

INTERIM RULING

re: Conduct of Umbrian Crown War

1. On 3/4, Sir Pavo Rosalia of Umbria wrote:

"Conduct of Umbrian Crown War/Civil War: Any person who wants to participate in an Umbrian crown/civil war will present themselves at the pre-arranged war site in Arizona on the morning of the war. This does not affect the writ already in place concerning archery.

This writ was passed this last weekend by the estates of Umbria.

Sir Waldham, of the estates did request of me, to ask for a ruling on whether this "writ" conflicts or is in violation of the Imperial By-Laws?

I do humbly ask for your guidance in this matter, as it effects this up-coming Crown War, for Umbria.

I, thank you, for your time and consideration."

2. On 3/4, Sir Pavo Rosalia of Umbria wrote:

"16. Umbrian Civil/Crown Wars: All Umbria Civil/Crown Wars shall only have the participation of Umbrian in combat, archery and arts. Outsiders may participate in the following capacities: marshal/arts judge or scribe/water bearer, archer/artisan (archery/arts entry points earned by outsiders shall not go toward any contenders total war points accumulated). All outsiders allowed to marshal/judge or scribe shall have been given the approval of the current Crown/Lord and/or Lady Protector and the contenders of the throne. All outsiders will be given their War Participation point if they sign-in on the Minister of Rolls participation sheet.

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Do these 2 writs conflict, with each other. The top one was already in place, and the 2nd one was just voted in as of this Saturday. I guess, my question is, does this new writ cancel the old one already in place or can both exist together as was intended by HRM Sir Philippe?"

3. On 3/28, Sir Pavo Rosalia of Umbria wrote:

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I find that this bylaw goes against what we are suppose to teach. In true Period times, a good contender would make allegiances with neighboring Kingdoms to help him gain the Throne. Mercenaries were to be had. This Writ goes against all that. Not to mention the Fealties shared and can never be experienced the true idealism expressed.

Secondly, a major problem Umbria suffers from in my opinion, is that they think they are so sovereign that they can do anything by their selves. Thus this causes the in-fighting, and eventually will cause more harm then good.

Lastly, at the last 2 Umbrian Crown Wars, Outsiders from other kingdoms had been present and told they only may be in the Ministries. No, extra scenarios were offered. Thus denying them the Chance to gain points. But, yet the Umbrians take advantage of other Kingdoms Crown Wars to gain those points.

I do humbly ask for your guidance and ruling."

Chancery Rulings:

1. After reviewing the law, the new writ appears to be in no conflict with nor violation of the Imperial By-Laws. The writ is consistent with the letter and spirit of Articles XV and XVI, which address civil and Crown wars, and appears consistent with practice in all other Chartered Subdivisions. The Imperial laws establishing multi-site Imperial Crown and civil wars, XVI D 1 a and XVI C 6, do not indicate that they are to be applied to Chartered Subdivisions, nor do they prohibit it. Likewise, the reference in XVI A 3 to a single site need not be read restrictively, it could apply to any "appointed" sites. Where Imperial Law does not preclude the Chartered Subdivisions from addressing the issue, they may do so. Therefore, if a Chartered Subdivision were so large or might otherwise benefit from multi-site Crown and civil wars, it could adopt law establishing them. But, past Chancellors have held that unless such law was in place in advance, multi-site Crown and civil wars were unauthorized. The new Umbrian writ simply makes the default situation the written law.
2. The Chancery sees no conflict between the two writs. The first, is a restriction on outlander participation. The second, restricts participation to one war site, and on its face "does not affect the writ already in place concerning archery." The writs may be read entirely independently, the second does not repeal the first, though it may be said to amend it because both laws would be applied.
3. Finally, we have reached the real controversy. Is the original writ in conflict with or in violation of the Imperial By-Laws? Yes, the Imperial Estates has had several opportunities to enact similar restrictions in recent years and rejected them soundly. The debates included strong appeals to Adrian tradition; the "right" of Adrians to participate anywhere they travel in the Empire; the benefit of increased event participation; and, that the existing outlander law is sufficient to protect the integrity of the process. Turning to the Law, Article III D states ". . . Participation in Adrian Empire events does not require membership." Article V D states ". . . At all Crown events, members shall be afforded the opportunity to earn their requirements for advancement in their area of endeavor." Article V Estates ". . . The member shall decide which participation shall be recorded when attending multiple events." Article XVI A 3 states ". . . At this time, the visiting members and participants shall be chosen by the contenders for their force. The distribution of all visiting members and participants shall be in proportion to the size of the armies as set by the choice of the membership of the chartered subdivision." The rule is nearly identical in D 3 (Imperial Crown War recruiting). Imperial Law makes every effort to include members and even nonmembers in even our most critical events. There is no ambiguity or implied choice. Prohibiting or even restricting outlander participation by the Chartered Subdivisions is precluded by Imperial Law. Sir Pavo's issue of fairness need not be raised here. Reciprocity and fairness itself are reasons for the Estates to change a law, but not requirements for sustaining or rejecting one. Likewise, failure to follow their own law isn't why the law is defective. Finally, Historical practices and their interpretation is also more suited to Estates debate than to a ruling of whether a writ is in conflict with law.

In Service,

Sir William Baine,

Chancellor, Adria

March/April, 2002