

Sandra Li - 8220141

The observation was held at the Supreme Court of Canada with the proceeding: “Highwood Congregation of Jehovah’s Witnesses v. Wall,” the civil law case occurred on November the 2nd, at approximately 9:00am. Like any other proceedings, trials, appeals or bail hearings, it seemed very efficient but definitely on the slower end. The Judges seemed friendly overall but on some occasions seemed very confused on defence counsel’s statements and would frequently ask to explain their sides.

The proceeding was a civil trial and the subject of the case was a matter that discussed section 2(a) with Freedom of religion and association. The nature of the case explains that Mr. Wall was an unincorporated religious association, where he was then disfellowshipped by a Judicial Committee of elders due to multiple incidents of drunkenness and verbally abusing his wife. The defence counsel argued that there are no implied contracts because the religion is strictly formulated around God and Christ, that they must ensure no civil rights should come between the fellowships with religion. They disputed that it’s not only a personal decision to join the religious group but it’s a group value infused with discipline.

The parties seemed to disagree in regards to the proper way of resolving tensions with civil right to employment from the defence counsel. The Judge then continued the proceeding with the topic of Mr. Wall’s termination and the relationship with courts, asking “If you shall go to no courts for disputes because the disputes should be religiously based, can we adjudicate claims and interpretations of the bible?” The defence counsel then answered with how it depends on the nature of contract. It was surprising and interesting to see how the dynamic of the room changes when there was collaborative justice between the two parties and Judges. As well as memorable moments when explained how religion and law (being just or unjust) can impact such controversy if a group feels challenged against, thus, meaning that individuals have absolutely no right to force their religious beliefs on others in society.