

## SPECIAL REPORT

### re: Terre Neuve Crown Civil War

SPECIAL REPORT OF THE IMPERIAL CHANCERY A number of issues have arisen regarding the conduct of the Terre Neuve Crown Civil War, more may arise. A project has already been undertaken to create a Manual of War, part therein pertains to Civil Wars. It and direct discussion of the Terre Neuve issues constitutes this report.

#### Issues

1. On 11/15/01, at 8:55 am, TRM Rhys and Marcella posted notice of the locations and times for archery competition for the civil war as 11/13 and 11/16, times, locations, etc. Protests followed, and a correction was published at 5:27 pm that same day, 11/15.
2. The issue of notice was raised. In a Crown Civil War, who is to receive notice of events, how, and when?
3. The issue of location was raised. Why at a private home if public parks are readily available?
4. The issue of times was raised. Why at night, what disadvantages might this cause, are there lighting requirements to meet?
5. The issue of outlanders in archery competition was raised. How are they assigned, are exceptions in law? The post stated that "Archery Only" participant outlanders were excepted from gathering for division prior to beginning--but did not state what they would be required to do. Regular division of outlanders at 10 am was posted.
6. The issue of combat cards was raised. How will cards be checked which have not been issued? This also raises the question of will they be issued? Does the Thanksgiving Holiday conflict with regular weekend practice bear on this issue? Combat qualification 8-10 am was posted.
7. Remedy issues were raised. Under law, can war points be "thrown out?"
8. The issue of combat archery was raised. According to the post, it will not be allowed in that park. Does law require combat archery in combat scenarios?
9. The issue of acceptability was raised. Does law require that "anything" be acceptable to the challenger, defender, or supporters?
10. The issue of who specifically autocrats the war was raised. The post and contact information names the sovereigns. Isn't the Minister of War and Joust the authorized autocrat?
11. The issue of multiple challengers in a civil war was raised. How is it different than a regular civil war? Specifically, how are arts and archery affected.

#### Applicable Law

##### ARTICLE XV: PAX REGIUM AND INTERIM CIVIL WAR

###### A. PAX REGIUM

*Note: defined as "Rule in Peace"*

For a period of six (6) months from the date of coronation, the Ducal and Royal Crowns shall enjoy a Pax Regium. During this period of time no one may challenge the right of the Ducal or Royal Crown to their throne. At the end of that time an Interim Civil War may be called. Challenge for the Imperial Crown may only be issued and done at the Imperial War scheduled for Memorial Day Weekend on no less than thirty (30) days advance notice as indicated in subsection B(1) below. If no notice is given the Imperial Crown by thirty days before Memorial Day Weekend, that weekend shall be used for a war fought for the amusement of the populace (e.g. a Banner War).

*Note: the Pax Regium is six calendar months and applies to all Crowns. The right of qualified members to call for civil war after the Pax regium is clear and exempt from charges of treason or other crime--no reason need be given, it is as much a right as declaring in a regular Crown War. Special notice rules apply to Imperial Crown War.*

In any event, the Imperial Minister of War shall advise the Imperial Chancellor, the Imperial Crown, and the Imperial Chronicler of the site or sites of the Memorial Day Imperial War no later than March 1 preceding the War. The Imperial Chronicler shall cause this information to be published well in advance of the war.

*Note: the Imperial Chronicler shall publish in the regular newsletter (print or electronically) or by a special publication as soon as possible.*

## B. INTERIM CIVIL WAR

An Interim Civil War may be called by any member who meets the qualifications for Crown or Ruling Noble of the chartered subdivision or subdivision for which that member wishes to challenge. In the event that a challenge is presented by a qualified person, the Chancellor shall direct the Minister of War and Joust to plan, execute and autocrat a Civil War of either one or two day duration. In a Kingdom Civil War, if the Royal Crown is successful, a new Pax Regium shall be instituted for the duration of the time allotted to the Royal Crown to rule. In the event the Royal Crown loses the war, the winning Contender shall rule the Kingdom for a full year, with a six month Pax Regium as the new Crowns. No Interim Civil War may be called against a Lord/Lady Protector or Viceroy. Only the membership of the Estate in Civil War (Empire, chartered subdivision, or subdivision as the case may be) may choose for whom they will fight; the distribution of all visiting members and participants shall be in proportion to the size of the army as set by the choice of the membership of the Estate. In the case of an Imperial Civil War, the war must take place in chartered subdivisions other than that in which the Imperial Throne resides. If there are co-rulers who live in different chartered subdivisions, the war shall be in chartered subdivisions where neither ruler lives.

*Note: qualifications for office appear in Article VIII B. The Chancellor must verify eligibility then turn conduct of the war over to the Minister of War and Joust. New Pax Regium and term is clarified. Who may choose for whom they fight and the "outlander rule" are discussed. Imperial Civil Wars can't be held where the Imperial Crowns reside--except for Featherly Park in Yorba Linda, CA (approved November 2001).*

### 1. NOTICE

In the case of an Imperial Civil War, the sites and date of the War are pre-selected pursuant to Article XV.A. Pax Regium. In all other cases, the following procedure is used. Upon qualification the Contender will give the Crown thirty (30) days notice. The Crown shall select the time and place so long as it is within the chartered subdivision and within thirty (30) days of the issuance of the challenge.

*Note: Imperial sites and dates are set; otherwise the Crown picks site and date(s), within the subdivision and within 30 days of the challenger's notice.*

### 2. VOID CHALLENGE

A vote of 2/3rd's of the Estates Royal General may void the challenge. For an Imperial challenge, a vote of 2/3rd's of the Imperial Estates General may void the challenge. Conduct of the Imperial Estates General will be as set forth in 'Crown War' below, specifically Article XVI.D. Imperial Crown War.

*Note: the Estates may void challenge by 2/3 vote--refer to XVI.D.1.a.ii. and 2.b. for Imperial Estates.*

### 3. MULTIPLE CHALLENGERS

In the event there is more than one qualified challenger, the Minister of War shall plan the event as a two (2) day war, and on the first day of the war, the armies of the challengers shall vie to determine a single contender to face the Crown or Ruling Noble of the Estate in Civil War. This section does not apply to Imperial Civil War, which shall be governed in all respects (other than those specifically set out in this Article) pursuant to Article XVI.D. Imperial Crown War.

*Note: 2 day war, 1st day for challengers, 2nd day the remaining challenger vs the Crown--does not apply to Imperial Civil War. This situation presents special difficulties--see Issue 11. analysis below.*

### 4. FEALTY

Usually, in a Civil War or Crown War, only personal fealty will be binding. Those in fealty by dint of Estate shall be free to choose whichever side they wish in a Civil War or Crown War. This applies only to Crown wars, Crown Civil Wars, and Subdivision Civil Wars in subdivisions which have no more than one subdivision (e.g. Households, or Baronies which only have one Household or no Households at all). In a Subdivision Civil War where the subdivision is comprised of two or more smaller subdivisions, all members of the subordinate subdivisions shall fight on the same side as directed by their respective Ruling Nobles. Combatants who are not bound to a principal in the war shall be free to choose their own side unless having accepted payment for fealty.

*Note: only those in personal fealty, members of a subordinate subdivision in a subdivision civil war, or those who accept payment for fealty are bound; only those residing in the subdivision may choose their side all others are divided as per the "outlander rule"; outlanders in personal fealty or who have accepted payment for fealty must follow both rules (i.e. if 5 mercenaries from outside the subdivision participate, and the local division is 2/5 for their client and 3/5 for his opponent, then the client may choose his 2 and the other 3 fight for his opponent--obviously the client will choose the "best" 2).*

**TIMELINE NOTE: Crown Civil War**

- any time after the end of the Pax Regium (XV.A.)
- any qualified member may challenge the Crown (XV.A.)
- the Chancellor consults the Minister of Rolls and the Steward to determine eligibility (XV.B. and XVI.A.2.)
- if not qualified, the challenger(s) shall be notified why in writing by the Chancellor (XVI.A.2.)
- if qualified the challenger(s) gives the Crown 30 days notice (XV.B.1.)
- the Crown selects the site and dates (XV.B.1.)
- the Chancellor directs the Minister of War and Joust to plan, execute and autocrat the civil war (XV.B.)
- the Estates General may void the challenge by 2/3 vote (XV.B.2.)
- the war shall be held and victor determined according to law
- Coronation should occur immediately (as in XIV.E.5.)
- the victor shall enjoy a Pax Regium and rule (see XV.B.)

**ARTICLE XVI: CROWN WAR**

**A. CONDUCT OF THE WAR**

A Crown War held to fill a vacant Crown shall be conducted in the following manner:

**1. NOTICE**

The Minister of War shall devise the scenario and advise the Chancellor of the date, time and place set for the war at least sixty (60) days prior to the actual date of the war. In the case of an Imperial Crown War, the war shall be held every year on Labor Day Weekend in a chartered subdivision other than that in which the Imperial Crown resides. If there are co-rulers who live in different chartered subdivisions, the war shall be in a chartered subdivision where neither ruler lives. The Chancellor shall notify the populace to submit letters of intent to vie for the Crown. These letters shall be submitted to the Chancellor; in the case of Imperial War candidates must declare at least 30 days prior to the war. The letter must indicate the prospective Crown, their consort and whether or not the proposed consort is to be a co-ruler or titled consort only. If the consort is to be a co-ruler, then both parties must meet all eligibility requirements. If the consort is to have no sovereign power the consort need only be a member in good standing with at least 6 month membership.

**2. ELIGIBILITY**

The Chancellor shall consult with the Minister of Rolls and the Steward to determine eligibility. A member who fails to meet the qualifications for Crown shall be notified in writing as to the reasons. The Chancellor shall then convene the Estates General who shall determine the fitness of each contender to hold the Crown. In the case of an Imperial Crown War the Imperial Estates General is automatically summoned to decide the acceptability of the declared candidates for the Imperial Crown. If the consort is to be a co-ruler, then their fitness shall be also examined. If a member is judged as unfit by the Estates General, they shall be notified in writing as to the reason.

**4. FEALTY**

Fealty shall be as stated under Interim Civil War.

**B. WAR**

The Minister of War will then provide a copy of the first day's battles to each contender. On the following morning, after Opening Court, the battles will begin.

There shall be twenty-one (21) war points consisting of:

- a. Three (3) light weapons battles
- b. Two (2) renaissance weapons battles
  - a. One (1) renaissance champions battle
  - b. Two (2) armored battles
- c. One (1) armored champions battle
- d. Eight (8) arts points consisting of:
  - a. Four (4) Masters' Tournament
  - b. Four (4) Knights' Tournament
- e. Four (4) archery points consisting of
  - a. One (1) Masters' Tournament War Point (combined score of all Master's list (Bowmen)

- b. One (1) Knights' Tournament War Point (combined score of all Knight's list (Huntsman)
- c. One (1) Open Tournament War Point (combined score of all master's list and knight's list.) This is a separate act from above.
- d. One (1) Champion's War Point (highest score of any individual). This will be determined by the highest score by any individual from the list of supporters of any given candidate; the candidate need not select a champion.

*Note: These are separate matches, and must be competed in separately.*

At least four (4) group battles, one (1) champions battle, and three (3) arts points shall be decided on the first day. Knight Combatants are encouraged, but are not required to be their own champion in the Armed Combatants Champion's battle in wars. At the end of the day the top two (2) armies shall be allowed to continue the following day. The members of the eliminated armies must, prior to closing court, bind to a new army in order to participate the next day.

*Note: Each war point is competed for separately; combatants may compete in each event they are qualified to fight in; artisans may enter up to four masters or knights lists; archers may shoot in three of the four competitions (like combat and arts, normally archery points should be divided between day one and two, and each round may only be attributed to one contender. Like arts, an archer may credit his round to another contender if his is eliminated, also an archer may wait until the day of the event to credit his round if he shoots in advance off-site. Assigning scores or changing armies, must be done while lists are open and prior to closing court on day one of a two-day war.*

#### C. VICTORY

In the event that a single army wins a majority of the possible war points, that army's contender shall be proclaimed Heir Apparent and the balance of the battles shall be fought for the amusement of the populace. The Heir Apparent must proclaim the date and location of the coronation.

#### ARTICLE XVIII: CONDUCT OF TARGET ARCHERY IN TOURNAMENTS AND WAR

Realizing that facilities for archery are somewhat limited in some subdivisions the following will apply:

##### A. SCHEDULING

Archery need not be held on the same day or place as other tournament and war activities, and may be scheduled completely separate activity. Archery activities that cannot be held due to lack of facilities, or acts of God (i.e. weather) may be rescheduled and or made up. This applies but is not limited to Crown tournaments, Events, and Wars, and Imperial tournaments, Events, and Wars.

##### B. WARS

Should it become necessary to hold War Target Archery lists offsite, or on a different day from the rest of the war, the Crown presiding over the War shall lay out in Writ the time, place, and conditions of the Target Archery, with the course being set by the Minister of Joust and War, bearing in mind the facilities available to different subdivisions in the case of Imperial Wars (i.e. set ranges and course that may be conducted under even the most limited conditions).

The tallying must be completed prior to the start of the onsite War, with the course being set by the minister of Joust and War with the advice of the Minister of Archery, bearing in mind the facilities available to different subdivisions in the case of Imperial Wars.

##### C. EVERY EFFORT

Crowns will make every reasonable effort to provide Archery events on a monthly basis. Barring that, the Crowns will empower the local Minister of Archery to arrange alternatives. The goal is to facilitate the widest possible participation without interfering with other activities.

##### D. CONDUCT OF TOURNAMENTS

Tournaments can be made up if they were cancelled or interrupted due to lack of facilities based on:

- a. Acts of God, such as:
  - i. Rain, hail, or snow
  - ii. Excessive heat
  - iii. Excessive cold
  - iv. Excessive winds
  - v. Flooding
  - vi. Darkness
  - vii. Safety
  - viii. Or any other naturally occurring conditions that in the opinion of the Crown warrants invoking this law.

## Other applicable Bylaws:

### ARTICLE VII: Ministries

#### F. 6. THE MINISTER OF WAR AND JOUST

The Minister of War and Joust is responsible for the promulgation of rules and regulations governing the art of combat. The Minister of War and Joust shall create a Manual of Arms that shall outline the weapon and armor standards, training requirements, and the rules of combat as are approved by the Crown governing all combat activities and design the scenarios for Crown, Civil, Landed Wars. A Minister of War may not participate in a war in which they had any part whatsoever in designing or has become privy to any information regarding its conduct that is not available to the general populace. The Minister of Joust shall appoint such deputies, known as Marshals, as needed to insure compliance with the Manual of Combat. The Minister of Joust shall be responsible for supervising the Knight's list.

#### Requirements:

- \* Imperial - Knight Bachelor or higher and Rector or higher
- \* Chartered Subdivision - Sergeant or higher

#### a. The Crown Marshal

The Crown Marshal shall be the chief deputy to the Minister of Joust and War and shall be responsible for supervising the Sergeant's List. The Crown Marshal shall also arrange and supervise the field judging for War and Lists

#### Requirements:

- \* Sergeant or higher

## From the: The Manual of Combat, 2000

### Article 1. General Rules and Requirements

C. It is the responsibility of the combatant to provide proof (i.e. Combat card) of sufficient training with whatever combat type or style in which he combatant wishes to engage... .

### Article 4. Training

5) If the qualifying combatant is satisfied that the new combatant is fully aware of the rules and is safe, then he/she will notify the Minister of Joust and War, so the Minister can sign the new combatant's card.

## Application Of Law

1. On 11/15/01, at 8:55 am, TRM Rhys and Marcella posted notice of the locations and times for archery competition for the civil war as 11/13 and 11/16, times, locations, etc. Protests followed, and a correction was published at 5:27 pm that same day, 11/15. This is no issue, it was a mistake and it was resolved by the correction.
2. The issue of notice was raised. In a Crown Civil War, who is to receive notice of events, how, and when? XV B states that any qualified person may call for civil war, apparently, to the Chancellor who determines eligibility and notifies him that he is qualified to issue the challenge. XV B 1 states that, ". . . Upon qualification the Contender will give the Crown thirty (30) days notice. The Crown shall select the time and place so long as it is within the chartered subdivision and within thirty (30) days of the issuance of the challenge." The method of communication is generally set in law to be by the means available to the hardest to reach person--electronic if available, otherwise US mail. Beyond this, the event is "self-noticing". The contenders must notify their own supporters. Interim Crown Civil War is exempt from ordinary notice for sanctioned events. No one is liable for failure to notify the populace (except that they may lose the war). Only the parties must be notified, as above. While some other notice requirements apply, such as the Chancellor to the Estates, or Estates members calling a meeting; the Crown prerogative of within 30 days, includes "tomorrow". Since it is the challenger's right when to set everything in motion, the challenger must be prepared to respond immediately. Again, this is different from all other Adrian events.
3. The issue of location was raised. Why at a private home if public parks are readily available? XV B 1 states that, ". . . The Crown shall select the time and place so long as it is within the chartered subdivision and within thirty (30) days of the issuance of the challenge." Availability and inconvenience are not our concerns, other than the requirement that it be open (you probably would not like 100 strangers in your home--but if its open to one its open to all, except those who may be removed for misconduct). It is a Crown prerogative. The drafters may well have intended these results, and the Imperial Estates have not addressed it.

In reviewing the MANUAL OF ARCHERY, 1999, the manual does not restrict target archery locations or times beyond a few safety dimensions. The only issue appropriate to raise is the mundane legality of shooting archery at the private home.

4. When may the war activities be held, why at night, what disadvantages might this cause, are there lighting requirements to meet? XV B 1 states that, ". . . The Crown shall select the time and place so long as it is within the chartered subdivision and within thirty (30) days of the issuance of the challenge." The language "time and place" is explicit. Other law only governs whether the activity can actually be held--such as for safety, and permits rescheduling. If it can be done safely, the night disadvantage is shared by all. The MANUAL OF ARCHERY, 1999 does not address the issue.
5. How shall outlanders in archery competition be assigned, is it different from others? This is not addressed in the law reviewed, XVIII (Target Archery) addresses the event, but not army division. Logically, off-site archery scores are recorded and the outlander archers present can be divided as combatants and artisans--at the event. In Imperial wars, by Imperial writ, archers were permitted to sign up in advance and apply their scores to their chosen candidates. Absent such a local law, already in place, there is little justification to handle outlanders differently. Just as the artist must usually craft the work in advance and still be present for the war--the archer can do the same. Likewise if present, archers may change allegiance as combatants and artisans do if the armies are reformed when a contender is eliminated. The post stated that "Archery Only" participant outlanders were excepted from gathering for division prior to beginning--but did not state what they would be required to do. Regular division of outlanders at 10 am was posted. Without citing authority the post is insufficient to amend law.

The MANUAL OF ARCHERY, 1999 does not address the issue.

6. How will the issue of combat cards be dealt with? Does the Thanksgiving Holiday conflict with regular weekend practice bear on this issue? The Combat qualification time of 8-10 am was posted. Combat cards are referred to in The Manual of Combat (see above), the language assumes but does not require them--only some proof of qualification. Other proofs would certainly include the word or a writing of the Minister of War and Joust, such officers outside the subdivision and their deputies, Belted Knights, or other proofs acceptable to the autocrat--the Minister of War and Joust. This discretion is not unrestricted and appearance of bias may result in charges being brought. Any "crime" and its punishment would probably fall on the parties not the outcome of the war. The law does not provide for it.
7. As a remedy, under law, can war points be "thrown out?" XVI B lists the war points. XVI C states the victory conditions as winning the majority of the possible war points--not all scenarios need be fought; not all subdivisions can even field steel; not all arts points are contested; ties and draws are possible. We can all imagine nightmare situations where a point is so in doubt that it can not be credited. Past practice indicates that the threat of voiding a scenario encourages compliance with the rules. We must deduce, that yes, war points can be "thrown out" for adequate cause. Such an action would probably be challenged and a Civil Court may be called to uphold it. The issue--not raised, is sufficient cause. We can't determine that here.
8. Does law require combat archery in combat scenarios? The Adrian Laws recognizes the supremacy of mundane law. The lowliest park rule may limit our activities. XV B 1 states that, ". . . The Crown shall select the time and place so long as it is within the chartered subdivision and within thirty (30) days of the issuance of the challenge." According to the post, it will not be allowed in the park chosen by the Crown. We don't have to speculate about their choice. Whether it was selected because only 30 days notice was possible, its convenience, or otherwise. Target Archery is provided for in law, combat archery is merely an element which may or may not be part of the scenario. We have all attended war events with limits imposed by the autocrat's discretion and by the rules of the facilities. We are not aware of any successful challenges in the past. In reviewing the MANUAL OF ARCHERY, 1999, there is also no requirement to actually hold combat archery, it is permitted in light combat and may be play tested in steel.
9. Does law require that "anything" be acceptable to the challenger, defender, or supporters? We have nothing on point in law. The Estates vote on acceptability for Crown contenders--but not in Interim Civil War. Refer to XV B which mentions qualified candidates and 2 which explains voiding challenge. For guidance on eligibility refer to XVI A 2 which explains how the Chancellor is to determine it. In XVI A 3 RECRUITING, contenders may agree to withdraw. Refer to XVI B War, the Minister of War (and Joust) provides copies of the scenarios to the contenders. As other sections clearly charge him with the design and execution, no one is authorized to "accept" or not. The notice issues above rest clearly and

exclusively with one person or another--no agreement is called for. The short answer is that civil wars are usually called because people don't agree--our law does not indicate such requirements in civil war.

10. Who specifically autocrats the civil war? The post and contact information names the sovereigns. The Chancery must refer to the Language of XV B. 2nd sentence ". . . , the Chancellor shall direct the Minister of War and Joust to plan, execute and autocrat a Civil War of either one or two day duration." Also refer to VII F. 6. THE MINISTER OF WAR AND JOUST ". . . The Minister of War and Joust shall create a Manual of Arms that shall outline the weapon and armor standards, training requirements, and the rules of combat as are approved by the Crown governing all combat activities and design the scenarios for Crown, Civil, Landed Wars. A Minister of War may not participate in a war in which they had any part whatsoever in designing or has become privy to any information regarding its conduct that is not available to the general populace. The Minister of Joust shall appoint such deputies, known as Marshals, as needed to insure compliance with the Manual of Combat." The Minister of War and Joust is the autocrat. Autocrats enjoy wide discretion in who they select to assist them. The autocrat may expect the cooperation of all Kingdom Officers and Officials. While the autocrat shall is expected not to take sides himself--it is to be expected that those he selects to help, may be actively supporting one side or another. If the autocrat has little experience with running such events he will rely on those who do. It may appear inappropriate to use the contenders themselves--but it does not breach these laws. Please consult Terre Nueve's Chancellor as to if there is specific local law that applies.
11. What is different in a civil war with multiple challengers? XV B 3 states that the war with multiple challengers is of 2 day duration, ". . . the Minister of War shall plan the event as a two (2) day war, . ." it goes on to explain that the multiple challengers vie on day one and the victor faces the Crown on day 2; this apparently parallels XVI B 3rd part, ". . . At the end of the day the top two (2) armies shall be allowed to continue the following day. The members of the eliminated armies must prior to closing court, bind to a new army in order to participate the next day." What is less apparent is that since only the challengers vie on day one, the Crown forces only compete on day two. Therefore, there is a very real concern that the Minister of War and Joust's unrestricted discretion to plan the scenarios could result in the final challenger, or the Crown, being placed at a real disadvantage, by accident or intent. The only means to insure fairness permitted by law is to hold all 21 points each day. Archers are eligible to shoot for three war point. They should shoot 2 complete sets and assign their scores, first to a challenger, then at any time the lists are open, but, no later than closing court on day one, the second set of scores can be assigned to the final challenger or the Crown. Artisans may compete in all four categories at master or knight level. They may prepare up to 4 different entries and compete each day. Since the same entry from day one cannot be entered day two. Like Archers, the Artisans could submit up to four for a chosen challenger for day one. Then while lists are open, but, prior to closing court on day one, they can designate either the final challenger or the Crown to compete for on day two. In Combat, all battles would be fought each day. The result would be like two complete and separate wars. XV C states, "In the event that a single army wins a majority of the possible war points, that army's contender shall be proclaimed Heir Apparent and the balance of the battles shall be fought for the amusement of the populace...." Therefore if the losing side from day one withdraws and the remaining battles are held for fun, the unused archery and arts could be withdrawn. Withdrawn arts or archery entries could be assigned to an army for use on day two. Withdrawn arts but not archery scores can always be submitted at a later event.

*issued at the direction of TIM Karl and Maedb,  
by Sir William Baine, Imperial Chancellor  
11/22/01*