

Ruling: Conflict between Caerleon/Somerset

June 19, 2002

Note:

The following is posted for the benefit of the College of Arms as it is an official ruling on a heraldic case that was brought before me. Please do not respond to it: I will have a post following this that will introduce the key issue as a topic for discussion.

The issue was that of a proposed device that was in conflict with previously-registered arms and the permission to conflict that was granted and then rescinded.

Fleur-de-Lis

Unto the Crown of Caerleon and the Viceroy of Somerset, as well Their Imperial Majesties and the Beltazure King of Arms and Three Crowns Queen of Arms does Sir Nigel Seymour, Fleur-de-Lis King of arms, send Greetings.

This is my ruling on the case of heraldic conflict between Caerleon and Somerset.

First, to address the issue of conflict:

Considering *Per bend gules and sable, a lion passant argent crowned or langued gules* and *Azure, a lion passant argent*.

According to the Rules for Heraldic Registrations XI.C.1., one clear difference is counted for the change of the tincture of at least half of the field, in this case, from a divided field to a solid color not consisting of the other two. Crowns are considered to be maintained charges and as such do not count for difference. The tincture of a lion's appendages (eyes, tongue, and claws) do not count for difference, and in this case, was the default tincture anyway. It should be noted that in Period use, that Crowns are an "optional" charge - arms that incorporate a Crown may appear with it at one time, then without it at another.

The Rules for Heraldry require that two clear differences are required to clear a conflict between two arms with the same primary charge. Therefore, having only one clear difference, the second arms are in conflict with the first.

Then what of the permission to conflict?

A public letter dated 6 April 2002 on the Adria_Heraldry forum written by the Duke of Caerleon states the following:

"We have no problem with the conflict of the proposed device and our presence banner. I don't think any one could possibly confuse the two. Let us know if you need an official release to be sent to the Imperial CoA."

I would take this as seriously as a formal letter. The message is quite clear that permission to conflict was granted.

Does the Duke of Caerleon, having granted permission to conflict on behalf of his Duchy, have the right to withdraw that permission?

Alas, the answer to that question will have to wait.

In light of His Excellency the Viceroy of Somerset's declaration that his Shire is changing its arms to avoid the conflict, the point of conflict and the granting of Permission to Conflict is now moot.

I am therewith issuing the following statement and ruling:

The current policy of the College of Arms on the Granting of Permission to Conflict is vague and unclear. While a formal letter is always preferred, it is an Adrian custom that the word of a Knight may be sufficient, and so I was inclined to accept the public posting of the Crown of Caerleon as granting tacit permission to the Shire of Somerset so that it could file its paperwork with impunity.

I am disinclined to accept that permission once granted may be rescinded, as this causes undue burden on the grantee and comes into conflict with the Grandfather Clause that is a key feature of the procedures of the College of Arms.

Therefore, the College of Arms shall begin at once to draught a formal policy on the Granting of Permission to Conflict. To wit: What constitutes permission, how shall permission be given and recieved, and whether or not permission may be rescinded, and if so, under what circumstances.

I also wish to make it clear that I was in no way attacking any individual or group - I as a judicial officer within my jurisdiction am required to make an analysis of all information when suit is brought. I am troubled that the Crown of Caerleon sees my inquiries as an attack where no attack exists. I am further troubled that words were read into my request by the Crown of Caerleon that were not there.

Let me be clear: in my capacity as the Imperial Sovereign of Arms I am duty bound to be fair and equitable with everyone who comes to me for assistance, regardless of my personal feelings. I am also a Knight and bound to defend the defenseless and champion the Good. I am also the Ambassador of Caerleon and a friend to the Crown of Caerleon and many of Its subjects. Further, I am an Imperial Peer and bound by my Oath to keep the best interests of the Empire at the forefront of my mind.

There is no malice in my inquiries - I needed to find the truth of the matter so that I could rule effectively.

I will state this: that the response of the Crown of Caerleon to the statements made by the Viceroy of Somerset and to the inquiry from my Office did not deserve the vitriol they received. This appears to be part of a pattern that has been going on for months, with the Crown of Caerleon moving to defend itself vehemently from the least perceived threat.

It is my opinion that the Crown of Caerleon is jumping at shadows and attempting to defend itself from what is in reality no threat at all. In other words: nobody is out to get you. You are as valued a part of this Empire as is any other person. I state this as an Imperial Minister and Peer and as a personal friend.

It is my hope that the Crown of Caerleon will be able to shine the light of Truth and banish the shadows they see around them. Then, they will see that their contribution to the Empire is valuable and valued, and that no one wishes them ill or harm. The Jewel that was once Caerleon will gleam again when the Light hits it, and the Joy of the Game will return.

In service to the Empire of Adria,

Nigellus Seimorus
alias Flos de Liz Rex Armorum Adricorum