

**Parliaments, Princes and Presses:
Voices of tradition and protest in early modern Scotland**
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Early modern European society was, in an age before modern communications and transport, a traditionally more private world where the political public sphere was dominated by small elites, many of whom were not strongly connected to the lives of ordinary folk, other than those in their immediate locality. Centres of power and networks of vertical interaction, in Scotland and elsewhere, were often highly localised as mercantile and landed elites interacted with retainers and tenants. Parliaments and legislative assemblies, along with other institutions of secular and religious government, provided opportunities for elite horizontal integration (Whyte 1997; Houston 1994). But the early modern period was a time of flux and of crisis over political ideas. Questions were raised over the relationship between institutions of government and the wider public sphere. In Scotland the clash between different philosophies on the nature of kingship and sovereignty coupled with the spread of printing, with its challenges to authority and opportunities for dissent, led to confused political agendas that sought both to control and facilitate an expanding public sphere. When the Crown of Scotland united with that of England in 1603, and king if not Parliament moved from Edinburgh to London, the sense of shifting sovereignty increased the prospects for Anglo-Scottish elite rivalry and popularly expressed discontent. Those who governed Scotland, in Edinburgh and London, became increasingly concerned at the philosophical, typographical and sometimes violent voices of the disenchanting.

When the Scottish King James VI became King of England in 1603 he found himself the imperial guardian of two kingdoms (excluding Ireland), two parliaments and two national churches. James favoured a union between the institutions of church and government, a perfect marriage that would unite the hearts and minds of the English and Scottish. However, within four years his union scheme collapsed with both Edinburgh and London parliaments unwilling to put at risk ancient rights and privileges. James was left to move by stealth to achieve objectives. Royal prerogative was used to make symbolic changes: the title king of Great Britain was adopted and a

union flag created. Royal patronage was used extensively to encourage loyalty to the new imperial crown and dynasty. Anglo-Scottish religious harmony was to be advanced, not by union of the churches of Scotland and England but by the mutual toleration of brotherly Protestants. Scotland, in spite of its Presbyterianism, was to be made more accepting of bishops, though James started the process before 1603, and England's Anglican church was to moderate its criticism of Scotland's Presbyterian system of church courts. James, head of the church in England, carefully slipped into a position of greater authority over the church of Scotland (MacDonald 1998).

But King James was a scholar king and had to explain in writing his philosophies and objectives with regard to kingship and religion. Political tracts such as *The True Law of Free Monarchies* (1598) and *Basilikon Doron* (1599 and 1603 in an anglicised edition), the latter a guide to his son, outlined James's attitude to kingship before 1603. Thereafter, he relied increasingly on other authors to explicate royal policy and to fuel the royalist propaganda machine. Such a case in point was *God and the King* (1616), a small pocket-sized book written by the Englishman Richard Mocket and printed in England and Scotland in large quantities. Referred to by contemporaries as a catechism, it was a Humanist dialogue through which loyalty to the king and to God was promulgated. (Mann 2000, 21, 51-2) The more radical Presbyterian ideas, as expounded by the academic Andrew Melville (1542-1622) and latter by the historian David Calderwood (1575-1651), concerning 'parity', equal status for all clergymen, and the doctrine of two kingdoms, where church and state were separate powers with different jurisdictions leaving the clergy above civil authority, were countered with the simple message: the king sovereign over the church atop a hierarchy of loyal bishops. A hierarchical church structure that mirrored the natural order was essential, 'parity' being the 'mother of confusion, and enemy of unitie'. (King James 1599, 76). As James said bluntly in 1604 'No bishops, no king' (Shriver 1982, 60). *God and the King* was distributed throughout the burghs of Scotland and prescribed for all householders. Those appointed to positions of authority had to take publicly an oath of loyalty. Meanwhile, extreme Presbyterians, repulsed by the notion of royal stewardship of church affairs, were condemned as 'phanatick spirits' (King James 1603, 79).

James's support for the Episcopal clergy, from a parliamentary point of view, had a straightforward justification: no bishops, less king. Unlike, say, the parliaments of England, Hungary and Poland, Scotland's Parliament was unicameral (single chamber), but like many European assemblies it was a gathering of estates (Rait 1924; Bonney 1991; Myers 1975). The Scottish Parliament consisted of three or four estates: clerics appointed by the Crown (absent from 1638 to 1660 and after 1689); nobles who attended by right; representatives of royal burghs, elected by their respective town councils, and representatives of the shires elected from the barons or lesser landowners. In addition, a management committee, the Lords of the Articles, was chosen to draft business before voting by the whole house, a committee whose power has been the subject of much historiographical revision in recent years (Tanner 2000 and 2001; MacDonald 2002). Also, the Scottish Privy Council, usually including clergy, governed between parliaments, a 'cabinet' passing acts on day to day matters.

James, his son and grandson, Charles I and Charles II, each considered themselves to be sovereign over Parliament. James and Charles I, the former theoretically the later more overtly, believed sovereign authority rested entirely with the king, the divine right of king's passing on via the hereditary principle. These traditional realities were preserved through Crown selection of clerical members of Parliament, the first estate, and the appointment of officers of state (a fifth estate perhaps) who also had the right to vote in Parliament. Naturally, the granting of titles and lands added to the process of political management and royal policy went to extraordinary lengths to ensure Crown sovereignty was retained.

Whig historians affirm that the British revolutions of 1688/9, which saw the Catholic James VII and II removed, clergy banished from the Scottish Parliament and a 'more' constitutional monarchy put in place, delivered strengthened and more independent parliaments for England and Scotland (Macaulay 1848-61; Speck 1988). However, Scotland's monarchy, like England's, was already restricted by constitutional limits going back to the fourteenth century. The extent to which the crown was given by the people or taken by the rightful heir was and is open to considerable debate, yet both the coronation oath taken by the king and oath to Parliament taken by members provide evidence of a counterbalancing relationship

between the Crown and the people. Such public declarations were essential to the maintenance of authority, the rule of law and of social order. Oaths were, like witnessed legal documents, a point of convergence for the public and private spheres.

The significance of Scotland's coronation oath was subjected to varied interpretation by early modern contemporaries. Indeed it was at the core of philosophical and political arguments that raged from the removal of Mary Queen of Scots in 1567-8 and into the eighteenth century (see Burns 1996 and Mason 1998, 187-241). George Buchanan (1506-82), the greatest political writer of the period, and most significant Scottish author of any genre, as well as tutor to James VI, argued in his explosive dialogue *De Jure Regni Apud Scotos* (1579) that:

When our king's are publicly inaugurated, they give a solemn promise to the entire people that they will observe the laws, customs and ancient practices of our ancestors...[We can] see the nature of power which they have received from our ancestors, namely, the same as is held by those who...chosen by election, swear to observe the laws. (Buchanan 1579, 66)

Buchanan is able to use the public ceremony of the coronation to advance his two central tenets: Scottish kings were elected and also subject to the authority of the law (Mason 1982; Mason 1998, 236-7; Goodare 1999). Thus sovereignty rests with the people not the Crown, though by 'people' Buchanan meant the elite representatives, the Estates in Parliament. Furthermore, the coronation oath was a contract between king and people, such that loyalty of the subject is given up in exchange for the just rule of the monarch. Arbitrary rulers and tyrants could be removed and even killed. Buchanan had extrapolated a resistance theory justifying the removal of Mary, Queen of Scots in favour of the infant James VI and providing inspiration for the subsequent revolutions against Charles I and James VII and II. Though Buchanan was a secularist, Melville and other radical Presbyterians used his analysis to underpin their ideology. Small wonder that *De Jure*, along with Buchanan's great *Rerum Scotticarum Historia*, which placed 'constitutionalism' in the context of a largely manufactured history of Scottish kings, were repeatedly banned in Scotland from the 1580s to the early eighteenth century.

The coronation oath taken by Charles I in 1633, based closely on the words said in 1567 on behalf of the infant King James VI, does indeed reflect a level of mutuality. The form of words was outlined by Parliament in 1560. Charles swore to

maintain ‘the true religion of Jesus Christ, the preaching of his holy word and the due and right ministrations of His sacraments now received...[to prevent]...all false religion’ and to rule ‘according to the lovable laws and constitution of this realm’. (RPC 1877, 542). Even though in 1689 the Estates of Scotland offered the crown conditionally to William and Mary, the words in the oath were exactly those of James VI, Charles I and Charles II, who promised to:

‘preserve and keep inviolated the rights and rents, with all just privileges of the crown of Scotland...[and] forbid and repress in all Estates ... reif [plunder], oppression, and all kind of wrong And .. command and procure...justice and equity in all judgements’. (APS vol. 9).

Other earlier oaths, such as James II’s oath to Parliament of 1445, suggest a more overt submission to the Estates, where the king promised to ‘be leil [loyal] and true to God and Halie Kirk, and to the three estates’ with the ‘statutes of the realm neither to eike [increase] nor mynyshe [diminish] without the consent of the three estates’ (Lyll 1977, 9-10; Tanner 2001, 112-15; NLS), but the post-Reformation form of coronation oath nevertheless suggests a bargain with the people and the clear sense of continuity with ancient law. The revolutionary regime of 1688/9 was concerned to underscore its legitimacy and ensured that the traditional coronation oath was applied, as it was to Queen Anne in 1702.

When he assumed personal rule in 1584 James set about banning Buchanan and attacking his ‘republican’ manifesto. In his *True Law* James expanded on his ideas of divine right kingship. Princes succeeded by blood and heredity and not by election, the ancient kings taking the land by conquest. So because of the divine providence of the succession, the promise to God not that to the people was the most significant element in the coronation oath. Thus while the king swore to carry out his office ‘honourably and truly’ only God and not the people could pass judgement if these promises were broken. The oath did emphasise the duties of a good king: to ‘uphold the religion presently confessed...good laws made by...predecessors [and] everie state therein, in all their ancient privileges and liberties’, yet princes were only ‘countable to that great God’ who had appointed James a ‘naturall father to all his leiges at his coronation’. This patriarchal analogy is typical of James’s approach as was his anatomical model of the kingdom with the prince as the head and the people as

members. To remove the king would be like trying to cure the body by chopping of the head, an action 'monstrous and unnatural' (King James 1598, 78-9, 61-2, 74-5).

James was not alone in Scotland in expounding divine right kingship. A century later Sir George Mackenzie of Rosehaugh (1636-91), Scottish jurist, lord advocate and politician, penned his *Jus Regium, Or the Just and Solid Foundation of the Monarchy of Scotland* (1684) largely to counter the constitutionalism of Buchanan, his works being re-published in English editions in the 1680s (Durkan 1994, 215-6, 234). Mackenzie was a royalist, much alarmed at how extreme Presbyterianism in his own time had caused near civil war in parts of Scotland, especially in the SW. Those who rebelled and Buchanan their inspiration 'poisoned the nation' with ideas 'that our monarchs derive their rights from them'. Sovereignty could not be with the people. Notions of a contract between the people and their monarch were 'absurd and extravagant'. As for the coronation oath, he proclaimed it unnecessary, and it was the duty of all to support the succession of the Catholic Duke of York and Albany, the future James VII, regardless of his religion (Mackenzie 1684, 4,9,41-2). James VI would not have gone so far as to devalue the oath, but he did believe a subject's duty was to obey the sovereign and his 'lawfull heires and posteritie' (King James 1598, 80) and this 'contract' existed regardless of oaths taken by princes.

Notwithstanding the views of Mackenzie in the difficult succession crisis of the 1680s, constitutionalists and royalists had a common interest in conserving the ceremony of the coronation oath. The oath was taken before God and the representatives of the Estates (the people), though, as it was a religious ceremony, not actually before a full Parliament. Therefore, 'the people', witnessed the promises made by the sovereign before and to God and before and to the political community. Royalists and absolutists could take comfort from this as it emphasised the divine relationship between king and God and the ultimate legitimisation of royal sovereignty. Equally, constitutionalists could witness what they regarded as the essential participation and presence of the political community with whom sovereignty was either shared or was superior to the will of the monarch. Both parties, who in late seventeenth century Scotland became roughly drawn along the lines of Tory/Jacobite Episcopalians and Whig Presbyterians, understood that the legitimacy

of sovereign government depended on the public expression of loyalty and ancient continuity inherent in the coronation ceremony and oath.

When Buchanan considered sovereignty in the Scottish political system he stated that the basis of national law, something that sat above kings, was the Estates in Parliament (Burns 1996, 290-1). King's had little or no legislative role to play. James VI, on the other hand, emphasised that Parliament was 'nothing else but the head court of the king and his vassals' and that 'kings in Scotland were before any estates' and so 'king's were the authors and makers of the lawes, and not the lawes of the kings'. In any case no law could pass 'without his scepter put to it for giving force of law', either by the king or after 1603 by the royal commissioner, who sat on the throne as king's representative (King James 1598, 70-1). Mackenzie went further believing that kings protected the people from parliaments:

'it is strange and unsufferable to hear such as appeal to parliaments, cry out against their [king's] power ... and why should we oppress our kings and raise civil wars, whereby we endanger so much ourselves to procure powers to parliaments, if parliaments be such ridiculous things as we cannot trust when they are empowered by us' (Mackenzie 1684, 8-9)

Nonetheless, Mackenzie and other members of the Scottish Parliament were also required to take their own oath. The parliamentary oath, which existed in the fifteenth century and no doubt before, was taken before the king (or his commissioner), the assembled Estates and of course God. It was, like the coronation oath, directed at different audiences. It was essentially both an oath to the Estates and an oath of allegiance to the king with God as a witness to both. Thus the oath taken in 1661, after the restoration of monarchy, proclaimed 'faithfull obedience to my most gracious and redoubted soverane' as 'supream governour of this kingdome over all persons and in all causes' and to 'defend assist and mantaine his majesties jurisdiction forsaide against all' but also to 'faithfullie give...advice and vote in every thing [that] shall be propoundit in parliament as [he] shall answeir to God' (APS vol. 7).

The combined promise to king and Parliament (or the people) applied to all members, but had an additional resonance for those elected by the burghs (representing town councils) and shires (representing shire gentry). Burgh members in particular were expected to represent the interests of their specific towns as well as the trade of the nation. Many reported back to their burghs before votes were taken, or

gathered within their estate to debate specific measures before voting with the whole house (MacDonald 2002). In fact from the 1580s the numbers of elected members and size of the entire Parliamentary increased, rising from under 100 to over 200 members. Some of this resulted from a larger noble estate accounted for by expanding royal patronage, yet it also arose through the extension of the franchise as more towns were allowed to elect members and all shires to elect additional members. By the 1690s the elected members represented over two thirds of the membership.(Rait 1924, 232-7, 272-6) Therefore, although the Scottish electorate was small compared to the likes of England and Holland, and family and client networks still proliferated, the greater size of Parliament and its expanding representativeness from the 1580s helped to slowly open Scotland's legislature to more contact with the interests of the nation at large. This was a process that altered the boundaries between the elite world of politics and the wider public sphere. Also, it provided extra fuel for the development of party politics from the 1670s. As Buchanan put it 'as a general rule, a multitude of people is a better judge of all affairs than an individual', even a king. (Buchanan 1579, 33). 'Participation in the institutions of the political realm' came long before Habermas's eighteenth century transformation of the public sphere (Habermas 1989, 231-5 and 1996, 28-31)

Printed public and political public developed simultaneously. The Revolution of 1688/9 saw the final defeat of court Catholicism, and therefore we would expect the last seventeen years of the Scottish Parliament, before it merged with that of England in 1707, to have been a relatively quiet period in the long campaign against seditious press activity. In fact the government was very anxious to control the press, seeking to censor subversive and disruptive material on the one hand and to produce official propaganda on the other (Mann 2000, 163-91). Parliament, however, had a dual responsibility to facilitate the policing of the press yet also to retain the context of debate essential in a period of complex and heated party politics (Brown 1992; and Riley 1979). Controlling the spread of information to the wider public sphere was a dilemma for members of Parliament, although there is evidence that some resolved this by banning books in public and distributing them in private. There was much to protest about and particularly the growing economic crisis.

Law is the foundation of censorship. The legal basis for censorship in Scotland, as in England, rested on two long-standing traditions. The first of these was the law of heresy, the preoccupation of canon or church law before the sixteenth century. Scotland's first anti-heresy law was passed in 1425 and it continued into the sixteenth century with the banning of the works of Luther in 1525. By 1560 canon and secular law had united against undesirable religious ideas. The second essential strand of censorship law was the law against 'leasing-making', comparable to the English crime of *scandalum magnatum*. 'Leasing-making' was the spreading of harmful ideas and untruths fomenting discord between the king, government and people. The statutory crime dates back to 1318 and from 1424 became treason and later from the 1550s became synonymous with slander, spoken, written or printed, of the Crown and government and not merely the king himself. Thereafter, throughout the early modern period, different Scottish governments took it upon themselves to interpret the law against printing or selling undesirable books with varied severity. The ultimate sanction of execution was rare in Scotland and was only ever applied to authors not book traders; even then almost all cases required the lifting of a sword as well as a pen, as in the cases of the extreme Presbyterians William Harvey (1682) and James Renwick (1688). There was no immediate or technical change in the law with the 1689 revolution, but demands for freedom of speech in Parliament, enshrined in the Articles of Grievance delivered by the Estates to William of Orange, helped encourage government moderation (Mann 2000, 163-6, 170, 182)

The Privy Council was the key executive body responsible for the day to day administration of book policy - this applied to serious trade disputes and copyright patents as well as actions over censorship (Mann 2000 ii and 1998). Nonetheless, the Privy Council always operated within a context created by parliamentary legislation. The censors understood that an act of parliament provided the most effective means of universal legitimacy. Using these laws at least seventy titles were officially banned in Scotland from the 1570s to 1708, the year of the demise of the Scottish Privy Council. Of these the vast majority were after the Restoration of monarchy in 1660. The intensity then built up from the 1680s. In fact twenty were banned in the 1680s; nine in the 1690s and fifteen in the years 1700 to 1708. However, whereas 60 % of banned

books were about church politics in the 1680s (and in previous decades church politics was the main target for censorship) in the 1690s the majority were related to secular politics and in the 1700s 90% were secular in nature (Mann 2000, 178-80). The defeat of Catholicism in 1689-90 is certainly reflected here, but so also is the feverish debate over secular policy. Equally, as those out of power criticised ministers, there was a growing government sensitivity to criticism during times of crisis.

Government prosecutions for illegal authorship, printing and bookselling were carried out mostly before the Privy Council or its committees, although occasionally Parliament, as in the 1661 case of Christopher Higgins, the royal printer, for printing *The Causes of God's Wrath* (1653), a book which blamed the woes of the nation on the immorality of the king! Of the fifty prosecutions that took place from the 1540s to 1708, twenty-nine took place from 1680 to 1708. From 1690 to 1708 seventeen cases arose involving three authors, six private individuals, who possessed the wrong books and eight book traders (ibid., 186-91). Never before in the early modern period had the government of Scotland been so successful in prosecuting printers.

Considering the context of this censorship activity, it is obvious to say that all aspects of the book trade were greater in scale in the 1690s than in previous decades: numbers of printers and booksellers and general distribution of stock both domestic and imported. Printing doubled in activity from the 1640s to 1690s (there were on average a dozen presses and thirty printers active in Scotland from 1690 to 1710) the scale of bookselling increased three times with about sixty known booksellers throughout Scotland by the 1690s (ibid., 214-24 and 2001). Thus it was essential towards the end of the seventeenth century to abandon notions of licensing the entire press and to concentrate on specific targets in terms of censorship.

At the end of the seventeenth century the Scottish censor was faced with an increasingly varied press output (Emerson 1995), much of it controversial. Part of government propaganda was, of course, to print proclamations and open letters between king and Council to explain official policy. Indeed, the greatest government print effusion of the period was reserved for 1689 and the Revolution. Declarations and proclamations spread and letters flew between two alternative monarchies and the Estates and Privy Council. For the next two years the Jacobite question, that is

whether James VII and II would return with the help of a French army, continued to dominate press output. Government measures against supporters of James ensured a large output of printed proclamations in 1690, along with news books of the conflict in Ireland culminating in Jacobite defeat at the Battle of the Boyne that July. Strangely, while government returned to something like normality in 1691, the appetite for books giving news from Ireland or the minute details of some judicial trial of a notable Jacobite was even greater (Mann 2000, 217).

The apex of government printing after 1689 was the year 1695 which witnessed one of the most hectic parliamentary sessions in the history of the Scottish Parliament. Measures were passed such as the foundation of the Bank of Scotland and the formation of a great trading company, the Company of Scotland, which vainly attempted to set up a trading post at Darien in Panama. Indeed, the issue that gripped Scotland from 1695 to 1700 was the Darien scheme. Some 15% of the press output of 1696 related to the subscription, recruitment and financing for the doomed project. In 1699, when the scheme began to collapse, a similar proportion of output, some anonymous, expressed resentment with the king, English Parliament and East India Company who were accused of cutting off financial, naval and colonial support (ibid., 218, Aldis 1970). The *Edinburgh Gazette*, which started in 1699 and was Scotland's first regular newspaper, stepped into the Darien controversy a few times. The government had trouble controlling the content of this newspaper, but it was no longer practical to suspend publication in the manner of the 1660s. Newsheets and diurnals were now too commonplace and a news blackout was beyond the means of the authorities. In any case an educated Scot was now expected to be familiar with the affairs and politics of the day. Information was a necessity for polite society and indicative of an expandingly literate and sophisticated public sphere.

The main targets of government censorship between 1690-1707 were undesirable information or 'false news' reflecting badly on the government, specifically the Darien affair; Jacobite pieces; Catholic books; blasphemy and books reflecting too heatedly on the union of the parliaments and fuelled nationalism. The government employed two methods to tackle undesirable pamphlets and tracts in the late 1690s: firstly, in October 1696, the Privy Council formed a 'committee for

searching for erroneous books' which arranged the searching of book traders premises and the approval of catalogues. Secondly, a new licensing act of council was agreed in 1697, which confirmed the sanctions of confiscation and banishment for offenders. However, these measures did not stem the censoriousness of the press. In June 1699, weeks after James Donaldson was granted the patent to publish the *Edinburgh Gazette*, he was arrested for printing 'untruthful' and unauthorised news. The next month the Edinburgh printer William Jaffrey was arrested by the Privy Council for printing a pamphlet protesting at the Darien fiasco (Privy Council Records).

The following year Parliament entered the fray. The MP William Seton of Pitmedden, an enthusiastic advocate for the benefits of union with England, was imprisoned for writing the pamphlet *memorial to the MPs of the Court Party* which questioned the status of the independent church and state of Scotland. Seton was released after a fulsome apology to Parliament. The same month the Privy Council sought the arrest of Walter Herries, author of various controversial pro-Darien tracts blending Jacobite sympathies which were banned by the government. Parliament set the huge reward of £6000 Scots for information leading to his arrest (APS vol.10).

Another weapon against Jacobitism was more government propaganda. Whig anti-Jacobite propaganda was overwhelmingly printed in London, which signifies the attempt at centralised information control by English ministers (Steele 1981). Authors such as William Fuller were used by King William to write spurious accounts of the birth of King James VII and II and to develop the traditional 'warming-pan' slur, suggesting he was not the true heir but spirited into his mother's delivery room. In Scotland the revival of 'moderate' Jacobitism, as seen in the Parliamentary election of 1702, which produced a hung parliament, made partisan Scottish printing too divisive.

In spite of the victory against court Catholicism in 1689, censorship of Catholic books returned to the agenda. The international context was the Nine Years War (1689-97) which, until the late months of 1695, was going the way of France and Louis XIV. Matters deteriorated markedly in 1696, especially in Edinburgh and the burgh of Aberdeen. In early 1696 the Council forbade commerce and communication with France, and enforced the seizure of horses and arms belonging to known Catholics. In March a warrant was given to the magistrates of Aberdeen to arrest a

‘Dr. John Jamesone ... and master John Abercrombie papist priests’, and three weeks later the lord advocate informed the council that three particular Catholic books had been discovered in Edinburgh. The provost of the burgh was instructed to have them burnt. Two years later the problem still festered in both burghs. A new Catholic cell had been discovered in Aberdeen along with ‘a great many popish books’, and a further cell was located in the capital, a group consisting mainly of merchants. (Privy Council Records). In November 1700 Parliament felt it necessary to produce a new statute ‘for preventing the growth of popery’ and the spread of mass books, which in legal precedent traced its ancestry back to 1579 and a hundred and twenty years of anti-Catholic censorship legislation (APS vol.10). The clergy were not, of course, silent on the question of press censorship whether or not they were present in Parliament (Mann 2000, 52-62). Bishops or no bishops the clergy sought parliamentary ratification for initiatives from the educational to the moralistic. Clerical alarm in the 1690s at the rise of blasphemy and the new heresy of Deism, belief in God but not in revealed religion, forced Parliament to revise the law of blasphemy in June 1695. Thomas Aikenhead, an Edinburgh student, was the only individual to suffer stage three of the code, death by hanging (APS, vol.9). Nonetheless, the heresy of Deism continued in Scotland well beyond the 1690s though never so extensively as in France and Germany.

In the four years before the union of 1707, Parliament itself became obsessed with a strange two-headed book policy consisting of national propaganda on the one hand and the suppression of extremist views on Anglo-Scottish union on the other. In the reign of King William a culture of lively political pamphleteering: pro-Jacobite, anti-English interference, aggrieved at the Darien fiasco and generally critical of the executive, soured the debate over parliamentary union. By 1702 Parliament was attuned to some raw emotions of popular ‘nationalism’. Private tracts on the merits of union had been published before 1703, but that year was crucial to the collapse of Anglo-Scottish relations and Queen Anne’s first abortive attempt to unite her parliaments. By 1705 matters deteriorated further. Firstly, England passed the Alien Act which, unless negotiations over union commenced, threatened the Scots with alien status in England and banned their exports. This was the year of the ‘Worcester

affair', where the Edinburgh government stood by as hysteria and popular resentment led to the seizure of the English ship 'The Worcester' and the judicial murder of the captain. This event of public revenge for Darien produced an stream of printed pamphlets with titles such as *Captain Thomas Green's Last Farewell to the Ocean and All the World, who was execute with Two More of his Crew... for Piracie and Murder*. Most condoned the harsh treatment of the English seamen. Anglo-Scottish relations were at their lowest point since the Cromwellian occupation.

That summer Parliament was also outraged at the publication of two offensive anti-Scottish tracts written by the Englishman William Atwood: *The Superiority and Direct Dominion of the Imperial Crown of England, over the Crown and Kingdom of Scotland* and *The Scots Patriot unmasked*. Both pamphlets were ordered to be burnt, but in the same month the Edinburgh government set about financing a 'nationalist' publishing campaign. Firstly James Hodges, who had written tracts questioning the union on economic grounds, was awarded £4800 Scots for producing works supportive of the prestige of the ancient kingdom of Scotland, including his *First Treatise on the Rights and Interests of the Two British Monarchies* (1705). Also, Parliament awarded the solicitor James Anderson £4800 Scots for composing his *Ane Historicall Essay shewing that the Crown and Kingdom of Scotland is imperial and independent* (1705). Also, a special ale tax was set for Glasgow to raise £3600 Scots to enable Anderson to prepare an account of the ancient charters and seals of Scotland (APS vol. 11).

Although in autumn 1705 the Scottish Parliament agreed to send commissioners to negotiate the union treaty, the 'nationalist' press persevered. In November Parliament set up a committee to monitor progress on Anderson's great work. This committee included the jurists Sir John Lauder of Fountainhall and Andrew Fletcher of Saltoun, the latter the most respected opponent of union with England. This committee of lawyers and union sceptics reflected the desire of many MPs to produce a symbolic record of the sovereign state and nation of Scotland and also the conflicting objectives and emotions of the Parliament. As the articles of union were voted on one by one, and troops were stationed to suppress rioting, anti-union tracts were suppressed and destroyed, yet so also was a pamphlet that claimed the

subordination to England of the Crown and kingdom of Scotland. With Parliament entered its final weeks the 'Anderson committee' reported on the need to supply Anderson with additional funds, and a further ale tax was set, this time on the lucky drinkers of Dundee (ibid.). Government commitment to publish this final volume of national iconography is one of the enigmas of Scottish print history, but it nonetheless reflects most clearly the interweaving of propaganda and censorship priorities. The Scottish Parliament from 1702 to 1707 had to balance its duty to prevent dissent with an instinctive desire to protect ancient rights.

It would be convenient to suggest that levels of Scottish censorship declined as the size of the book trade increased and governments, Parliament and monarchs became more enlightened, or conversely that it increased as the target became easier to hit. In fact the level of Scottish censorship did not so much get greater throughout the period as change in character. As the supply of books expanded optimistic, early efforts to license the entire press were replaced by the targeting of seditious literature dealing with specific topics. At the end of the seventeenth century this policy switch achieved a more effective administrative outcome which increased the number of prosecutions. Meanwhile, penalties for breaches were generally more moderate for, after 1689, the vitality of party politics and basic parliamentary arithmetic made it more difficult to banish all but the most extreme points of view. Nonetheless, if a few infamous executions are set aside with the misleading notoriety of some early and pre-1685 cases, censorship under William and Mary and Queen Anne was the most strident in early modern Scotland. It was an odd high point in the history of the Scottish book as the eighteenth century commenced: the government getting tougher and more efficient in censorship when simultaneously the press explosion was about to make the printed word entirely irrepressible. It was, however, a typical reaction of European institutions of government at the turn of the eighteenth century. All attempted to draw a new line in the sand that limited the scope for the public sphere at the very time that the language of dissent was more respectable and widespread. The philosophical interpretations of kingship and sovereignty and of the dialogues of public oath and published print were part of this complex social and political process.

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