What is a mentality, and when does it become a fundamentality? Technically speaking, these two words may not be etymologically linked, but their overlap is instructive for those pondering the meanings and effects of the ‘secular’. A language of mentalities and imaginaries infuses writing about both fundamentality and the secular. While scholars have often characterized a fundamentalist ‘mindset’ as one lacking in self-reflexivity or openness to democratic deliberation, so, too, have they turned to a language of mentality and related concepts – sensibilities, imaginaries, world views – as the dominant frame for explaining what the secular is, and how its power works (Marx, 1994; Derrida and Habermas, 2004; Taylor, 2007). Susan Harding, writing specifically of mid-twentieth-century US ‘secularity’ in its relation to ‘fundamentality’, described the ‘modern secular imaginary’ as a ‘hegemonic social mentality, a sensibility and code of etiquette’ (Harding, 2009: 1283). Sociologist José Casanova offers a more precise definition, distinguishing the secular as a ‘modern, epistemic category’ from secularization as a social and historical process that worked to define and set apart ‘religion’ within civic and political institutions. Secularism, in turn, he described as a world view ideology that can be both a principle of statecraft and a broader, taken-for-granted, modern doxa (Casanova, 2009).

This recent analysis of the secular has insisted that scholars ask hard questions about their own norms – their own ‘social imaginaries’, ‘mentalities’, and ‘sensibilities’—including those that designate fundamentality as rigidly dogmatic while celebrating secularism as a commitment to open critique (Derrida and Habermas, 2004; Asad, 2009). These debates about the secular, or what some now call the postsecular, are thus
posing the question of when a mentality becomes a fundamentality, or when a group's implicitly shared way of thinking becomes articulated as an exclusive way of thinking to which others must accede, often with both their minds and their bodies (Scott, 2007).

By considering a different layer of etymology resident within the English-language concepts of fundamental and secular, we can set another illuminating frame onto the question, one that brings into relief not only mentalities and imaginaries but also matter and property. Fundamental, the Oxford English Dictionary (OED) attests, can be defined as the ‘foundation’ of a building or the ‘base on which something is built’ (OED, 1989b). Fundament, in turn, has a historical and geophysical definition of ‘any landscape before colonization by man in general or by any particular group of men’ (OED, 1989a). The gendered language may be accidental on the part of the OED, and the reference to colonization may not be meant to evoke the politics of imperialism; nevertheless, this definition marks the fundament as a land not yet spoken for by men who claim it and build upon it. In other words, the fundament is a ‘wilderness’ about to be ‘civilized’. The word secular also has OED definitions that mark off matter in place and time. In its medieval meanings, the secular referred to what was worldly, neither ‘spiritual’ nor of the ‘Church’. In later meanings, secular also denoted a long-term geophysical process ‘having a period of enormous length; continuing through long ages’ (OED, 1989c). Historically speaking, then, secular may refer to places not claimed by the Christian Church as well as to material processes that proceed according to the clock of science, not scripture.

In the twentieth century, fundamentality and the secular took on new meanings as mutually constituting terms orbiting around the third concept of religion, a term not exactly denoting Christianity but largely dominated by it (Wenger, 2009; Asad, 1993). At least at a popular level, the secular largely came to be defined as that which is not based in religious authority, with fundamentality as its most extreme, and religiously undergirded, opposite (Jakobsen and Pellegrini, 2008: 2). As feminist and other scholars have demonstrated, however, the fundamental and the secular, though both with Christian etymologies, do not have solely Christian genealogies and embodiments (Jakobsen and Pellegrini, 2008: 13). In this essay, I attend to one particular context in which the secular encompassed not only norms of democratic governance and legal recourse, but also the concepts of real estate or property as they emerged within a contested process of Christianization and colonialism. I show how Christianity has been one implicit and explicit foundation for not only secular mentalities, but also for their material habitations and legal effects. Put another way, fundamentality and secularities draw not only from the mind but are also made out of matter (cf. Hirschkind, 2011).

In ‘colonial secular’ northwestern British Columbia, the focus of my current research, real estate became, quite literally, contested ground not only among First Nations, settlers, and colonial officials, but also among and between missionaries as representatives of the Church and as ‘private’ capitalist subjects. Texts and rituals coded as ‘religious’ – sermons, baptisms, school texts, bible translations, catechisms – were the most obvious of missionaries’ tools for transforming both mentalities and materialities of Aboriginal peoples (Stevens, 2004). Missionaries, however, also used deeds of land, new zoning laws, and other legal documents of mapping to give them ownership of land that was newly subject to the juridico-political ‘mentality’ of real estate (DeRogatis, 2003; Neylan, 2002). In British Columbia, some missionaries literally represented both the ‘law’ and ‘God’ in their work – that is, they were both local magistrates and ministers of the gospel. In other cases, missionaries strongly resisted what they saw as unjust seizures of Indian land by both settlers and government (Patterson, 1967; Christophers, 1998; Foster, 2007b; Foster and Berger, 2008). Missionaries’ celestial visions paired with their earthly maps made them powerful yet unpredictable nodes in the creation of Canada, a nation that has never entirely extricated its secular, democratic authority from its underpinnings in a Christian mode of transcendence, by which the law could understand itself, at root, to be ‘never wrong’ (Berger, 2010: 117).

From the beginnings of ‘British Columbia’, ongoing struggles over the ‘Indian Land Question’ threw into high relief how the seemingly secular mentality of real estate was actually a fundamentality: an exclusive way of thinking enforced through a ‘regime of private property’ (Harris, 1997: 136). Real estate, also know as ‘real property’, is founded on the idea that an individual can gain ‘title’ to a section of land, its buildings, and its resources by exchanging money for the right; real property is an idea particular to certain legal cultures (Hann, 2007; Bell and Napoleon, 2009). ‘Alienating’ land through real estate is a practice that, with enough digging, is shown to be founded on claims of transcendence. In the Canadian case, the Crown claimed the title to the land both through negotiating treaties with First Nations and through a baldly imperialistic assertion of its own power. In the case of the vast territory of Rupert’s Land, the Crown came to own most of northwestern Canada by purchasing it from the Hudson’s Bay Company, a company which it
shall not covet,’ for you have knock us down and take our possession. (Mercer, 1911)

Andrew Mercer caught the state in the act of what Talal Asad has called ‘transcendent mediation’, by which the state proclaims its own authority to be rooted in the demos and yet also stakes itself on divine authority (Asad, 2003: 5). With a language of rights and commandments, Nisga’a drew on both secular and biblical norms, while also maintaining their own ‘social imaginaries’ that rooted authority in communal houses and ancestral clans (Taylor, 2004).

If to be postsecular is to be thinking and acting with a critical awareness of the powers of the secular, First Nations were postsecular long before the term was even coined. Their shrewd assessment of the state’s appeal to Christian authority in claiming the land suggests they may also have been post-fundamentalist, or anti-fundamentalist, in two senses – they rejected the colonial designation of their land as a supposedly wild and unsettled ‘fundament’ waiting for settlers, while also naming the partiality and extremism of the state’s claim to their land under the sovereignty of the ‘Crown’.

To better understand the importance of these land disputes for the formation of the colonial secular, I first offer a reading of several key texts in the recent theorizing of the secular and its others – whether fundamentalism or the postsecular. I argue that the secular is partly created through the mutually constitutive relations of colonial modes of governance and Christian imaginations of moral order (Lutz, 2007: 31). In concert with this colonial Christian logic, the secular becomes a temporal category that both proclaims its own inevitability and asserts its ability to continue indefinitely through the ages. At a time when some accounts of the secular and postsecular seem to be drawing overly sharp divisions between Christianity and the secular, or even urging a ‘reChristianization’ of scholarship and/or the state, highlighting the ways that Christianity and the colonial state worked to create the secular seems particularly urgent (Smith, 2012; Sommerville, 2002).

Fundamentalism, the secular, and Christianization

Applying the label of fundamentalist is one of the most damning of insults from a ‘secular’ perspective – or, more particularly, from a perspective that understands ‘religion’ to be a voluntary affiliation that (ideally) carries no inherent legitimizing authority in the realm of the state. Understood in this sense, the secular is a space of public discourse
and practice in which religious reasons are not admissible, or at least not very convincing, as arguments for laws, public policies, or communal norms. To be fundamentalist, in this reading, is to be outside the terms of secular agreement about the virtues and necessities of peaceful democratic debate: it is to be unyielding in one’s views, to root one’s ‘world view’ in a transcendent, divine authority, and to have a readiness for turning even to violence in support of one’s convictions (Derrida and Habermas, 2004).

With the rise of ‘fundamentalism’ in many parts of the world, scholars from a range of disciplines turned sustained attention to the ways that fundamentalism, both as an ascribed and a native category, was more than just a stubborn, aggressive mentality — it was a set of practices and discourses with attendant contradictions, surprising alignments, and networks of power (Marty, 1994; Harding, 2001). Many scholars have shown how fundamentalism, while a ‘native’ term especially among some Christians, is also a pejorative term that, with its connotations of a threateningly violent transcendence, helps to constitute the ‘secular’ as a sphere of rational, peaceful debate (Jakobsen and Pellegrini, 2008). In turn, the secular has also become the focus of critique, and related concepts such as secularization and the postsecular have all been advanced as terms with more or less utility, and with more or less direct connection to Christianity. Where historian David Hollinger suggests that secularization in the United States would be better described as a process of ‘deChristianization’, sociologist James Beckford argues that in the context of Great Britain, Christianity continues to shape notions of both the secular and the postsecular (Hollinger, 2001; Beckford, 2012). Enumerating many meanings attributed to the postsecular, Beckford concludes that many scholars who employ the term in Euro-American settings are missing a critical historical awareness of the ‘pragmatic settlement’ between the state and religions, especially Christianity: ‘[state] policies, mechanisms, and practices have long been at work in Britain to recognize and summon religious identities’ (Beckford, 2012: 13, 16).

This summoning, I would add, calls forth very particular kinds of religion, namely ones that are willing to pragmatically settle, to accept the sovereignty of the state, and even to help to produce it.

Whether embodied in the ‘state’ or the ‘public sphere’, secularity’s supposed freedom from religious obligations or compulsions is certainly not borne out in many of the European and North American nation-states that invoke the secular as an orientation. Self-professed secular states have long privileged certain religions — especially Christianity — in particular spheres such as education, health care, and charitable status, and many continue to collect taxes on behalf of ‘established’ churches (Casanova, 2009: 1061). Theorizing the secular or the postsecular, then, must involve asking the question of how key secular concepts require a settlement with state sovereignty, and how this settlement differentially recognizes the authority and ‘sensibility’ of particular religions. Perhaps ‘religious reasons’ undergird or support even such a ‘secular’ mode of authority as the right to buy and own land as property. As several political theorists have shown, prominent early modern theorists of property rights, such as John Locke, not only developed their theories in relation to Protestant theologies, but also engaged in political work entwined with Christian missionary colonialism directed at Aboriginal peoples (Waldron, 2002; Tully, 1993). Property rights and real estate are themselves acts of imagination surveyed and gridded onto the fundament; they are mentalities that in the course of colonialism became fundamentalities, rooted in the transcendence and violence of the state, sworn to with the authority of the Holy Bible at hand.

The complex relationships among fundamentalism, the secular, and the violence of the state were fruitfully explored in paired conversations with the philosophers Jürgen Habermas and Jacques Derrida in the wake of the 2001 Al Qaeda attack on the World Trade Center. In these parallel interviews, both Derrida and Habermas considered ‘religion’ and the ‘secular’ to be notably marked by their connection to fundamentalism or fanaticism, and both spoke with an awareness of themselves as ‘Europeans’ who sought to simultaneously defend and critique the viability of a rational, secular, violence-free public sphere. Wary of its ‘pejorative ring’, Derrida and Habermas nevertheless defined the concept of ‘fundamentalist’ as primarily a matter of mentality backed up by force: ‘We use this predicate to characterize a peculiar mindset, a stubborn attitude that insists on the political imposition of its own convictions and reasons, even when they are far from being rationally acceptable. This holds especially for religious beliefs’ (Derrida and Habermas, 2004: 31). Comparing contemporary Islam to Christianity, he suggested that the universalist, religious (i.e., mostly Christian) beliefs of early modern Europeans had become relativized both by confessionallization and by secularization. This relativizing also bred a self-reflexive ‘cognitive thrust’ that prompted religious ‘believers’ to realize that they could not successfully use violence to forward their own religious causes. Positing frozen fundamentalist mentalities vs. secularized cognitive thrusts, Derrida and Habermas’s ideal mentalities had to keep moving, supplie and adaptive, at the same time that he recognized that even to
‘deconstruct’ the self-reflexivity of modernity was to participate in its mentality of critique (Derrida and Habermas, 2004: 32, 42).

By contrast, Derrida’s recourse to the word ‘fundamentalist’ also turned to Islam as its object, but paralleled ‘fundamentalist Islam’ with ‘the United States’s fundamentally Christian professions of faith’, pointing out the partiality of both (Derrida and Habermas, 2004: 117). Arguing that the ‘secretly theological-political’ sovereignty of the ‘secular’ state must be continually deconstructed, Derrida suggested that an understanding of today’s ‘fundamentalism’ requires a deeper comprehension of ‘our philosophical heritage’, and an awareness of how and when justification is in play (Derrida and Habermas, 2004: 131). But this kind of awareness or comprehension did not come easily, in his view: ‘...the event is first of all that which I do not first of all comprehend. Better, the event is first of all that I do not comprehend’ (Derrida and Habermas, 2004: 90). To be ever aware of the limits of one’s comprehension, in Derrida’s view, was not to ‘relativize’ into absurdity but to understand critique as an ongoing process better oriented by the risks of ‘hospitality’ than the grudging accommodation of ‘toleration’ (Derrida and Habermas, 2004: 128). Defining the job of the philosopher in a time of terror, Derrida said:

A ‘philosopher’...would be someone who analyzes and then draws the practical and effective consequences of the relationship between our philosophical heritage and the structure of the still dominant juridico-political system that is so clearly undergoing mutation. A ‘philosopher’ would be one who seeks a new criteriology to distinguish between ‘comprehending’ and ‘justifying’. (Derrida and Habermas, 2004: 106)

Moving from a European context into a North American one, where the sovereignty of the state continues to be challenged by First Nations who make recourse to a different ‘philosophical heritage’ in which both land and religion are differently configured, Derrida’s task of finding new criteria for comprehension and judgement requires rethinking the fundamentals that shape both mind and matter, laws and land. From a First Nations perspective, it is no secret that the sovereignty of the state and its claim on the fundament is, in part, justified through recourse to the theological-political.

**Colonial secular spirits**

Hovering between considering the secular as a matter of mind and as a matter of manners, scholars have recognized that their own thinking about the ‘secular’ is made that much more difficult by their own implication in both its ideologies and its habits (Scott, 2007; Asad, 2003; Modern, 2011). Charles Taylor, in one of the most influential of recent accounts of the secular, has provided perhaps the most widely adopted mentalist metaphor for thinking about the secular: the ‘immanent frame’. For Taylor, the immanent frame is part of a ‘modern social imaginary’, which constructs the world as wholly natural and immanent – not supernatural and transcendent. The modern social imaginary of the secular reimagines political power, social organization, and human nature in such a way that an earlier respect for ‘supernatural’ spirits, transcendent forces, and social hierarchy has been displaced by a focus on the natural goodness of ordinary life and immanence, in a world of distinct individuals. While some scholars have argued that Taylor’s immanent frame is not a mentalist, cognitive metaphor, nevertheless Taylor himself regularly placed the mind and what it believes at the centre of the frame (Warner, VanAntwerpen, and Calhoun, 2010). Inhabitants of the immanent frame are secular, modern ‘buffered selves’, people for whom ‘it comes to seem axiomatic that all thought, feeling and purpose, all the features we normally can ascribe to agents, must be in minds, which are distinct from the “outer” world’ (Taylor, 2007: 539). The buffered self is central to Taylor’s argument – the secular age is rooted in a frame of mind, a world view, a mentality that is held by largely atomistic individuals in a world bereft of spirits.

Many scholars have demonstrated recently that the secular – at least in North America – has had plenty of room for a diversity of spirits (Bender, 2010; Klassen, 2011). Taylor’s narrative of an immanent spiritless age, however, remains widely influential. Arguing that Western thinkers have largely framed the secular by a ‘subtraction story’ that proceeds via narratives that claim to ‘strip away’ religious illusions to get at the true, empirically derived nature of human desire and existence, Taylor insisted instead that secularity must also be understood as a creative process, by which freedom, power, mutual benefit, and rational debate are formed as modern virtues (Taylor, 2007: 579). Understanding the secular as a creative process – that is, a process that made things happen – however, requires bringing back its spirits and spiritual moorings, especially as they were at play in the colonization of North America.

As several scholars have noted, Taylor’s account of the secular pays little attention to the history of colonialism within the Christianity of the ‘North Atlantic’, thus severing the secular from the profound ways that it was structured by and created within colonial encounters. Saba Mahmood, for example, forcefully argues that attention to missionary
expansion is crucial to any understanding of the secular, at the same time that she urges a genealogy of the secular that goes beyond its Christian formations: 'The modern nation-state, for example, with its juridical executive, and administrative functions, enfolds a variety of conceptions of the self, agency, privacy, publicity, religion, and ethics that have become globalized. The history of this transformation belongs less to the Christianization of non-Western societies and more to their secularization under modern rule' (Mahmood, 2010: 295). I agree with Mahmood, that attending only to Christianity will not tell a full story of the secular nation-state, but suggest that the place to draw the distinction between Christianization and secularization is not along the lines of law and governance.

To think the secular through mentalities or imaginaries that are rooted in individuals, or that separate state administration from Christianity too strictly, is to miss the social and political processes through which colonialism was effected. These social processes included law and governance enacted in what anthropologist Ronald Niezen has called a process of 'spiritual domination', in which Christian convictions about the necessity of converting Aboriginal people intertwined with a capitalist imagination of the landscape as ripe for 'resource extraction' (Niezen and Burgess, 2000).

In a different register, Courtney Bender has argued that colonialism and settlement have been crucial to 'emergent visions of sociality' in an America both secular and enchanted. Contending particularly with Charles Taylor’s account of eighteenth- and nineteenth-century Romantic notions of the uninhabited and 'sublime wilderness', Bender argues that the idea of 'the wilderness continues to manifest not sublimity but the work of a transcendent order in which America’s expansion is justified and sanctified' (Bender, 2008). The justification of settler expansion in North America – the production of the rural and the urban – was achieved partly by comprehending the land and the people as unsettled and 'wild' and partly by government efforts to actively deem First Nations land 'unproductive' when in Aboriginal hands (Klinger, 1995; Carter, 1993; Waisberg and Holzkamm, 1993).

The language of wilderness, civilization, and the 'unimproved' funda-
ment prior to colonization were often invoked to justify the colonial secular against the threat of the Indian Land Question. As an unat-
tributed article in the Prince Rupert Evening Empire put it in 1914, at a particu-
larly active point in the Nisga’a land claims movement, 'The view has been expressed that, in appraising the Indian title, if admitted by the privy council, the government should go back to the time when

the lands were a wilderness, when a wild people were found upon an unimproved state; that the Indian title cannot improve with civilized development – and that it were vain for the Indians to expect to be compensated to the extent of basing the intrinsic value of the land upon the activities of a white population; and that, therefore, there can be no claim for deferred benefit from the crown' (n.a., 1914). Or in other words, the author considered it to be an impossible task to calculate the value of the land now that the white people had transformed it from wilderness to civilization.3 Turning the ‘fundament’ into urban centres, farmland, and mines required acts of sociality, violence, and governance undergirded by stories and laws that drew from both secular and spiritual authority (Lessard, Johnson, and Webber, 2011).

Missionary real estate

To demonstrate the varieties of spiritual authority drawn upon by the colonial secular state to claim land, I turn now to brief examples from the Northwest Coast region of Canada, where Anglican missionaries first ventured in the nineteenth century as one wing of the British coloni-
ization of a diversity of First Nations. Though many missionaries held very stubborn attitudes as to the rightness of their cause, they did not necessarily use explicit violence to effect their ends. The transcendence underlying their fundamentalisms was filtered through recourse to divine and state authority. Missionaries’ main tools to ‘convert’ the Nisga’a and Tsimshian were forms of mediated communication: the biblical tracts, school books, and liturgical texts that had long shaped Christian subjects in domestic and foreign missions (Meyer, 1999; Keane, 2007). But they also used the texts of geographical surveys, ‘real estate’ deeds, and other documents to claim what they took to be the fundament – the wilderness – in both state-sanctioned and ‘mythologically’ grounded ways. To adapt Benjamin Berger’s argument about how Canadian law has both transcendent authority and a will to convert at its core, missionaries were very aware of how the Bible and the law were powerful and complementary tools for their own task of conversion (Berger, 2010).

Anglican missionary James Benjamin McCullagh (1854–1921) well understood that competing mentalities and practices of claiming land were at the heart of conflicts between Nisga’a and colonial secular Christianity. McCullagh was a missionary based in Aiyansh, a small Christian settlement on the Nass River, within what the Anglican Church called the Diocese of Caledonia. In an address entitled ‘The
Indian Potlatch’ that he gave to the Church Missionary Society at the Anglican mission village of Metlakatla in 1899, McCullagh provided a detailed ethnographic account of the Nisga’a feast system, worthy of any anthropologist of his day. Clarifying that ‘potlatch’ was a term invented by the ‘white man’ that conflated a variety of different feast systems, McCullagh argued that the potlatch was not primarily a religious event but a political act: ‘the systematized form of tribal government based upon the united suffrages of the clans’ (McCullagh, 1899: 2).

Though Nisga’a leaders contemporary to McCullagh used a similar kind of argument to argue for their land claims, McCullagh used his insights about the potlatch to argue for its eradication as a public form of governance that was at once ‘socialistic’ and selfish (McCullagh, 1899: 5). He also listed other ‘negative’ effects that anti-potlatch critics usually named, such as the potlatch being a waste of economically productive time and an opportunity for social and sexual licence (Cole and Chaikin, 1990; Bracken, 1997). But the government’s 1885 ban of the potlatch was an ineffective legal approach, argued McCullagh. Instead, he pleaded for a law that would protect the ‘Christian Indians’ who had tried to step out of the potlatch system of social and economic debts. It was the potlatch system, McCullagh argued, that kept drawing his Christian converts back to traditional Nisga’a practices. The government should draw up a new law, he advised, ensuring that ‘a chief wishing to become Christian and civilized should have his rights assured to him by law – the Potlatch should not be allowed to deprive him of his rights’ (McCullagh, 1899: 19). McCullagh was referring here to rights of territory and inheritance, and he understood a conversion to Christianity to entail that a Nisga’a Christian would give up feasting as an inappropriately ritualized way to claim or redistribute land.

Ritual and territory, in fact, were profoundly linked in both Nisga’a and Christian social imaginaries. To participate in a Nisga’a feast was to acknowledge the host’s legitimate right to territory and authority as the leader of a clan or house; to become a Christian was to renounce that authority and to claim territory under the laws of the state as an individual. To adapt Charles Taylor’s terms, to become a Christian was to become a buffered self enclosed in the love of Jesus Christ, who would ideally be able to own real estate in his (and rarely her) own name.

Reconceptualizing land as real estate was central to missionary labours throughout the Northwest Coast. Under law, Indians could not pre-empt land or vote – two defining features of secular citizenship (Harris, 2002: 89). They could only own land collectively, in the form of ‘reserves’, and even that ownership could be threatened if the population of the reserve dwindled (Sterritt, 1998). With different emphases, both the Nisga’a and the missionaries contested this law, arguing that the right to own land would allow Indians to become full-fledged citizens. The Nisga’a, along with some missionaries, insisted that their collective land claims must first be settled before they would seek to own real estate as individuals (cf. McNally, 2010). First Nations were therefore stuck between two mentalities of real estate: to own land individually would weaken their collective land claims and the larger challenge to Canadian sovereignty that these claims embodied, while working within the reserve system forced them to conceive of and inhabit their land under this same Canadian sovereignty. Real estate had, in this case, very real effects.

At the same time that missionaries argued for individual landholding for Indians, they recognized the importance of collective landholding when it came to the Church. In an illuminating exchange of letters with a law firm in the provincial capital of Victoria, the Bishop of the Diocese of Caledonia, Frederick Du Vernet (1860–1924), argued repeatedly for the special privilege of the Church to own land as a ‘corporate’ or collective body, and even, in some cases, to do so on Indian reserves. In one dispute over land in the small river settlement of Port Simpson, Du Vernet challenged the claim of the previous Bishop of Caledonia, William Ridley, that he owned a small parcel of land privately, instead of as the representative of the Church. In Du Vernet’s eyes, Ridley was confusing his roles as a church official and a private citizen (Du Vernet, 1909).

When Ridley tried to sell some of this land, Du Vernet argued that Bishop Ridley did not understand that he only ‘owned’ Church land as a common resource vested in him as long as he held the ‘name’ of bishop: ‘It seems to me so highly improbable that Bishop Ridley in the days of his full mental vigor should have allowed his private property to be registered in the name of “The Lord Bishop of Caledonia” knowing as he did that such was a “corporation sole” that in the interests of the Church I must ask for further proof before I hand over Church property’ (Du Vernet, 1909). The corporation sole had long been ‘a curious freak of English law’, as a concept that would help with maintaining the continuity of church property by designating an ecclesiastically sanctioned individual as holding the ‘fee simple’ or title to a piece of church land not as a ‘person’ but as legal entity (Maitland, 1901: 131; Maitland, 1900; O’Hara, 1988). Most commonly, for example, a bishop would own church property as cleric, who was a man but was also the ‘secular, legal embodiment of the church’ (Maitland, 1900, 1901; O’Hara, 1988). As
Perry Dane has argued, the corporation sole was an individual who was a collective representation, poised at the juncture of secular and church power as an ‘extraordinary, irregular, custom-tailored effort at translating religious principles into secular terms’ (Dane, 1998: 58).

In a manner ironically parallel to the way that Nisga’a territorial claims were ascribed to a ritually sanctioned individual holding the authority of a name through the potlatch or feasting system, the Canadian state recognized that an Anglican Bishop owned collective land as an individual sanctioned by appropriate ritual justification. The state could find a custom-tailored solution for Christian communal landholding via a name rooted in divine transcendence, but it could not accommodate comparable Nisga’a modes (McNeil, 2007: 141). This is an illuminating example of the fundamental Christianity of what legal scholar Marrianna Valverde has called the ‘epistemology of sovereignty’ (Valverde, 2011). With the transcendent authority and honour of the ‘Crown’ in play, the Canadian juridico-political system grounds itself in ‘the doctrine that the Crown is always already honourable, with this honour then seeping into the crown’s ‘mystical body’ – the Canadian state, in this instance – just as Christ’s virtues are deemed to seep into the mystical corporation that is the Christian church’ (Valverde, 2011: 957). Or as Andrew Mercer put it in 1911, judges and justices of the peace ‘used [the] Bible for to do right’ (Mercer, 1911).

Anglican missionaries should not be seen only as pious land grabbers. Some among them mounted some of the most dogged and innovative legal campaigns for Indian land claims in the early twentieth century (Foster, 2007). At the same time, they worked with a mentality of real estate that understood individual landholding to be both a civic and a spiritual virtue. They reiterated this virtue through testimonies, rituals, and deeds of title; they remade the fundamen through both story and law, with both secular and spiritual reasons.

Conclusion

The nation-state (and the public sphere) within which First Nations, missionaries, and government officials were operating at the beginning of the twentieth century was already postsecular, if by that we mean a context in which communities with diverse mentalities, myths, and practices are (unequally) compelled to communicate and contend within the secular norms of liberal democratic polities. The European and Canadian settlers who followed the railroads, timber, and mines to northwestern British Columbia in the early twentieth century were relatively comfortable with securing their territory with cash and deeds of title. For the Nisga’a and the Tsimsian who greeted Christian (and ‘unchurched’) visitors to their Pacific Northwest homelands with a mixture of hospitality and hostility, the secular norms of communication – whether Christian testimony, newspapers, deeds of land, or school curricula – were literally written both in a foreign language and in a foreign mentality. Not always working in harmony with colonial officials, Christian missionaries in the new nation of Canada tried to abolish certain religious mentalities and practices among First Nations while instantiating others, as they sought to create secular, Christian citizens who could own land, build schools and churches, learn to read, and ‘lay claim to the rights of men’.

Working with mentality of real estate, missionaries, settlers, and colonial officials did not comprehend their property regime as a fundamentality. Derrida’s reflection on hospitality in a ‘time of terror’ prompted him to question the ‘philosophical heritage’ and criteria that enable comprehension and justification; reflecting on more mundane ‘events’ in the more distant past can have similar effects. Communication and comprehension are themselves so deeply cultural that, in the end, we likely all have something of the unexamined fundamentalist in our demeanors and our expectations. As a concept to think with, I would hope that the ‘postsecular’ could help to imagine and reimagine the clash and mixture of mentalities and practices – new and old – that give shape to the present. In the process, it is important to be mindful of one’s own fundamentality – those mentalities with rigid borders that may often be more like invisible fences than brick walls – and think carefully and honestly about what to retain and what to deconstruct.

In that spirit, Charles Taylor’s magisterial account of the ‘secular age’ may have given short shrift to the place of colonialism in the creation of the secular. In other work on the ‘politics of recognition’, however, he has directly confronted issues of First Nations political authority. Commenting on the Nisga’a treaty in 1998, Taylor eloquently defended a vision of Canadian jurisprudence that would work to negotiate ‘Aboriginal self-rule’ with explicit acknowledgement of Canada’s responsibility for the long and destructive history of colonialism (Taylor, 1998). His later reflections on the secular, however, did not bring these insights to bear on the ways that state sovereignty, working in concert with Christian authority, was a ‘creative’ process of destruction. To me, this suggests that any analysis of the secular that cuts too sharp a distinction between immanence and transcendence,
or the earthly and the ethereal, misses the ways that secular authority—
even in the form of real estate—depends on the infusion of matter and
spirit.

The sovereignty of the Canadian state is not going away any time
soon, but the assumptions that undergird it have been subject to some
remarkably ‘deconstructive’ thinking of late. Canadian Supreme Court
justices and legal theorists have come very close to acknowledging how
the mentality of real estate and property operates as a fundamental
underwritten by the coercive authority of the state, due in large part
to First Nations’ land claims including the cases that led to the Nisga’a
of the Nass River becoming the Nisga’a Nation in 2000. Qualifying the
state’s sovereignty as de facto and acknowledging the sovereignty of First
Nations, some Canadian legal thinkers (including some justices) are
also acknowledging that the fundamentals of Canadian sovereignty are
not necessarily rooted in time immemorial but are subject to ‘secular’
change, however slow and painful (Slattery, 2005). This change is
unpredictable; within the last few years, real estate has made its way
to the Nisga’a Nation. In a controversial decision, Nisga’a are now able
to hold some fee simple land as individuals, and to sell their land to
the highest bidder, whether those bidders are Nisga’a or not (Gutnick,
2012). Andrew Mercer and J.B. McCullagh both argued for this ‘right’,
but at this moment, it is hard to say if the real estate signs that now
dot the Nass Valley are markers of postsecular emancipation, colonial
secular victory, or something else altogether.

Notes

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Humanities at Utrecht University.

1. For the most part, I use the term ‘First Nations’ to denote Aboriginal peoples in
the land settled as Canada but also use the term ‘Indian’ when it would have
been the term used in early twentieth-century missionary and legal contexts.
2. Taylor, however, is no champion of the ‘immanent frame’ of the secular, and
what he considers to be its corresponding humanist, therapeutic ‘mentality,
weakening dangerous effects on human dignity and flourishing (Taylor, 2007).
3. This quotation is attributed to Deputy Superintendent of Indian Affairs
Duncan Campbell Scott in Harris (2002).
4. Valverde is drawing both from John Borrows’s discussion of the ‘alchemy of
sovereignty’ and from Kantoro wicz’s discussion of medieval Christian ‘political
theology’ (Borrows, 1999; Kantorowicz, 1997).

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10

Religious Aspirations, Public Religion, and the Secularity of Pluralism

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The salience of religious activism and mobilizations throughout the contemporary world is perhaps the main reason for the popularity of the notion of the postsecular. The latter is inspired by hopes for greater inclusiveness towards religious groups and their aspirations, realizing that they are not necessarily incompatible with emancipatory political agendas, as well as the insight that religion remains a key component of social and political life that no amount of modernizing ‘progress’ and expansion of scientific knowledge can make disappear. At the same time, the term also owes much of its currency to the assumption that religion had actually been pushed back by modernization processes but has now ‘returned.’ However, an array of scholarship has demonstrated that religion actually never went away but was powerfully transformed by European imperial expansion and the rise of the nation state (Asad, 2003; Masuzawa, 2005; van der Veer, 2001). To make matters more complex, it is now increasingly clear that the modern comparative category of ‘religion’ that provides the basis for any discussion of secularization is actually the product of the same modernization processes that until relatively recently were widely believed to be responsible for an assumed decline of religion. Modern practices of governmentality delinated religion as a sphere of life separate from politics, law, economy, science, and society, and, as such, the universal category of religion is co-constituted through what is frequently regarded as its binary opposite, the secular. The concept of the postsecular, thus, evokes a rather contradictory scenario. On one hand, it is indebted to the classical secularization thesis according to which privatization of religion, the separation of religion from other aspects of social and political life, and