

Rel 130-001: Religion, Politics, and Law

The University of Alabama - Spring 2020

Tues/Thurs 3:30-4:45 pm

207 Manly Hall

[Last Revised: 8 Jan 2019]



From: "Before the Law" (story: Franz Kafka; art: Isaac Lowell)
<https://www.lowellisaac.com/iii>

Instructor Information

Dr. Daniel J. Levine, Associate Professor

Departments of Religious Studies and Political Science

Email: daniel.j.levine@ua.edu

Office Hours: Wed., 11:30-12:30, ten Hoor 311

Thurs., 9:30-11:30, Manly 200A (*note the different locations!*)

Or by appointment

Course Description

In what ways does religious belief conflict, realign, or reinforce our understandings of political belonging and political community? How do states contain, respond to, or coopt such belief? How, in particular, has the law become a site for such conflicts and re-alignments, and to what end?

We will explore these questions by drawing on the sociology of religion, political philosophy, and the politics of Jewish identity in three different states: US, the UK, and Israel. The course is divided into three distinct sections. First, we will review key terms and approaches to the study of religion and politics – including a sustained examination at the term ‘religion’ itself. In section two, we will consider how religion and politics intersect, interact, and exert tension on one another. We will then ask: is religious freedom *possible*? Under what terms? In the third and final section, we will use Supreme Court Decisions in the UK and Israel to explore how these tensions play out in everyday political life: from immigration to public schooling to identity and collective memory. *3 credit hours, HU core credit*

Course Goals

After completing this course, students will be able to:

1. *Identify* key terms in the sociology of religion and politics, *use* them correctly, and *critically evaluate* their meaning.
2. *Analyze* key tensions that emerge at the intersection between religious belief, affiliation, and practice on the one hand, and political community and obligation on the other.
3. *Assess* arguments that address these questions, whether legal or conceptual.
4. *Identify* the background questions and fact patterns needed to carry out those assessments, and *work collaboratively* to understand them.
5. *Present* that understanding to their peers in a compelling, accessible way.

Required Texts

- Russell McCutcheon: *Studying Religion: An Introduction, 2nd Edition* (Routledge, 2018), isbn 0815353634 (available at the Sup Store)
- Hannah Arendt: *Eichmann in Jerusalem* (Penguin: 2006), isbn 9780143039884 (will be at Sup Store)

Other Resources (official sites first)

Supreme Court of the United States

- Official site: <https://www.supremecourt.gov/links/links.aspx>
- <https://www.oyez.org>
- <https://www.scotusblog.com>

Supreme Court of the United Kingdom

- Official site: <https://www.supremecourt.uk>
- <http://uksblog.com/>
- https://www.nyulawglobal.org/globalex/United_Kingdom1.html

Supreme Court/High Court of Justice, State of Israel

- Official site (Eng): <https://supreme.court.gov.il/sites/en/Pages/home.aspx>
- <https://versa.cardozo.yu.edu>
- <https://www.nyulawglobal.org/globalex/Israel1.html>

Course Requirements

Readings and Assignments

Readings are listed underneath each date on the schedule. Complete the readings before you come to class that day. Readings outside of the textbook will be available on UA Box via this link: <https://alabama.box.com/s/8t7ekmbw9qzf7gv4o7lelgfvnl3ukl9>.

3 Quizzes (20% each, 60% total)

These will be a mix of multiple choice, fill-in-the-blank, and short answer. The quiz at the end of part I (Feb 4) will focus on **key terms, concepts, and thinkers from the text**. The quiz at the end of Part II (March 3) will focus on the readings relating to that section and our discussions following from them. The quiz at the end of Part III (April 14) will deal with the court cases we cover in class. Each quiz is worth 20% of your total grade.

Homework Assignments (20% of your grade)

There will be a series of short homework assignments dealing with the readings at various points over the semester. These will count for 5% of your final grade each. I will drop the lowest two marks.

Pecha Kucha Case Briefings (20%)

Later in the semester, you will be asked to make pecha kucha-style course presentations on some aspect of the cases we are discussing. Students may work alone or in pairs. An assignment and signup sheet will be circulated soon. If necessary, we'll add more slots to accommodate everyone.

Attendance

You are required to attend class, and will need to do so if you wish to do well. Missed homework, quizzes, presentations and the like cannot be made up, except in the event of university-approved travel, serious illness, or a family emergency. All of these require documentation.

Gradebook

I will use the gradebook on Blackboard to record your grades on quizzes and assignments. The following grading scale will be used:

A+	97-100%	B+	87-89	C+	77-79	D+	67-69
A	93-96	B	83-86	C	73-76	D	63-66
A-	90-92	B-	80-82	C-	70-72	D-	60-62
F	59 or below						

It's Probably in the Syllabus

I'm curious who has read this far into the syllabus. If you are reading this, you have a chance to earn 3 bonus points on the first quiz. Do a google search based on the image at the beginning of the syllabus. By email, tell me (briefly) 1., who Franz Kafka was, and 2., what the title "Before the Law" refers to.

University and Course Policies

Notification of Changes

I will make every effort to follow this syllabus as listed. If the need arises, however, I may have to make changes. In that event, I will notify you as promptly as possible by one or more of the following means: via email, verbally in class, and/or through Blackboard. Emails sent directly from me will come from my UA account (daniel.j.levine@ua.edu) and will be sent to the account you have designated with UA. Emails sent via Blackboard learn will have the prefix "202010-REL-130-001" in the subject line. By remaining in the course after receiving a copy of this syllabus you accept the possibility of changes and responsibility for being aware of them.

Quizzes and Tests

The only authorized materials for this course are required readings, supplemental readings posted on Blackboard/Box or otherwise assigned, and information presented during lectures. Students are prohibited from reproducing, distributing, or disclosing content from quizzes and tests. Students may not take quiz or test materials from the testing room. Please return all test materials intact at the close of a quiz, test, or exam.

The only items students may bring to their seats during a test, quiz, or exam are the following: No. 2 pencils or pens, as needed; bluebooks if necessary. The following items are prohibited during quizzes, tests, and exams: electronic devices (phones, computers, watches, fitness trackers, cameras, recorders, e-cigarettes); non-electric watches and timers; hats and hoods worn on the head; earplugs or earmuffs; scratch paper; mechanical pencils; markers and highlighters; written materials except as indicated.

Use of Personal Electronics Devices in Class

Phones are to be turned off and put away during class. Laptop use is authorized only for the purpose of course-related activities (taking notes, referencing electronic texts, etc.) Students observed using laptops for any other purpose may be enjoined from further use of them.

Recording Classes

Consent to record classes is not granted, save in the context of an ODS-documented disability.

Academic Misconduct

Incidents of academic misconduct will be handled in accordance with the UA Code of Academic Conduct, available here: <https://catalog.ua.edu/undergraduate/about/academic-regulations/student-expectations/academic-misconduct-policy/>

Disability Accommodations

The University of Alabama is committed to ensuring the full participation of all students in its programs. If you have a documented disability (or think you may have one) and need reasonable accommodation(s) to participate in this class, contact the Office of Disability Services (or ODS; 205-348-4285, ods@ua.edu, Houser Hall 1000, www.ods.ua.edu) *as soon as possible*. If you have been approved to receive accommodations through ODS, please meet with me during office hours or by appointment to discuss how accommodations can be implemented in this course.

UAct

The University of Alabama is committed to an ethical, inclusive community defined by respect and civility. The UAct website (www.ua.edu/uact) provides extensive information on how to report or obtain assistance with a variety of issues, including issues related to dating violence,

domestic violence, stalking, sexual assault, sexual violence or other Title IX violations, illegal discrimination, harassment, child abuse or neglect, hazing, threat assessment, retaliation, and ethical violations or fraud.

Pregnant Student Accommodations

Title IX protects against discrimination related to pregnancy or parental status. If you are pregnant and will need accommodations for this class, please review the University's FAQs on the UAct Website: <https://www.ua.edu/campuslife/uact/information/pregnancy>.

Religious Observance

Students should notify the instructor in writing or via email during the first two weeks of the semester of their intention to be absent from class owing to religious observance. I will work to provide reasonable opportunities to complete academic responsibilities as long as these do not interfere with the academic integrity of the course. Full guidelines here: <https://provost.ua.edu/oaa-guidelines-for-religious-holidays-observance/>.

Severe Weather

Please familiarize yourself with the University's protocols for severe weather: <https://ready.ua.edu/severe-weather-guidelines/>.

Respect of Persons and Ideas

Speech that is intentionally disrespectful, malicious, or belittling is inappropriate in any instructional setting, and is inimical to the academic mission of the university. Such speech will not be tolerated, and may be subject to discipline under the code of student conduct. <https://studentconduct.sa.ua.edu/code-student-conduct/>.

Your Health & Well-Being

Students are encouraged to prioritize their physical and mental health. Academic performance will suffer when personal well-being is neglected. Eat, sleep, exercise. If you feel you lack the skills to study or retain effectively, seek guidance. The same holds if stress or fatigue begins to interfere with daily functioning. University resources for these matters include:

- Student Health Center (<https://shc.sa.ua.edu>)
- Counseling Center (<https://counseling.sa.ua.edu>)
- Student Care & Well-Being (<https://bamacares.sa.ua.edu>)
- Veteran & Military Affairs (<https://vets.sa.ua.edu>)
- Collegiate Recovery & Intervention Services (<https://cris.sa.ua.edu>)
- The Capstone Center for Student Success: <https://success.ua.edu>¹

¹ Thanks to Christine Field for sharing her text on these matters.

Course Schedule

Jan 9: Introductions

Part I. Religion & Politics: Key Terms and Concepts

Jan 14: Defining Religion

Reading: Russell McCutcheon, *Studying Religion*, Ch. 2

Jan 16: Judgement and its Limitations (a quick interlude)

Film: either *The Man in the Glass Booth* or *The Last of the Unjust* (via Kanopy)

I will be in the UK for the second part of this week; this film will be screened in class (or you may watch it on your own time by streaming it on Kanopy). Whichever you do, note that it raises issues to which we will be returning throughout the semester.

Jan 21: What “Religion” Is

McCutcheon, *Studying Religion*, Ch. 3

Homework Assignment #1 due today

Jan 23: What “Religion” Does

McCutcheon, *Studying Religion*, Ch. 4

Homework Assignment #2 due today

Jan 28: What “Religion” Resembles

McCutcheon, *Studying Religion*, Ch. 5

Homework Assignment #3 Due today

Jan 30: Catching Up + Review for Quiz

Homework Assignment #4 Due today

Feb 4: Quiz #1

Part II. Tensions

Feb 6: Belief

Donald S. Lopez, Jr., “Belief.”

Feb 11: Secularism

Matthew Scherer and Inanna Hamati-Ataya, “Secularism” and “*Laïcité*.” *Wiley-Blackwell Encyclopedia of Political Thought*. (Box)

Craig Calhoun, “Rethinking Secularism.” (Box)

Homework Assignment #5 due today

Feb 13: Judgment

Reading: Jennifer Culbert, “Judging the Events of Our Time.” (Box)

Homework Assignment #6 due today

Feb 18: Freedom

Winifred Sullivan, *The Impossibility of Religious Freedom*, pp. 1-12. (Box)

Homework Assignment #7 due today

Feb.20: Law

Adam Kirsch: "Building Fences." (Box)

Also, please watch these two videos before class:

- What Are Jewish laws? <https://www.bimbam.com/jewish-laws/>
- What is kosher? <https://www.bimbam.com/kosher/>

Feb 25: Authenticity

Ernst Renan: "What is a Nation?" (Box)

Rowan Williams: "Remembering for the Future." (Box)

Feb. 27: Review/catch up

March 3: Quiz #2

Part III. Law

March 5: Church and State (1): Precursors

Witte and Nichols: *Religion and the American Constitutional Experiment*, ch. 1.

March 10: Church and State (2): The American Experiment

Witte and Nichols: *Religion and the American Constitutional Experiment*, ch. 2

March 12: Church and State (3): The View from Elsewhere

Guy Ben-Porat: *Between State and Synagogue*, ch. 1.

March 13-20: Spring Break

March 24: Reading the Law: A Primer

State of Israel, High Court of Justice: *Raskin vs. Religious Council of Jerusalem, 1989* (HCJ465/89): <https://versa.cardozo.yu.edu/opinions/raskin-v-religious-council-jerusalem> (link on web of via UA Box)

March 26: Rufeisen vs. Minister of Interior (1): Background

Shalom Goldman: "Apostasy and Citizenship: The Case of Brother Daniel." (Box)

Pecha-Kucha Presentations today:

- Bio of Brother Daniel
- Survey of Israeli and Jewish Religious Law on Membership and Conversion
- Background of the Judges

March 31: Rufeisen vs. Minister of Interior (2): Reading the case

State of Israel, High Court of Justice: *Rufeisen v. Minister of the Interior*, 1962 (HCJ72/62) (box)

Pecha-Kucha Presentations today:

- Another case (1): “A Very Special Cardinal”
- Another case (2): *Jews for Jesus?*
- Another case (3): Lyudmila Ulitskaya’s *Daniel Stein, Interpreter*

Apr 2: The Jews’ Free School (1): Background²

JHH Weiler: “Discrimination and Identity in London: The Jewish Free School Case” (Box)

Also, please watch these two videos before class:

- The Birth of Modern Judaism: Enlightenment and Emancipation (<https://www.bimbam.com/history/>)
- How Reform, Conservative, and Orthodox Judaism Began (<https://www.bimbam.com/history/>)

Pecha-Kucha Presentations today:

- Background: On the emergence of the UK Supreme Court and how it works
- Background: On Jews and Jewish emancipation in the UK
- Background: Non-discrimination laws in the UK and the EU
- Background: On Jewish Conversion

Apr 7: The Jews’ Free School (2): Judgment

Supreme Court of the United Kingdom: *R (E) v. Jews’ Free School*, 2009 (Box)

Pecha-Kucha Presentations today:

- Race (1): Between Jewishness and Whiteness
- Race (2): The Arab Jews

Apr 9: Review/Catch-up

Apr 14: Quiz #3

Apr 16: Eichmann in Jerusalem (1): The Problem of Judgment

Hannah Arendt: *Eichmann in Jerusalem*, selections (TBA)

Pecha-Kucha Presentations today:

- Background information: Adolf Eichmann and the Trial
- Background information: Gideon Hausner and Hannah Arendt
- Critiques after the fact

² For the material in this module and the next, I am indebted to the “Teaching Law and Religion Case Study Archive at <https://sites.northwestern.edu/lawreligion/>

Apr 21: Eichmann in Jerusalem (2): The Banality of Evil?

Hannah Arendt: *Eichmann in Jerusalem*, selections (TBA)

State of Israel, Supreme Court: Criminal Appeal 336/61 (box)

Apr 23: Summing up: What Have we Learned?