

22nd British Legal History Conference
**Law: Challenges to Authority and the
Recognition of Rights**

University of Reading 8-11 July 2015

WEDNESDAY, 8TH JULY

**9:30-13:00: Early Careers Researchers' Session in the Cedars
Conference Centre** This session is kindly sponsored by Hart Publishing

(All Conference delegates are welcome to attend these sessions)

University of Reading Whiteknights Campus map: <http://www.reading.ac.uk/web/FILES/University-of-Reading-Whiteknights-COLOUR-NUMERIC-May13.pdf>

Session 1: 9.30 – 10.45

Criminal Justice in Empire - Cedars Seminar Room 2

Robyn Blewer (Griffith University) "Tears trickling down her cheeks...she told her story begrudgingly" - The examination of child witnesses in criminal trials"

Alastair McClure (Cambridge University) 'Criticism of criminal law and the growth of a legal political consciousness in British India 1858-1914'

Joseph McQuade (Cambridge University) 'Legislating against terror in British Bengal, 1914-1939'

Anglican Ecclesiastical Law – Cedars Seminar Room 1

Henry Kha (University of Queensland) 'The Strength of Sin is the Law: The Introduction of the Matrimonial Causes Act 1857'

Sarah White (University of St Andrews) 'Legal Argument in the Thirteenth-Century Court of Canterbury'

Michelle Johnson (University of Reading) 'Christopher St German's *Doctor and Student* – challenging the Church's traditional authority over conscience'

Session 2: 10.45-12.15

Law, Religion and Excluded Groups - Cedars Seminar Room 2
Andrew Alexander (Flinders University) 'The Myth of Equality before the Law in Colonial Australia 1824-1850? Religion and the Incompetence of Indigenous Witnesses'
Sally Gold (University of Reading) 'Quakers and the Law 1660-1685: a struggle for rights against restored authority'
Fernando Gil Gonzalez (U.N.E.D.) 'Inquisition and Forms of Repression in the Eighteenth Century in Spain from 1700-1800' Stulrajterova

Processes, Rights and Colonies – Cedars Seminar Room 1
Kennedy Sanderson (Cambridge University) 'Resistance not Rebellion: how Barbadian and Jamaican appeals to the Privy Council challenged British imperial authority, 1763-1783'
Ainee Adam (University of Malaya) 'A Conflict of Legal Processes: A Case Study on Slavery in 1800s, Perak'
Sarah Tan (University of Malaya) 'Mui Tsai in Straits Settlement (Malaya): A re-examination of the legal concepts'

11:00 to 12:15 Delegates can collect registration materials at Foxhill House (map no 84)

13:00 Board coaches to Runnymede (carpark 2 – map no P2) – time to walk around the meadow on arrival

14:45 Board boat for tea cruise and plenary lecture I: Professor Sir John Baker, Cambridge University, 'Magna Carta - the Beginning of the Myth'

16:45 Return to the Whiteknights campus by coach

18:00-19:00 Registration materials available for delegates at the Meadow Suite, Park House (map no 8). Meadow Suite Bar opens at 18:00.

19:00 BBQ at the Meadow Suite, Park House

ALL PARALLEL SESSIONS AND PLENARY SESSIONS II AND III ARE HELD IN THE
HENLEY BUSINESS SCHOOL (map no 138)

THURSDAY, 9TH JULY

9-10:45: Parallel sessions I

Turbulence and Continuity
G15 Henley Business School
James Oldham (Georgetown Law) 'Some Effects of War on the Law in Late 18 th and Early 19 th -century England'
Matthew Crow (Hobart and William Smith Colleges) 'Creolizing Custom'
Aniceto Masferrer (University of Valencia) and Anna Taitlin (University of Canberra) 'Social contract of submission and the right to resist: the 17 th century view and its modern relevance'

Establishing Rights
G03 Henley Business School
Phillip Buckley (Southern Illinois University) 'Circumstances, Consequences, and Connections: Parental Challenges to State Educational Authority in the US and the Inchoate Jurisprudential Foundation for Student Rights (1877-1943)'
Ryan Greenwood (University of Minnesota) 'Natural Rights and Enforceability: The Transition from Medieval to Early Modern Rights Theories'
Dmitry Poldnikov (Higher School of Economics, Moscow) 'Magna Carta: Disentangling History from Myth in Russia'

Competing Claims and Interests
G04 Henley Business School
Kevin Costello (University College Dublin) 'Mandamus and parish politics 1620-1800'
Matthew Garrett (University of Chester) 'The New Poor Law Not So Much A Challenge AS A Clash of Authority'

Process, Authority and the Criminal Trial

G11 Henley Business School

Sarah Butler (Loyola University) 'Silent Defendants: Refusing to Plead in the Courts of Medieval England'

Krista Kesselring (Dalhousie University) 'Death and Damages: Public Crimes, Private Losses and the Appeal of Murder in Early Modern England'

Katherine Watson (Oxford Brookes University) 'The Impact of Medical Evidence on Criminal Process in England and Wales, 1730-1914'

10:45 – 11:15: Coffee

11:15 – 13:00: Parallel sessions II

Business and Banking

G15 Henley Business School

Cerian Charlotte Griffiths (University of Liverpool) 'No one will we refuse or delay, right or justice? The betrayal of the 19th C shareholder'

Ian Frame (University of Kent) 'A Curious Picture of Law and Legislation" The Bank of England and the London and Westminster Bank, 1833-34'

Victoria Barnes (University of Reading) 'The rights of shareholders and contractual freedom in *Foss v Harbottle*'

Pre-modern Criminal Justice

G11 Henley Business School

Gwen Seabourne (University of Bristol) 'Dwole and dwale: medical misconduct in a thirteenth-century eyre case'

Margaret Mcglynn (Western University) 'Benefit of clergy and the authority of Magna Carta'

Coleman Dennehy (University College London/University College Dublin) 'Assize justice in Restoration Clonmel'

Courts and the Law

G03 Henley Business School

Andreas Televantos (Cambridge University) 'Authority and Innovation: Trusts, Property Rights, and Insolvency in the time of Lord Eldon'

Lukasz Jan Korporowicz (University of Lodz) 'Civilian Argumentation in the House of Lords (1876-2009). Four Dimensions'

Sean Bottomley 'Trade secrecy and production during the late seventeenth and eighteenth centuries'

Law and Environment

G04 Henley Business School

David Schorr (Tel Aviv University) 'The *Chemical Industry Tel Aviv* case: Wartime authority and private rights in British Palestine'

Chantal Stebbings (University of Exeter) 'Tax, Freedom and Social Expectations: Fiscal Impact on the Built Environment in Nineteenth-Century England'

Leona Skelton (University of Bristol) 'The "Right" to live in a "Clean and Sweet" Environment: Local and National Legal Protection against Insanitary Nuisances in the Seventeenth-century British Urban Environment'

13:00 – 14:00: Lunch

14:00 – 15:45: Parallel sessions III

Doctrinal Development

G11 Henley Business School

Joshua Getzler (Oxford University) 'Magna Carta clauses 4 and 5 and the problem of account'

David Waddilove (Cambridge University) 'The "Mendacious" Common-Law Mortgage Explained'

Prerogative and Monopolies

G03 Henley Business School

Lynette Costello (Independent Scholar) 'The Mines Royal Revisited: Challenges to the Royal Prerogative of Gold and Silver, from the 16th to 19th Centuries'

Ian Williams (University College London) 'Printing the law against authority: unlawful law printing in the reign of Charles I'

Elizabeth Kamali (University of Michigan) 'Common Law for an Uncommon City: Conflict between Royal and Local Authority at the 1321 Eyre'

Enslavement and the Atlantic World

G15 Henley Business School

Holly Brewer (University of Maryland) 'Sovereignty, Slavery & the Rights of Subjects in the Early English Empire'

Andrew Lyall (Independent Scholar) 'Granville Sharp's MS Cases on Slavery'

Patricia Hagler Minter (Western Kentucky University) "'The State of Slavery": *The Slave, Grace*, and the Rise of Pro-Slavery Constitutionalism in the Nineteenth-Century Atlantic World'

15:45 – 16:15: Tea

16:15 – 17:25: Parallel session IV

The Place and the Space of Law: New Perspectives on Courtrooms and Authority in Britain, 1750-1980

G11 Henley Business School

Tim Hitchcock (University of Sussex) 'Reconstructing the Old Bailey Sessions House, c. 1810: an Experiment in 3D'

Linda Mulcahy (LSE) 'Unicorns and Urinals: The evolution of centralised guidance on the design of courtrooms 1970-2010'

17:30 – 18:30: Plenary Session II Henley Business School G11

Professor Rebecca Probert, Warwick University: 'Victorian bigamists – challenging authority or claiming rights?'

FRIDAY, 10TH JULY

9-10:15: Parallel sessions V

Magna Carta's legacy in the wider common law world
G15 Henley Business School
Vincent Johnson (St Mary's University) 'Magna Carta and its American Legacy'
Jack Lee (Singapore Management University) 'The Legacy of Magna Carta in Singapore: A Written Constitution Construed in the Light of Common Law Principles'

Magna Carta in the Middle Ages
G11 Henley Business School
Anthony Musson (University of Exeter) 'Magna Carta and the Fragmented Authorities of the Later Middle Ages'
Katherine Har (Oxford University) 'Writing the City of London onto Parchment: The <i>Leges Anglorum</i> at the turn of the thirteenth century'

Individuals and the State
G03 Henley Business School
Diane Kirkby (La Trobe University) "'Unfortunate necessities of warfare'?: Australia's national security regulations and the right to free speech during World War I'
Paul Almond (University of Reading) and Mike Esbester (University of Portsmouth) 'Il/legitimate risks? Perceptions of occupational safety and health in post-1960 Britain

10.15 – 10.45: Coffee

10.45 – 12.30: Parallel sessions VI

Magna Carta and Pan-European Synchronicities
G03 Henley Business School
K Stulrajterova (Oxford University) 'Magna Carta and the Golden Bulls: European Synchronicities'
Jan Halberda (The Jagiellonian University in Krakow) 'The "Neminem captivabimus nisi iure victum" Rule as a Polish Equivalent of Article 39 in the Magna Carta'

Legal Thought in the 17 th and 18 th Century World
G11 Henley Business School
Mike Macnair (Oxford University) 'Revolution principles and the revolution bench'
Daniel Hulsebosch (New York University) 'A Magna Carta for the World? The Constitutional Protection of Foreign subjects in the Age of Revolution'
Wilfrid Prest (University of Adelaide) 'Blackstone's Magna Carta'

Negotiating Relationships with the State
G15 Henley Business School
Conor Hanly (NUI Galway) 'Judgment by One's Peers? Radical and Trade Unionist Views of Jury Trial in Victorian Britain'
Shimon Blum (Sapir College) 'Cause lawyering in Jewish undergrounds in Mandate Palestine'
Deborah Anthony (University of Illinois Springfield) 'In the Name of the Mother: Compulsion, Tradition and Law in the Eradication of Women's Surnames'

12.30 – 13.30: Lunch

13.30 – 15.15: Parallel sessions VII

Perceptions and Responses
G11 Henley Business School
Niamh Howlin (University College Dublin) 'Challenging Authority: Criminal Justice Responses in Ireland'
David De Vries (Tel Aviv University) 'Comrades Courts in British-ruled Palestine: justice and manners of self legitimization'
John Collins (Eastern Washington University) 'Martial Law, Magna Carta, and Wartime'

The Operation of Empire
G15 Henley Business School
Ray Cocks (Keele University) "'Law: Challenges to Authority and the Recognition of Rights'": Examples from British India'
Kevin Barker (University Campus Suffolk) 'Law, poetics and the postcolonial legal subject as outlaw in the Caribbean'
Donal Coffey (University of Portsmouth) 'A reconsideration of the Imperial Conference 1926 and Conference on the Operation of Dominion Legislation 1929'

Using the Law
G03 Henley Business School
Mia Korpiola (University of Turku) 'Learning by Doing: Women, Work and Legal Literacy in Later Nineteenth-Century Finland'
Sally Hadden (Western Michigan University) 'Powers of Attorney in Colonial Boston'
Gwilym Owen (Bangor Law School) 'Aspects of the Legal History of the Penrhyn Estate 1540-1580 –A Family at War'

15.15 – 15.45: Tea

15.45 – 17.15: Parallel sessions VIII

European Legal Ideas

G03 Henley Business School

Frederik Dhondt (Ghent University) 'Challenges to Imperial Authority: the External-Induced Horizontalisation of the 18th Century Quarrel on the Farnese and Medici Fiefs'

Zoe Cunningham (University of Exeter) 'Keep all this secret': Louis XI's Review of Italian Jurisprudence in the Codification of the Customs of France'

Law and Religion

G15 Henley Business School

David Plater (University of South Australia) 'The Ultimate Triumph of "Freedom of Thought and Enquiry"? The Crime of Blasphemy in the 19th Century Australia and the Unlikely Case of William Lorando Jones'

Martin Sunnqvist (University of Lund) 'Insignia of Independence? The Symbols of Seals of the Swedish 17th C Courts of Appeal in a European Context'

Louise Hague (University of Reading) 'Indecent Haste? Final appeals in ecclesiastical causes and the Judicial Committee of the Privy Council'

Indigenous Peoples

G11 Henley Business School

David Williams (University of Auckland) 'The Treaty of Waitangi—the Magna Carta of New Zealand'

Havatzelet Yahel (The Hebrew University of Jerusalem) 'The Development of "Indigenous Peoples" Discourse: Challenges to Authority and the Recognition of Rights'

Hamar Foster (University of Victoria) 'The Royal Proclamation of 1763: An Indigenous Magna Carta's Rough Ride in British Columbia'

17.55 Coaches depart Chancellor’s Walk, University of Reading for Reading Museum and Town Hall for the Drinks Reception and Conference Dinner

18:30 – 19:30: Drinks Reception at Reading Museum, Bayeux Gallery – ALL Delegates welcome. The Drinks Reception is provided through the generous sponsorship of the Journal of Legal History.

19:30: Conference Dinner at Reading Town Hall – ticket holders only

22:30-22:45: Coaches depart Reading Town Hall for the Whiteknights Campus

SATURDAY, 11TH JULY

9-10:45: Parallel sessions IX

Royal Authority and Judicial Power
G11 Henley Business School
David Seipp (Boston University) ‘How to Get Rid of a King: Lawyering the Revolution of 1399’
Marianna Muravyeva (Oxford Brookes University) ‘On the right to discipline: European attitudes to the right to use physical violence by private persons in the seventeenth and eighteenth centuries’
Chris Monaghan (University of Greenwich) ‘ <i>Peacham’s Case</i> and the <i>Case of Commendams</i> : Sir Edward Coke CJ’s defence of judicial independence and ultimate dismissal’

Anglo-German Exchanges
G15 Henley Business School
Michael Stuckey (University of New England) ‘The Germanic <i>weltanschauung</i> of John Mitchell Kemble’
Andreas Thier (University of Zurich) ‘The Magna Carta in the German discourse about English constitutional law between the 18 th and the early 20 th century’
Carsten Fischer (University of Zurich) ‘The Reception of Magna Carta and the Ancient Constitution in Early Modern Germany, c. 1650-1800’

Establishing Private Rights

G03 Henley Business School

David Foster (Queen Mary University of London) 'From Construction to Property: Curtailing the Settlor's Wishes'

Claudia Lydorf (eufom University, Luxembourg) 'How English Inheritance law saved an emperor from going to hell. The execution of the will of Otto IV (1218)'

10:45 – 11:15: Coffee

11:15 – 12:45: Plenary session III – G11 Henley Business School

Roundtable discussion in memory of Chris Brooks (Chair: Professor Michael Lobban, London School of Economics).

Participants: Alan Cromartie (University of Reading); Wilfrid Prest (University of Adelaide); David Sugarman (Lancaster University); and Ian Williams (University College London)

13:00 – 14:00: Lunch