

History 500: Law, Kingship, and the Nature of Authority



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UW-Madison, Fall 2025
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Office Location: Mosse 5269
Office Hours: Wed 10am-11am, 1pm-3pm

Course Description

Wednesdays 11AM to 12:55PM

5257 Mosse Humanities

What makes a king a king? Moreover, what makes a king a legitimate king? How did kings use the law to legitimize themselves and their governance? And how does legal authority help a king stay a king? In this course, we will explore the complex relationship between law, authority, and kingship in medieval Europe. We will examine how kings used law to their advantage – whether to shore up a weak throne or to strengthen and centralize an already strong one. We will analyze how royal decisions – such as going to war and dealing with its fallout – as well as unforeseen catastrophes – such as plague and handling its disruption – have transformative effects on legal traditions. We will see the ways in which law can be used to reign in “bad” kings and how “good” kings are often able to circumvent such restrictions. Reading extensive law codes, legislation, dispute litigation, and prescriptive literature, students will understand the profound and complex relationship between medieval kings, law, legitimacy, and authority.

Learning Outcomes

Upon completion of this course, students will be able to:

1. Have a basic understanding of the history of kingship in medieval Europe, particularly the complex and nuanced ways in which the law influenced and was influenced by kings and other leaders.
2. Effectively communicate complicated ideas in a classroom setting, primarily through classroom conversation.
3. Analyze scholarly texts quickly to understand and contextualize arguments and evidence.
4. Critically analyze primary source documents and use those documents to develop original arguments that explain the relationship between kingship, law, and authority from a variety of viewpoints and perspectives.
5. Effectively communicate complicated historical ideas in written format.

Credit Hours

The credit standard for this course is met by an expectation of a total of 135 hours of student engagement with the course learning activities (at least 45 hours per credit), which include regularly scheduled instructor: student meeting times, reading, writing, problem sets, studio time, labs, field trips, and other student work as described in the syllabus.

Course Designation

Breadth - Humanities

Level - Advanced

L&S Credit - Counts as Liberal Arts and Science credit in L&S

Books

There are no books to buy for this class. All reading assignments will be provided for you in the form of PDF files on the UW Canvas Course page.

Assignments

Your grade will be based on a combination of factors, including the completion of weekly reading assignments and their discussion, AI analysis project, primary and secondary source analyses, the final research project. Please see the percentage breakdown below.

- I. Attendance and Participation: 30%
- II. AI Analysis Project 10%
- III. Discussion Leadership: 10%
- IV. Primary Source Analysis: 10%
- V. Article/Book Review: 10%
- VI. Final Research Project: 30%

Late Work Policy

All assignments will be due digitally on canvas unless otherwise stated in the syllabus. Anything that is due in class must be completed for the appropriate class time. Any written assignment due on canvas is due on the Friday of the assigned week by 11:59pm. You should take all possible action to have your work turned in on time. **HOWEVER: if you need an extension, you may have until the Sunday of the same week at 11:59pm to turn in that work, no questions asked, no need to request the extension. Any work submitted after that two-day extension window will not be accepted.**

Attendance and participation: 30%

Each week in which there are readings you will have both secondary source materials and primary source documents to prepare. You should plan to read these documents before we meet for class each week and be prepared to discuss the primary source materials in the context of the assigned readings. Attendance and participation are mandatory, but you will have **one free absence**. Because this course only meets once per week, any absence after one will affect your grade. If you experience severe illness or emergency, please get in touch to discuss your options.

AI Analysis Project (500 words minimum due 9/19 @ 11:59pm): 10%

You will be given a prompt and will use your choice of generative AI tool to generate a 1000-word essay. The essay should reference methodology as well as source material and must include footnotes. Once you have generated the essay, email the original essay to cwhatley@wisc.edu by **11:59pm on Monday, 9/8** and bring a paper copy to class on **Wednesday 9/10**. For the next week, you will deeply engage with what the AI tool has generated and review the essay for errors. Does it answer the question? Are the facts related in the essay true and relevant? Do the references correspond to real scholarly articles and books and have correct attribution in both the footnotes and the bibliography? Keep a log of your analysis and how you discovered the correct information.

Leading Discussion: 10%

You will choose one week to lead discussion. This will entail thoroughly reading the selections for the day, including the primary source documents, and preparing questions to help create an evocative discussion atmosphere and spur conversation. The questions should be well thought out and should range from broad discursive issues of historical argument down to specific questions generated by the text.

Book/Article Review (750 words due 10/17 @ 11:59pm): 10%

In the secondary source review, you will choose one of the articles listed below, read it in its entirety, evaluate it, and write a 750-word (~3 pages) article analysis. The review should consist of a brief summary of the author's thesis and argument, examine the author's sources and how they used them, and finally evaluate, based on your examination, whether you believe the claim that the author is making. Be sure to use specific examples from the text to back up your arguments. These assignments are meant to encourage you to begin to critically analyze primary and secondary source materials. This has many uses, from building arguments to developing research questions. More importantly, they will deepen your abilities to question arguments, not because you disagree with them, but based on the research and evidence on which they are built.

Primary Source Analysis (500 words 11/7 @ 11:59pm): 10%

Choose any one of the primary sources provided in the source materials provided on Canvas and evaluate it based on the following criteria: Who wrote it? Why? Who is the audience? What can this document tell us about the moment in which it was written? This analysis should be about 2 pages, or roughly 500 words.

Final Research Project (8-10pgs due 12/12 @ 11:59pm): 30%

The final research paper should be a carefully revised and refined final iteration of a research project on a topic relevant to the course theme. All citations should be correct, the prose clean of errors, and quotations/paraphrasing appropriately handled. You will be graded on the depth of your research, the clarity of your narrative argument, your ability to integrate constructive criticism, and the overall execution of the paper.

Grading scale: A 94-100 AB 88-93 B 84-87 BC 78-83 C 70-77 D 60-69 F 0-59

ACADEMIC CALENDAR & RELIGIOUS OBSERVANCES

See: <https://secfac.wisc.edu/academic-calendar/#religious-observances>

ACADEMIC INTEGRITY STATEMENT

By virtue of enrollment, each student agrees to uphold the high academic standards of the University of Wisconsin-Madison; academic misconduct is behavior that negatively impacts the integrity of the institution. Cheating, fabrication, plagiarism, unauthorized collaboration, and helping others commit these previously listed acts are examples of misconduct which may result in disciplinary action. Examples of disciplinary action include, but is not limited to, failure on the assignment/course, written reprimand, disciplinary probation, suspension, or expulsion.

ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES STATEMENT

The University of Wisconsin-Madison supports the right of all enrolled students to a full and equal educational opportunity. The Americans with Disabilities Act (ADA), Wisconsin State Statute (36.12), and UW-Madison policy (Faculty Document 1071) require that students with disabilities be reasonably accommodated in instruction and campus life. Reasonable accommodations for students with disabilities is a shared faculty and student responsibility. Students are expected to inform Professor Shoemaker of their need for instructional accommodations by the end of the third week of the semester, or as soon as possible after a disability has been incurred or recognized. Professor Shoemaker will work either directly with you or in coordination with the McBurney Center to identify and provide reasonable instructional accommodations. Disability information, including instructional accommodations as part of a student's educational record, is confidential and protected under FERPA. (See: [McBurney Disability Resource Center](#))

DIVERSITY & INCLUSION STATEMENT

[Diversity](#) is a source of strength, creativity, and innovation for UW-Madison. We value the contributions of each person and respect the profound ways their identity, culture, background, experience, status, abilities, and opinion enrich the university community. We commit ourselves to the pursuit of excellence in teaching, research, outreach, and diversity as inextricably linked goals. The University of Wisconsin-Madison fulfills its public mission by creating a welcoming and inclusive community for people from every background – people who as students, faculty, and staff serve Wisconsin and the world.

Week 1

September 3: Introductions

Week 2

September 10: How to do Medieval Research

Weber, Max, 1864-1920. *Max Weber on Charisma and Institution Building: Selected Papers*. Chicago: University of Chicago Press, 1968. 3-107.

- Bring AI generated essay to class

Week 3

September 17: Post Roman Europe: *Leges* and Kingly Identity

Wormald, Patrick. “*Lex scripta* and *verbum regis*: legislation and Germanic kingship, from Euric to Cnut.” In *Early Medieval Kingship*, edited by P.H. Sawyer and Ian Wood., 105-138. University of Leeds, 1977.

Rabin, Andrew. "Witnessing Kingship: Royal Power and the Legal Subject in the Old English Laws." In *Kingship, Legislation and Power in Anglo-Saxon England*, edited by Gale R. Owen-Crocker and Brian W. Schneider, 13: 219–36. Boydell & Brewer, 2013.

Wormald, Patrick. "Giving God and King their Due: Conflict and its Regulation in the Early English state." In *La Giustizia nell'Alto Medioevo (secoli IX-XI)*, 11-17 aprile 1996,. Settimane di studio del Centro italiano di studi sull'alto Medioevo; 44, 549-590. Spoleto: Presso la Sede del Centro, 1997.

Early English Dooms

- **AI essay analysis due in class**

Week 4

September 24: Feud Culture, Self-Help, and Authority

Hyams, Paul R. "Redress for Wrong in the Governance of Late Anglo-Saxon England." In *Rancor and Reconciliation in Medieval England*. Cornell University Press, 2018.

Miller, William Ian. "Feud, Vengeance, and the Disputing Process." In *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland*. U. Chicago Press, 1990.

Miller, William Ian. "Law and Legal Process." In *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland*. U. Chicago Press, 1990.

Njal's Saga (Selections)

Sichar and Chramnesind in Gregory, Bishop of Tours

Week 5

October 1: Carolingian and Capetian France

Geary, Patrick. "Judicial Violence and Torture in the Carolingian Empire." In *Law and the Illicit in Medieval Europe*, edited by Ruth Mazo Karras, Joel Kaye, and Anne E. Matter, 79-88. University of Pennsylvania Press, 2008.

Koziol, Geoffrey. *Begging Pardon and Favor: Ritual and Political Order in Early Medieval France*. Cornell University Press, 1992. 25-181.

Frankish Capitularies (Selections)

Week 6

October 8: England Post-Conquest

Holt, J. C.. "Colonial England." In *Colonial England, 1066-1215*. London: Bloomsbury Publishing Plc, 2003.

Boston, Hannah. "Change and Continuity: Multiple Lordship in Post-Conquest England (The Marjorie Chibnall Essay Prize)." In *Anglo-Norman Studies XLIII: Proceedings of the Battle Conference 2020*, edited by S. D. Church, 61–74. Boydell & Brewer, 2021.

Hyams, Paul R. "Vengeance and Peacemaking in the Century after the Conquest." In *Rancor and Reconciliation in Medieval England*. Ithaca: Cornell University Press, 2018.

Shoemaker, Karl. "Sanctuary after the Conquest." *Sanctuary and Crime in the Middle Ages, 400-1500*. New York: Fordham University Press, 2011.

The Treaty of Winchester (1153)

Writ of Right

Selections from Glanvill

Week 7

October 15: The Anarchy, its Aftermath, and Henry II

Thomas, Hugh M. "Violent Disorder in King Stephen's England: A Maximum Argument." In *King Stephen's Reign (1135-1154)*, edited by Paul Dalton and Graeme J. White, 139–70. Boydell & Brewer, 2008.

Plassmann, Alheydis. "William of Malmesbury, the Gesta Stephani, and the Idea of Successful and Good Rule in the Twelfth Century." In *Anglo-Norman Studies, XLV: Proceedings of the Battle Conference 2022*, edited by Stephen D. Church. *Anglo-Norman Studies*; 45, 1-18. Woodbridge, Suffolk: Boydell Press, 2023.

Palmer, Robert C. "The Assize of Novel Disseisin and the Attaint." *The Whilton Dispute, 1264-1380: A Social-Legal Study of Dispute Settlement in Medieval England*. Princeton University Press, 1984.

Constitution of Clarendon 1164

Assize of Northampton 1176

Selections from Bracton

- **Secondary Source Analysis due Friday @ 11:59pm**

Week 8

October 22: Law Centered Kingship

Kantorowicz, Ernst H. "Law-Centered Kingship." In *The King's Two Bodies: a Study in Mediaeval Political Theology*. Princeton: Princeton University Press, 1957. Pgs 87-198.

Selections from Bracton

Statute in Favor of the Princes (1231)

Week 9

October 29: Papacy: The Kingdom of Christendom

Blumental, Uta-Renate. *The Investiture Controversy: Church and Monarchy from the Ninth to the Twelfth Century*. University of Pennsylvania Press, 1988. 64-182.

Lay Investitures Forbidden (1080)

Letters between Gregory VII and Henry IV, Holy Roman Emperor (1075-1080)

Concordat of Worms (1122)

Week 10

November 5: King John, Magna Carta, and the Consequences of Bad Kingship

Hurnard, Naomi D. *The King's Pardon for Homicide before A.D. 1307*. Clarendon Press, 1969.

McSweeney, Thomas J. "The King's Court and the King's Soul: pardoning as almsgiving in medieval England." *Reading Medieval Studies* 40 (2014): 159-175.

Cheney, Christopher R. "King John and the Papal Interdict." In *The Papacy and England, 12th-14th centuries*. Historical and legal studies, edited by Christopher R. Cheney. *Collected Studies*; 154, Essay IX:295-317. London: Variorum Reprints, 1982.

Magna Carta

Innocent III's Annulment of Magna Carta

Fourth Lateran Council

- **Primary Source Analysis due**

Week 11

November 12:

Kuskowski, Ada-Maria. "The Development of Written Custom in England and in France: A Comparative Perspective." In *Law, Governance, and Justice*. Brill, 2013)

Kuskowski, Ada Maria. "Uneasy Jurisdictions: Lay and Ecclesiastical Law." Chapter. In *Vernacular Law: Writing and the Reinvention of Customary Law in Medieval France*, 155–88. *Studies in Legal History*. Cambridge University Press, 2022.

Evergates, Theodore. "Countess Blanche, Philip Augustus, and the War of Succession in Champagne, 1201-1222." In *Political Ritual and Practice in Capetian France: Studies in Honour of Elizabeth A.R. Brown*, edited by M. Cecilia Gaposchkin and Jay Rubenstein. 77-104. Turnhout: Brepols, 2021.

Blanche of Champagne's Cartulary (Selections)

Week 12

November 19: Edward I

Spencer, Andrew M.. "Dealing with inadequate kingship: uncertain responses from Magna Carta to deposition, 1199-1327." In *Thirteenth Century England, XVI*, edited by Andrew M. Spencer and Carl Watkins., 71-87. Woodbridge, Suffolk: Boydell Press, 2017.

Brand, Paul. "The Mortmain Licensing System, 1280-1307." In *English Government in the Thirteenth Century*, edited by Adrian Jobson, NED-New edition., 87-96. Boydell & Brewer, 2004.

Wood-Legh KL. "Alienations in Mortmain." In: *Studies in Church Life in England under Edward III*. Cambridge University Press; 2010:60-88.

Royer, Katherine. "The Body in Parts: Reading the Execution Ritual in Late Medieval England." *Historical Reflections/Réflexions historiques* 29, no. 2 (2003): 319-339.

Provisions of Oxford (1258)

Statute of Mortmain (1279)

Week 13

November 26: NO CLASS FOR THANKSGIVING BREAK

Week 14

December 3: Edward III, The Lawyer King?

Kaeuper, Richard W. "Royal Justice and Public Order." *War, Justice, and Public Order: England and France in the Later Middle Ages*. Oxford University Press, 1988.

Waugh, Scott. "Success and Failure of the Medieval Constitution in 1341." In *Law, Governance, and Justice New Views on Medieval Constitutionalism*. Brill, 2013.

Musson, Anthony. "Second 'English Justinian' or Pragmatic Opportunist?: A Re-Examination of the Legal Legislation of Edward III's Reign." In *The Age of Edward III*, edited by J. S. Bothwell, NED-New edition., 69-88. Boydell & Brewer, 2001.

Taylor, Craig. "Edward III and the Plantagenet Claim to the French Throne." In *The Age of Edward III*, edited by J. S. Bothwell, NED-New edition., 155-70. Boydell & Brewer, 2001.

Excommunication Case Documents

Episcopal Property Disputes

Selected Papal Letters to England

Statute of Laborers/Treasons/Premunire/Provisors

Week 15

December 10: Mirrors of Princes

Briggs, Charles F., and Cary J. Nederman. "Chapter 6 Western Medieval Specula, c. 1150-c. 1450". In *A Critical Companion to the 'Mirrors for Princes' Literature*, (Leiden, The Netherlands: Brill, 2022)

Thomas Aquinas: De Regno

William of Pagula: The Mirror of Edward III

Final Paper Due Friday December 12, 2025 @ 11:59PM