Record Nr. UNINA9910826162103321 Autore Esau Alvin A. J. Titolo The courts and the colonies: the litigation of Hutterite Church disputes // Alvin J. Esau Vancouver, : UBC Press, 2004 Pubbl/distr/stampa **ISBN** 0-7748-5123-6 Edizione [1st ed.] Descrizione fisica 1 online resource (xi, 384 p.) Collana Law and society series Disciplina 289.7/3 Soggetti Church and state - Manitoba Lingua di pubblicazione Inglese Formato Materiale a stampa Livello bibliografico Monografia Nota di bibliografia Includes bibliographical references and index. Nota di contenuto The Hutterites -- The Bruderhof -- The inside law against going to outside law -- Hutterite litigation before Lakeside -- Daniel Hofer, hog feeders, and excommunication -- Going to court -- Lakeside under appeal -- Lakeside and the schism within the Schmiedeleut --Litigating again at Lakeside -- Litigating at Rock Lake, Huron, Cypress, Sprucewood, Poinsett, and leaving Lakeside -- Agreeing to divide assets, further schism, and yet more litigation -- Concluding reflections: Models of inside law and outside law interaction --Appendix: Male genealogy of Lakeside families. The Courts and the Colonies offers a detailed account of a protracted Sommario/riassunto dispute arising within a Hutterite colony in Manitoba, when the Schmiedeleut leaders attempted to force the departure of a group that had been excommunicated but would not leave. This resulted in about a dozen lawsuits in both Canada and the United States between various Hutterite factions and colonies, and placed the issues of shunning. excommunication, legitimacy of leadership, and communal property rights before the secular courts. What is the story behind this extraordinary development in Hutterite history? How did the courts respond, and how did that outside (state) law relate to the traditional inside law of the Hutterites? Utilizing voluminous court records, Esau provides a detailed and fascinating narrative of the prolonged disputes

and litigation history of Hutterite colonies at Lakeside, Oak Bluff, Rock Lake, and Huron. He considers whether the legal action was consistent with the historic non-resistance of Hutterites or whether it signaled a

fundamental change in norms of Anabaptist perspectives on litigation. He examines the past history of Hutterite litigation, and how the roots of the schism related to controversy over the Schmiedeleut leadership and its alliance with the Bruderhof, a group of Christian communalists, living mainly in the Eastern United States. At stake is the nature of freedom of religion in Canada and the extent to which our pluralistic society is prepared to accommodate the existence of groups that have an illiberal legal system that may not cohere with the outside legal system of the host society. While this book will be of particular interest to scholars of law and religion, it will also appeal to anyone in Anabaptist studies, sociology, anthropology, political theory, and conflict resolution.