

Alice Taylor, *The Shape of the State in Medieval Scotland, 1124-1290*, Oxford University Press: 2016, ISBN - 9780198749202, 525pp, £60.

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As a number of other reviewers have commented, this impressive and timely monograph – a development of Alice Taylor’s doctoral work of 2009 – does indeed represent the most significant contribution in a generation to the study of the development of government and law (the ‘state’ in anachronistic terms) in the emerging medieval Scottish kingdom. Moreover, it must prompt careful reassessment of much of our understanding of the twelfth and thirteenth centuries in that realm and beyond. It is a challenging but undeniably rewarding read, on many levels, a model in structure, historiographical context and the layering in and critical evaluation of complex, often seemingly contradictory records sources (many of them freshly translated and reconsidered by the author).

Its central and surely well-proven argument is that the establishment of the jurisdictional, legislative and enforcing institutional structures – if not always a participative culture - of royal central and locality government should be dated later than still generally assumed, and thus to significant developments between c.1160 and c.1230 (and especially c.1180x1220): these were evolutions also subject to temporal and regional variations south and north of Forth. This offers compelling questioning of the [GWS] Barrow-vian model of continuity through from governmental (and cultural) developments pioneered in the reign of David I (1124-53), building on the recent work of several historians (whose arguments Taylor often subjects to thought-provoking disputation in turn). As such this book, and Taylor’s recent articles, find kinship in their revisionist power with A.A.M. Duncan’s *The Kingship of the Scots, 842-1292: Succession and Independence* (2002) and the works of Dauvit Broun.

Readers of the present journal might first wonder what impact this important work must have on the understanding of the early history of representative assembly in medieval Scotland. The 2008 on-line *Records of the Parliament of Scotland to 1707* edition [RPS, www.rps.ac.uk] omitted the early laws of David I to Alexander II (1214-49), most of them extant if incomplete in later fourteenth-century texts (some already presented in article appendices by Taylor with a Stair Society edition forthcoming, *The Auld Laws of Scotland: Compilations of Royal Laws from the Thirteenth and Fourteenth Centuries*): we must otherwise rely on faulty composite texts in print in Thomas Thomson’s nineteenth-century *APS*. But Taylor’s work highlights several occasions when crown and community gathered in royal burghs to enact legislation which seemingly confirmed or laid further claim to the growing reach of the crown to subsume within its jurisdiction and authority (if not yet always institutions, officers and procedures) the customary powers and renders of local potentates and communities (mormaers, thanes and the *comitatus* – see Part One): for example Perth 1184 [pp. 201, 238], Edinburgh 1215 [p. 77] and most strikingly Stirling 1230 [pp. 273-95]. These earlier instances of consent(?) or input(?) by the political community in *colloquim* (Fordun’s material calls that of 1215 a *parliamentum*), not noticed in *RPS*, coincide with important developments in the language, form and powers of key crown officers, namely the regional justiciars (grown out of twelfth-century locality law

experts or *iudex*), sheriffs and chamberlain (always follow the money, and Taylor provides a fascinating chapter on 'Accounting and Revenue, c.1180-1290' at pp. 349-97). Just as with royal charters, written law and officials' procedure, more regular assembly could be a driver of change, enabling royal territorialisation and administration of its own demesne and aristocratic lordships. Yet at every turn Taylor sounds appropriate caution in exploring these developments as being to the mutual benefit of *all* the elites engaged and thus not necessarily as the root of crown-subject tensions, a consideration which must also reflect upon political studies of the later realm. Her closing chapter, 'A Bureaucratic Government?' and overall Conclusion re a picture of 'more limited and less intensive' royal governance of Scotland by c.1286 should thus be compulsory reading for all scholars of the (medieval) British Isles (as should David Carpenter's recent counterpoint view in Matthew Hammond ed., *New Perspectives on Medieval Scotland, 1093-1286* (2013)).

Taylor's book, though, will also inspire further inquiry in many directions. For the present reviewer it is striking that at least at first glance - just as with the governmental and legal developments emerging in the reign of Robert Bruce - many of the periods of key change discussed here, i.e. the 1170/80s, 1210/20s, coincide with periods of tension and close contact with (even subjugation by) England's evolving crown, government and laws. In that regard (further) study of some of the potential individual actors in framing and driving these governmental developments will be of interest, for example some of clerical Chancellors of William I (1165-1214) such as Roger de Beaumont, bishop of St Andrews (c.1178-89), and Hugh de Roxburgh, bishop of Glasgow (1189-99), leaders of a realm-wide institution also expanding its structures, procedures and cultural authority in tandem with the crown; or the rising lay regional crown servants who dominated Chancery under Alexander II, such as Sir William Lindsay (1233-49). On several occasions, Taylor provides fascinating proof of twelfth-century Scottish royal scribes' awareness of the legalistic and jurisdictional differences between Scotland north and south of Forth and in northern England, evidence which points up the varied pattern of change.

There is also the long-term legacy of early law to consider – often branded through the later 'invention' of founding father image of David I. At p. 128 Taylor highlights one such law detailing punishments for anyone shedding blood in the king's hall: this ranged from cró/cow compensation tallies depending on the rank of the victim if killed (thus as with many contemporary laws hierarchical, from the king and his heirs down through mormaer, thane, knight and peasant, and underlining how the crown worked with justice of the feud rather than sought to destroy it) through to the loss of the assailant's hand if only wounding occurred. Think back to Abbot Walter Bower's history, *The Scotichronicon* of the 1440s, and his cagey description of James I (1406-37) seeking to punish a 'certain great noble-man' for wounding another lord at court, ordering the victim to stab the palm of his assailant in return. James was a king who liked to revisit and represent old laws – just as Taylor shows us did William I and Alexander II – at the same time as seeking to drive on reform of crown legal and financial administration (drawing on English practice). Truly, then, a 'living law', complex and changing just as it relied on tradition and antiquity?

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