIGION IN SPACE

As I have explored in chapter 2, the Canadian print media continue to provide in-depth coverage of contemporary national issues pertaining to religion, immigration, the law, and national policy. The many angles journalists and other contributors in *The Globe and Mail* and the *National Post* explored in the *kirpan* and *sharia* law cases have framed, intentionally or not, a dichotomy between freedom of religion and perceived risk that influences, as I will show below, how the media locate religion in secular space. First, using Lefebvre's spatial triad, I aim to demonstrate how Ulrich Beck's idea of risk society has become the overarching ideology through which the media (at least in the cases under consideration) locate religion in the “secular” public sphere. I will then apply two aspects of Knott's spatial methodology – highlighting how the body is a source of space, and how it is comprised of multiple dimensions – to consider how print media become architects of space. Following Knott's example of exploring the place of religion on a busy street corner, I will consider how physical space consumed by newspapers in stores and on the street impacts the place of religion. A brief analysis of the impact of the *virtual* space of print media will also serve to reveal how religion is constructed in the public sphere as the Western world becomes increasingly digital. Through my analysis of print media coverage of the Multani *kirpan* case and the Ontario *sharia* law debate, I will show how Beck's idea of risk society is useful in explaining media influence of public knowledge of conflicts with the “religious other”, and how the notion of the perpetuation of risk is one way that religion continues to occupy the “secular” public sphere. Ultimately, I aim to demonstrate how seemingly non-religious entities, such as the media, locate religion within secular public spaces, thus suggesting that religion cannot be dismissed as an influential force within a Western nation.

3.1 Religion in the Public Sphere and Sense of Risk

Both of the issues explored in the previous chapter are ultimately structured as debates, the players involved usually arguing either for freedom of religion (which itself demonstrates that religion remains present in the public realm), or for guaranteed personal and national security. Nearly all of the newspaper articles covering the Multani *kirpan* case highlighted this dichotomy. For example, while Multani's lawyer, Julius Grey, continued to argue that prohibiting the wearing of his *kirpan* infringed on Multani's freedom of religion and many of the journalists repeatedly stressed the question of freedom of religion,²⁰³ they also included the concern of the school board, parents, and readers that the *kirpan* posed a security threat – not only to other children in the schoolyard, but also to the maintenance of Canadian values as a whole.²⁰⁴ Graeme Hamilton reported that, when Multani was asked by the school principal why he had a knife at school, he insisted that it was a religious symbol, not a weapon.²⁰⁵ However, he also quotes a member of Quebec's provincial teachers' union, indicating that “If we're requiring plastic knives in planes, shouldn't we be removing daggers from the schools?”²⁰⁶ Attempts to prove that the *kirpan* is not a dangerous object were also covered by many of the articles summarized in section 2 of the previous chapter; one *The Globe and Mail* article insisted that only if “the kirpan posed a *real* threat...would [it] justify imposing limits on the Sikh boy's right to wear it.”²⁰⁷ Suggesting that while religious freedom does have its limits within the context of a liberal democracy like Canada, the above quote also stresses that only if a threat is proven should it influence an individual's religious rights. While it had been reported that in a hundred years of

²⁰³ See Hamilton, “Dagger debate leaves Sikh boy to study at home”; Hamilton, “Sikh boy ordered back to school without dagger”; Ha, “Sikh student wins case”; Blackwell, “Kirpan ban overturned”; Gagnon, “The kirpan decision isn't welcome in Quebec”.

²⁰⁴ Ibid.

²⁰⁵ Hamilton, “Dagger debate leaves Sikh boy to study at home.”

²⁰⁶ Ibid.

²⁰⁷ “Kirpan, ballot and prom”.

kirpans being present in schools there had never been violence or conflict as a result of the dagger being present, a personal opinion piece in *The Globe and Mail* reminded newspaper readers that there have been *kirpan* stabbings in Canada. Not only this, but “it's almost guaranteed that anything that can be used as a weapon, will be.... Carrying a knife with a blade 17 cm (almost seven inches) long in public would likely get any non-Sikh citizen arrested, probably not very gently.”²⁰⁸ Not only does this contributor perpetuate the religious freedom v. security threat conflict that is present throughout the articles that informed Canada of the Multani *kirpan* case, s/he, like others, also raises the question of degree of religious freedom. How far does religious freedom go?

These are also major concerns in the media's coverage of Ontario's *sharia* law debate. M. Jimenez, a journalist for *The Globe and Mail*, submitted many articles about the *sharia* law debate and informs readers that, according to the Ontario Ministry of the Attorney General, religious freedom, the limits of which was severely questioned during the Multani *kirpan* court case, only extends until it “is not compatible with Canadian law.... You can't agree to violate Canadian law.”²⁰⁹ The right for Muslim communities to resolve domestic disputes within a *sharia* framework only extends until it threatens to break Canadian law (such as gender discrimination, which had been the dominant concern of many Canadians, both involved with and just observing the proceedings of the debate). More evident in the coverage is a sense of national threat; Canadian media perpetuated the opinion that allowing *sharia* law will result in dangerous consequences, thus contributing to a sense of risk or security breach in relation to the “religious other”. Many of the articles summarized in Chapter 2 discussed concerns based on individual Muslim women's experiences in their home countries – situations they sought to be

²⁰⁸ Currie, “Ceremonial weapon.”

²⁰⁹ Jimenez, “Islamic law in civil disputes raises questions.”

free from once they immigrated to Canada. For instance, an article by M. Wente relates a story about a woman who died of cancer. Her daughter, nine years old, was left with an abusive father, and the woman's family was terrified that he would take her back to his home country, Iran. Under *sharia*, the article indicates, the father would get custody of the child instead of the woman's family, even though under Canadian law, abuse would not be tolerated.²¹⁰

Circumstances like this, while likely isolated and not among the majority, were highlighted by the media. The construction of *sharia* as being fundamentally “bad” was perpetuated by articles by academic authorities, such as Salim Mansur, a political science professor at the University of Western Ontario. He stressed that *sharia* is in no way compatible with Western values, freedom of religion and the conditions of the Arbitration Act ignored.²¹¹ Thus, while the threat of the *kirpan* was one largely of personal physical security, that of *sharia* law in Canada became one of universal human rights and values. *Sharia* law posed a threat to Canada because it challenged Canadian values. The question arises: how real does a threat have to be in order for religious freedom clauses in Canada's *Charter of Rights and Freedoms* and Multiculturalism Act to be considered to be unimportant? Even while highlighting differing views in the two debates under consideration, the media invocation of threat of risk is a constant subtext.

²¹⁰ Wente, “Life under Sharia, in Canada?”

²¹¹ Mansur, “Sharia's underclass.”

3.2 Lefebvre's Spatial Triad at Work

3.2.1 Representations of Space/ Conceived Space

As Knott and Franks illustrate in “Secular values and the location of religion,” the *secular* is an ideology that, through employing spatial methodology, can be broken apart and critically observed.²¹² It is important to establish that the *secular* is the hegemonic ideology that informs and influences print media and the spaces they manifest and inhabit. In specific cases, print media such as the physical newspapers in a newsstand in stores or at bus stops fulfill Lefebvre's first element of his spatial triad, “representations of space/conceived space.” According to Lefebvre – and by extension, Knott– the representation of space is manifested as the buildings and other places that consume space created by members of society are informed by the dominant ideology. “This space [the constructed space of planners, engineers, developers] comprises the various arcane signs, jargon, codifications, objectified representations used and produced by these agents.”²¹³ The organization of the physical newspaper as it appears to the public and its manifestation on online platforms is reflective of the ideology which informs society; headlines and other front page material support the *zeitgeist* and continue to perpetuate it. Most of the articles in *The Globe and Mail* and the *National Post* on religion have a structural location in the final pages of the first section (for example, most of the articles I use appeared on A15-A20), thus perhaps reflecting the standard view of religion that exists in the Canadian public. Overall, readers do not want to read about religion; they would rather be informed of the conflicts in the Middle East or American candidacy races.²¹⁴ However, sometimes an issue that

²¹² Kim Knott and Myfanwy Franks, “Secular values and the location of religion: A spatial analysis of an English medical centre,” *Health and Place* 13 (2007), 225.

²¹³ Merrifield, “Place and Space: A Lefebvrian Reconciliation,” 523.

²¹⁴ For example: Sheldon Alberts, “Let's talk about race relations, Obama says; Speech meant to address pastor controversy,” *National Post*, 19 March 2008, A1.; Peter Goodspeed, “Syria a WMD ‘powder keg,’ experts fear,” *National Post*, 14 March 2012, A1.

pertains to religion does reach the front page of national newspapers. In many of these cases, as I will demonstrate, the articles chosen to make the front pages reflect the conditions of Beck's risk society; they suggest that there is a possibility that the secular hegemony is threatened by the active presence of immigrant religion in secular Canadian spaces.

On 11 December 2003, an article entitled "Islamic law in civil disputes raises questions," by Marina Jimenez was featured on the front page of *The Globe and Mail*. On 3 March 2006, *The Globe and Mail* featured "Kirpan ban overturned," by Richard Blackwell also appeared on the front page, as well as "A Muslim woman's sharia ordeal," (8 September 2005), "McGuinty government rules out use of sharia law (12 September 2005), and "Ontario rejects sharia law" (12 September 2005) and "Muslim groups promise Liberals a fight on sharia" (15 September 2005) in the *National Post*. For the most part, these articles appeared on the front pages at the conclusions of the conflicts, save for "A Muslim woman's sharia ordeal." What do the selection of front page articles referring to the *kirpan* case and the *sharia* law debate reveal? As Lefebvre indicates, representations of space "intervene and modify spatial *textures* which are informed by effective knowledge and ideology. Representations of space must therefore have a substantial role and a specific influence in the production of space."²¹⁵ Indeed, the chosen wording of the articles that appeared on the front page of both *The Globe and Mail* and the *National Post* exude certain sentiments, even before the content of the article is read. "Rejection"; "overturning"; "ordeal"; "fight"; all of these terms inform the readers of conflict. Once the content of these articles are read, a sense of risk is thus created.

As indicated in Chapter 1, the primary quality of a risk society is the *anticipation of catastrophe*.²¹⁶ Upon closer examination of these front page articles, the anticipation of

²¹⁵ Lefebvre, *La production de l'espace*, 45.

²¹⁶ Beck, *World at Risk*, 1.

catastrophe is certainly manifested. Blackwell's "Kirpan ban overturned" summarizes the 2006 court case that ultimately allowed Multani and other Sikh boys to wear their *kirpans* at school without intervention. Quoting Madam Justice Louise Charron that "religious tolerance is a very important value of Canadian society...individuals should be able to follow a religious practice if they sincerely believe it is necessary and there is no proven reason to prevent it,"²¹⁷ Blackwell focused on the fact that the state decided that the *kirpan* posed no threat to the larger Canadian population. However, concerns were raised by lawyers that this allowance could "make it difficult for schools to ban other religious wear...such as the head covering worn by some Muslim women."²¹⁸ This suggests that the state is now ultimately powerless in preventing what the Muslim head covering implies for many non-Muslim Canadians – oppressive practices that are "necessary."²¹⁹ While freedom of religion is perceived to have been won, the article suggests an increasing sense of fear regarding other possible religious practices that may be "dangerous."

The same tensions appear in all of the front page articles. In Marina Jimenez's "Islamic law in civil disputes raises questions" (11 December 2003), in which the question of gender equality is raised and challenged, Jimenez questions "how *sharia*, a body of law based on religious principles, will be interpreted in Ontario and whether it is inherently biased in favour of men."²²⁰ "A Muslim woman's ordeal with sharia" (8 September 2005) informed the public passing by the newsstand of the challenges faced by Muslim women in many Islamic countries, and "Ontario rejects sharia law" (12 September 2005) quoted a Muslim woman activist, Homa Arjomand: "I am so happy. Today is my day [...] Believe me, [the government's] decision is the

²¹⁷ Blackwell, "Kirpan ban overturned."

²¹⁸ Ibid.

²¹⁹ Ibid.

²²⁰ Jimenez, "Arbitration based on faith is working."

first step. The second step is to let the community know about their rights'.²²¹ Thus, the visible articles explaining issues of the “religious other” – such as the security threat of the *kirpan* or the threat of cultural invasion of the *sharia* law debate – perpetuate the tensions between freedom of religion and a perceived risk to society by bringing these issues out into the public secular spaces newspapers inhabit.

Conceived space is created not only within the context of Cartesian dimensional space, but also, in recent years, on the Internet in virtual reality. The 77 percent readership boasted by the Newspaper Audience Databank of Canadian newspapers included not only paper copies, but also web content on news organizations’ websites. While control of the physical world is supplemented by the choice headlines that appear on newsstands, space is also created through virtual representations. High traffic to news websites, in addition to the ease at which information is now accessed, allows the headlines that some individuals may not be exposed to physically to influence the ways in which their world is manifested. The accessibility of newspapers via electronic devices also, perhaps, changes the dynamic in which public and private space is conceived; while traditional newspapers may be observed only once an individual steps past the threshold of the private sphere into the public, headlines of news websites are made available to users anywhere they may be. Users may be in spaces designated as “religious” as easily as they may be in a space designated “secular”. Regardless, religion, through headlines specifically chosen by those who conceive social space, becomes present in the minds of readers. This immanence places religion in the public sphere as people observe and interact with others, as will be described below.

²²¹ Alcoba, “Ontario rejects sharia law.”

3.2.2 Spatial Practice/ Perceived Space

Print media also reveal spatial practice. Knott considers the ways in which religious individuals express themselves in an everyday situation, such as “two Asian men walk[ing] together down a street in London or Toronto.”²²² An observer notes that one of the men is wearing a turban, and thus is identified as a Sikh. “The ‘Sikh’ man wears a turban, which is an outward expression of cultural difference associated in the West with ‘Sikh’ religious identity.”²²³ Similarly, newspapers inform readers of ways in which to identify individuals of non-“Western” religions. The emphasis on the *kirpan* as a symbol of Sikhism is, as a result of the actual conflict between Multani and his school board, perpetuated within the pages of the newspapers. Hamilton (22 February 2002), quotes Multani as stating “no, I don’t have a knife. I have a kirpan. It’s a religious symbol.”²²⁴ This “religious symbol,” as newspapers repeatedly called it (in addition to being called a “knife” or “weapon”), may be invisible relative to the Sikh turban or a Muslim hijab, for example; however, as a physical adornment to bodies identifying as Sikh, it becomes a focal point from which public space is constructed.

As developed in Chapter 1, Knott recognizes the “foundational role of the body for the experience and representation of space and for talking about the environment, the nature of society and relationships, time and progress, culture and the sacred,”²²⁵ following in the footsteps of Foucault and Lefebvre. The bodily representations of religion that will be discussed here are the physical markings of religion – issues over the donning of the kirpan in public spaces – that have elicited a wide range of reactions from the public, from ambivalence to fear.

²²² Knott *The Location of Religion*, 41.

²²³ Ibid.

²²⁴ Hamilton, “Dagger debate leaves Sikh boy to study at home.”

²²⁵ Knott, “Spatial Theory and the Study of Religion”, 1108.

The body, as understood in sociological terms, “is now explicitly understood not as a biological given but as a social construct producing multiple meanings.”²²⁶ How can the body designate the public sphere as a location of religion? Section 2(b) of the *Canadian Charter of Rights and Freedoms* indicates that all Canadian citizens have the freedom of “thought, belief, opinion, and *expression*.”²²⁷ “Expression” implies that individuals are permitted outwardly to represent their personal beliefs without fear of consequence. One form of expression that I will focus on in establishing the ways in which the body – as Knott asserts – constructs a public sphere in which religion is active in dress.

The question of dress has become prevalent in Canadian society, particularly after the *Multani v. Commission scolaire Marguerite-Bourgeoys* case. “Dress provides a window through which we might look into a culture, because it visually attests to the salient ideas, concepts and categories fundamental to that culture.... Religion help[s] to define a person’s social location and [is] made visible when cultures make dress salient.”²²⁸ As Linda Arthur illustrates, physical adornments change the body and distinguish it from other bodies that may not hold the same culture, religion, or values. “Dress functions as an effective means of non-verbal communication during social interaction; it influences the establishment and projection of identity.”²²⁹ Much research has been conducted in this area of sociology, with many scholars concluding that dress is the external indicator of personal and community values.²³⁰ Dress, in providing a non-verbal expression of an individual’s beliefs, delineates social and cultural boundaries by serving to

²²⁶ Elizabeth Wilson and Amy de la Haye, “Introduction,” in *Defining Dress: Dress as object, meaning, and identity*, ed. Elizabeth Wilson and Amy de la Haye (Manchester: Manchester University Press, 1999), 3.

²²⁷ *Canadian Charter of Rights and Freedoms*, Part 1 of the *Constitution Act*, 1982 being schedule B. to the *Canada Act 1982* (U.K.), 1982, c.11, s.2(b).

²²⁸ Linda B. Arthur, “Introduction: Dress and the Social Control of the Body,” in *Religion, Dress, and the Body*, ed. Linda B. Arthur (Oxford; New York: Berg, 1999), 1.; Linda B. Arthur, “Introduction,” in *Undressing Religion: Commitment and Conversion from a Cross-Cultural Perspective*, ed. Linda B. Arthur (Oxford; New York: Berg, 2000), 2.

²²⁹ Arthur, “Introduction: Dress and the Social Control of the Body”, 3.

²³⁰ *Ibid.*

isolate or include members of different social communities.²³¹ More specifically, when considering the importance of dress in relation to religion, it is important to note that there is a spiritual value placed upon various forms of dress. As Jane Schneider indicates, connections between clothing and the sacred “render these materials ideal media for connecting humans with the world of spirits and divinities, and with one another.”²³² Further, the sacred beliefs held through dress “deconstruct the scholarly boundaries between the sacred and the profane, nature and culture, material and immaterial and between the individual and the social.”²³³ Thus, the body, as the object upon which dress functions, becomes an active creator of the public sphere – as will be shown through media portrayals of it.

Knott asserts that “for understanding social as well as conceptual space then we must *both* start with the body (its material properties and social formations and location), *and* follow the body's course through its many representations.”²³⁴ Further, the body is “formative for conceptual development, social relations, and the imagination of both in relation to space: 'it determines the conditions for the possibility of experience, which prefigures the structures of knowledge. The body is not clay to be molded but instead is effecting the molding.’”²³⁵ Thus, in the case of the *kirpan* in the public sphere, the *kirpan* represents an individual's personal and physical conviction in his faith (the body's material properties). In nearly all of the articles summarized in Chapter 2, it was made very clear that Multani wore his kirpan – and refused to substitute it for a pendant, like others had done – because of his strong belief that it was required

²³¹ Arthur, “Introduction: Dress and the Social Control of the Body”, 4-5.

²³² Jane Schneider, “Cloth and Clothing,” in *Handbook of Material Culture*, ed. Christopher Tilley *et al.* (London: Sage, 2006), 204.

²³³ Anna-Karina Hermkens, “Clothing as embodied experience of belief,” in *Religion and Material Culture: The matter of belief*, ed. David Morgan (London; New York: Routledge, 2010), 245.

²³⁴ Knott, *The Location of Religion*, 19.

²³⁵ *Ibid*, 19-20.

of him as an orthodox Sikh.²³⁶ It indicates an individual's social position – as a member of the Sikh community – and his location in society – as a member of a minority religious group in Canada. The *kirpan*, as made public in newspapers, also serves to be “formative for conceptual development, social relations and the imagination of both in relation to space” through its symbolism to non-Sikhs.

While newspapers make physical attributes of minority religions more visible, risk also becomes associated with the practices of devotees of these traditions. The articles summarized in section 2 framed the *kirpan* debate within the context of a freedom of religion versus degree/imminence of risk or threat. Suddenly, a Sikh walking down a street no longer merely represents a benign contribution to Canada’s public landscape, but rather a threat that must be contained. Tu Thanh Ha’s 18 May 2002 contribution to *The Globe and Mail* illustrates this, indicating that “Sikhs, too, feel oppressed and discriminated against...’after the Sept. 11 terrorist attacks...too many have lumped them into the ranks of generic, dark-skinned villains’.”²³⁷ Indeed, considering the likelihood of *kirpan* violence in schools, or *kirpan* stabbings on the street (which was confirmed in a 27 March 2006 opinion piece)²³⁸ brings the threat out from the pages of the newspaper into the spatial practices of people.

3.3.3 Spaces of Representation/ Lived Spaces

Through its role as a representation of space, print media informs the public of the ways in which space is lived and also, ultimately, influences the way a reader’s space is lived through its presentation of history. Space becomes lived space through the implementation of human

²³⁶ Hamilton, “Dagger debate leaves Sikh boy to study at home”; Hamilton, “Sikh boy ordered back to school without dagger.”

²³⁷ Ha, “Sikh student wins case.”

²³⁸ Currie, “Ceremonial weapon.”

culture²³⁹ and, through culture, history. This is well demonstrated through the print media portrayal of the *sharia* law debate of Ontario, which ended in 2005. As spaces of representation are “spaces as directly *lived* through its associated images and symbols,”²⁴⁰ the reality of a society in which *sharia* law is a part is actualized through media representations of it. While the *kirpan* as a physical symbol influences the ways in which an outsider may view and interact with the Sikh wearing it, it is not easy to recognize religious individuals who do not physically display their faith in some manner on their bodies. However, the way in which these individuals live - their spaces of representation – and interact with others necessarily shapes their environment.

Spaces of representation differ from spatial practice as the focus shifts from the ways in which the body interacts with its surroundings to the ways in which physical surroundings are transformed by the mind. The conflict between some Muslim groups desiring to settle personal disputes through a religious arbitrator instead of the provincial courts and those who staunchly opposed to religiously-based arbitration occurring (even though some Christians, Jews, and Ismaili Muslims had taken advantage of religious arbitration since the Ontario Arbitration Act of 1991) pushed the question of the influence of convictions into the public sphere. Personal religious arbitration would not be a visible, bodily expression of faith, extended into the public sphere by the ways in which an individual interacts with – and how others react to him or her in – his or her surroundings. However, living under it could also change the way in which an individual interacts with the environment, much like how visible indicators of one's convictions changes these dialogues with the external world. As spaces “... 'envelop'...these three dimensions

²³⁹ Knott, *The Location of Religion*, 52.

²⁴⁰ Lefebvre, *La production de l'espace*, 42.

[physical, social, and mental] or 'fields' of space [...], they are the sum of their components, relations, interpretations and representations.”²⁴¹

Print media provides the visible, authoritative insight a reader has into the perceived spaces of a member of the “religious other”. In the case of the *sharia* law debate, only Muslims were singled out by the media for wishing to have a recognized arbitration tribunal. The debate was also framed as a conflict between “old-world values” versus “new Canadian values”, with traditional systems for inheritance, divorce, and child custody against “equal common law”.²⁴² Providing numerous examples of injustice and abuse toward women— for example, the story of Homa Arjomand, who fled Iran upon discovering that she was to be arrested and imprisoned for her activism²⁴³— gave readers historical context, but only that of a negative atmosphere. Political science professor Salim Mansur of the University of Western Ontario further historicized the *sharia* law debate, associating it with terms generally perceived to be negative. He stated that *sharia* exists “in various Arab and Muslim societies – for instance, in Afghanistan under the Taliban, in Saudi Arabia under that country’s tribal monarchy, in Pakistan under various military dictators, in Iran, and even in parts of northern Nigeria.”²⁴⁴ Associating *sharia* law with a known tumultuous history again creates a sense of risk – it anticipates a catastrophe that has not yet occurred, and may never occur. Indeed, the debate “created the perception that ‘Jewish and Christian family laws are fine but Muslim family laws are somehow oppressive and barbaric’.”²⁴⁵ The creation of risk within the media coverage of the debate thus creates conceived space, perceived space, and lived space. Based on historical knowledge, an intervention of a

²⁴¹ Knott, “Spatial Theory and Spatial Methodology, Their Relationship and Application: A Transatlantic Engagement”, 156.

²⁴² Jimenez, “Islamic law in civil disputes raises questions.”

²⁴³ Wentz, “Life under sharia, in Canada?”

²⁴⁴ Mansur, “Sharia's underclass.”

²⁴⁵ Leong, “Ontario Sharia law proposal protested in Europe, Canada.”

foreign culture, and the ways in which the architects of society control social spaces, society is perceived to be full of risks from an invasive, Muslim source.

Associated with spaces of representation are Knott's concepts of the multi-dimensional, dynamic and relational nature of space. As has been stressed throughout this paper, space does not merely constitute the Cartesian dimensions— mental processes and the way in which individuals perceive the external world influences how they interact with both inanimate and animate components of it. Newspaper coverage of the *sharia* law debate further victimized Muslim women, creating a perception of them that would influence public relations and, thus, public spaces. "Ontario Premier Dalton McGuinty will let down women and help the cause of political Islam if he allows faith-based arbitration to go ahead, anti-*sharia* demonstrators charged yesterday at an emotional rally in Toronto," a *Globe and Mail* article reported in September 2005.²⁴⁶ The article continues, indicating that while it is only fair to allow Muslims the same religious arbitration rights as Christians and Jews, too many complaints had been raised regarding the equal treatment of women.²⁴⁷ Indeed, media portrayals of *sharia* in separate contexts revealed the collective mental sentiments toward it – and by extension, toward the implementation of *sharia* law courts in Ontario.

Many Canadians have opted for a...description [of *sharia*], bad. Globe columnist Lysiane Gagnon equated it with incest. Anti-*sharia* activist Homa Arjomand has called for the imprisonment of *sharia* advocaters. And Quebec MNA Fatima Houada-Pepin....continues to warn about the international conspiracy of Islamists to compliant Quebec media outlets.[...] Consider the following: During the 14 years of operation of Jewish, Aboriginal and Ismaili arbitration tribunals, the issues of 'one law for all Ontarians,' of 'parallel justice systems' and the 'ghettoization of minority groups' were never raised by the public. Why all the hue and cry when Muslims wish to avail themselves of the same rights as their fellow Ontarians?²⁴⁸

²⁴⁶ Marina Jimenez, "Ontario urged to spurn sharia," *The Globe and Mail*, 9 Sept 2005, A10.

²⁴⁷ Ibid.

²⁴⁸ Sheema Khan, "The sharia debate deserves a proper hearing," *The Globe and Mail*, 15 Sept 2005, A21.

The above quote perfectly demonstrates how mental dimensions of space are realized and shape the ways in which a place is manifested and actualized by those who inhabit it. Further, the “victimization” of Muslim women in the face of the threat of *sharia* law (“the opponents have taken upon a mission to save Muslim women from themselves”)²⁴⁹ has created an atmosphere of pity toward them and has influenced the ways in which Canadian secular space has become manifest.

3.4 Risk Unfolded

While it is evident that non-Christian religions are often present in Canadian print media – and that this presence allows for religion to manifest itself within the “secular” public sphere – it is imperative to consider why this phenomenon is occurring. Perhaps it is in part due to the fact that the religious landscape of the Western world has been redefined over the past decade, “break[ing] with the conventional wisdom that has prevailed for the past two hundred years, . . . the Enlightenment liberated humanity from God and enabled it to achieve autonomy in every sphere of activity.”²⁵⁰ The Enlightenment gave rise to a period of secularization, a process that generally sought marginalization of religion from the public spheres and pushed into the private domain. However, geo-political processes have revealed religion continuing in the public sphere, as is evidenced through the media coverage of the *kirpan* and *sharia* law debates in Canada.

Ulrich Beck has established in his decades-long work on risk society that Western “civilization is putting itself at risk” by attempting to ignore the influence that religion has in the

²⁴⁹ Khokhar, “Debate sharia rationally.”

²⁵⁰ Ulrich Beck, *A God of One's Own*, trans. Rodney Livingstone (Cambridge; Malden: Polity Press, 2010), 19-20.

public sphere.²⁵¹ As highlighted in Chapter 1, Beck's concept of "risk" is "synonymous not with catastrophe but with the anticipation of catastrophe."²⁵² The media coverage of the Canadian debates over *sharia* law have served as one "stage" upon which a national atmosphere of risk emerged; the articles produced on these issues created "the real possibility of ... threat,"²⁵³ even while presenting both sides of the debates.

While, for Beck, the threat is seen as a global terrorist attack, the threat of security breach, invasion and of a culture lost is what drives the Canadian media and is one force that propels religion into the Canadian public sphere. The *kirpan*, a symbol of Sikhism and a physical attribute of many Sikh men as they navigate the public arenas of Canada, has largely been portrayed as a possible weapon, with an isolated event of violence causing fear of further potential cases.²⁵⁴ While even the victim of the stabbing voiced his opinion that linking the *kirpan* to violence is unfounded and insulting to the majority of Sikhs who view it as a simple religious symbol, the persistence of the *kirpan* debate in the media and the *potential* threat that it could pose in a crowded area (such as the conclusions by security at the Quebec National Assembly in early 2011)²⁵⁵ keep religion (as manifested through public opinion about the *kirpan*) well within the public sphere as a mental dimension of the space in which it manifests.

In the coverage of the *sharia* law debate, the illusion that Canada is a secular society driven by secular processes was juxtaposed by the media against articles such as "Life under Sharia, in Canada?," "Burkas and Niqabs have no place in Canada," "Ontario urged to spurn sharia," among others. The presence of the *sharia* debate in the media and the continuous

²⁵¹ Beck, *A God of One's Own*, 190.

²⁵² Beck, *World at Risk*, 67.

²⁵³ *Ibid.*, 68.

²⁵⁴ Anna Mehler Paperny, "Stabbing victim deplures debate over kirpan," *The Globe and Mail*, 8 April 2010, A11.; "Where's the danger in a student's kirpan?" *The Globe and Mail*, 9 March 2004, A16.

²⁵⁵ "Quebec backs ban of Sikhs' kirpans," *National Post*, 10 February 2011, A6.

attention given to it is itself the “becoming of the catastrophe in the mass media,” as Beck asserts; it is essential for the existence of a risk society.²⁵⁶ Further, there is the “shock experience of the vulnerability of the foundations of the civilized world.”²⁵⁷ Many of the articles considering the *sharia* law debate noted that an invasion of culture or a rewind in cultural progression was perceived as possibly occurring if Ontario decided to allow *sharia* tribunals. The sense of risk itself becomes one of Knott's mental dimensions, allowing for religion as the subject of fear to blur the boundaries between the public and private spheres, and allowing religion to be influential on public affairs as a result of a public sense of risk.

3.5 Conclusion

Print media possess the ability not only to inform the Canadian population, but also to change the spatial perceptions of individuals who pass by newsstands in stores, on street corners, or at bus stops. The physical and virtual visibility of newspapers within the public sphere has allowed for print media to be considered using Kim Knott's spatial methodology, with a focus on Henri Lefebvre's “spatial triad” of conceived, perceived, and lived space. By exploring newspaper articles on the “religious other” in the *kirpan* case and the *sharia* law debate in Ontario as conflicts of freedom of religion versus risk, Knott's methodology has been used to demonstrate the perpetuation of religious concerns within so-called secular public spaces. The visibility of headlines within the public, in addition to the actual content of articles and opinion pieces, creates a sense of what Ulrich Beck calls risk, risk of invasion, and of perceived catastrophe. This influences the ways in which individuals identify and relate to one another,

²⁵⁶ Beck, *World at Risk*, 69.

²⁵⁷ *Ibid.*, 70.

which contribute to the ways in which religion is constructed and perpetuated within “secular” public spaces in the late modern period.

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