

Law and Consent in Medieval Britain

Workshop organized by the German Historical Institute London in co-operation with the History of Parliament Trust

Convenors: Hannes Kleineke (History of Parliament Trust) and Stephan Bruhn (GHI London)

Date: 30 October 2020

Venue: This is an online event that will take place via the Zoom video conferencing platform.

Access details will be emailed to participants nearer to the event. Please register for the Workshop via Eventbrite: <https://www.eventbrite.co.uk/e/law-and-consent-in-medieval-britain-a-workshop-tickets-121012420407?aff=erelexpmlt>

Abstract

Consent undeniably holds a key position in contemporary medieval studies. Yet despite its omnipresence, the concept can convey very different meanings in different historiographical traditions. German historians, for instance, have mostly focussed on the less formalized aspects of political communication and decision-making—so-called *Spielregeln*—using consent as a means to highlight the limits of statehood and rulership in the Early and High Middle Ages in particular. British medievalists, on the other hand, have paid more attention to the formation of political institutions and their formal role in government and law-making, putting consent, contrary to attitudes in German scholarship, at the very heart of the nascent state in the Middle Ages.

The reason for these different, even contradictory views lies in the underdetermined, often ambiguous use of the concept itself. Consent is seldom explained, let alone defined, as it seems to be self-explanatory. Yet on closer consideration, questions arise. Is there only one type of consent? For instance, does the term apply to all practices of collective decision-making? How can consent be achieved? Who needs to give his or her consent, and to what? Does it follow the principle of majority rule or is there a need for unanimity? Is consent a means to an end or can it also be an end in itself? Is it an essential prerequisite to action, or just a mere *topos* used to legitimize decisions already made by others, be it by a single ruler or a small elite?

The workshop will tackle these and other issues by focusing on the making and application of law in medieval Britain. It brings together medievalists from different periods (Early to Late Middle Ages) and research contexts (England and Germany) to reach a more

nuanced understanding of consent. The case studies will come from a broad spectrum of topics, ranging from Anglo-Saxon synods to the medieval parliament.

Programme

9.30 *Arrival and Registration*

9.45 *Welcome and Opening Remarks*

'Grußwort': CHRISTINA VON HODENBERG (GHIL) AND STEPHEN ROBERTS (HISTORY OF PARLIAMENT)
HANNES KLEINEKE (HISTORY OF PARLIAMENT) AND STEPHAN BRUHN (GHIL)

10.15 *Session 1: Ecclesiastical attitudes*

STEPHAN BRUHN (GHIL): Council and Consent: some Thoughts on the Societal Role(s) of Church Assemblies in Early Medieval England

DANIEL GOSLING (TNA): Parliamentary Protestations: the Role of the English Church in Law Making in the Later Medieval Period

11.15 *Coffee Break*

12.00 *Session 2: Becoming King*

ALHEYDIS PLASSMANN (BONN): Stephen of Blois' Rise to Kingship. An Election?

STEPHEN CHURCH (UEA): Coronation and Consent in the English Kingdom, 1100 to 1154

1.00 *Lunch Break*

2.00 *Session 1: Debating and Making Decisions (Chair: Hannes Kleineke)*

ADRIAN JOBSON (BRISTOL): Altruism or Self-Interest?: Lawmaking and Consent during the First English Revolution

MARK WHELAN (KCL): An Englishman in the Reichstag: Cardinal Beaufort, legislative consent, and the Holy Roman Empire

PAUL CAVILL (PEMBROKE COLLEGE, CAMBRIDGE): Representativeness and the English Constitution at the End of the Middle Ages

3.30 *Conclusion (Chair: Stephan Bruhn)*

LEVY ROACH (EXETER): Commentary

Closing Discussion

4.00 *End*