

# THE ARCHITECTURE OF SCOTTISH GOVERNMENT

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FROM KINGSHIP TO PARLIAMENTARY  
DEMOCRACY

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with contributions from Aonghus MacKechnie,  
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## CHAPTER ONE

# Community of the Realm: The Middle Ages

*Richard D. Oram*

### ANTECEDENTS

In this chapter, we begin by dealing with places in Scotland which lacked the formal, regularised architectural characteristics of the governmental and assembly settings of Mediterranean antiquity, and which have today mostly vanished. Yet here too, since the earliest times, the exercise of power produced a specialist architecture of power, however unfamiliar its forms may seem to us.

In Scotland, as in other prehistoric societies throughout Europe, rulers and chieftains underscored their authority through the buildings in which they based themselves. Hillforts, for example, provided a striking visual declaration of the might of the tribes and their rulers, while the building of brochs proclaimed the aspirations of potentates on a more local level. In both, however, it was the fortification which gave physical weight to the notional authority of their occupants. Over time, a greater sophistication emerged in their planning, with a hierarchical use of the internal space – where inner 'lordly' citadels were divided from outer enclosures which housed the lesser members of the community and the industrial complexes – serving to lend greater psychological impact to the projection of lordship.<sup>1</sup> Such sites functioned as more than simply fortresses, acquiring a symbolism in the records of the time as centres of power and seats of administration and economic wealth.<sup>2</sup> Within them, kings and rulers constructed formal settings for the projection of their might through ceremonial occasions and, most importantly, feasting.

There is little excavated evidence for these buildings, but glimpses of what comprised such a kingly site can be seen fossilised in early writings. St Columba's biographer, Abbot Adomnan of Iona, for example, although he himself may never have visited the Pictish royal centre near Inverness, gives some ideas of what he, writing in the 690s, expected Columba to have seen there in the 560s. He describes it as a strongly fortified site which contained both a 'royal hall', used for formal feasting, and a separate king's 'house'. Perhaps significantly, however, Columba's meeting with the Pictish king took place in the open air.<sup>3</sup>

As in Rome, open-air assemblies played a vital part in the ceremonial and practice of early Scottish kingship. One function of such occasions was the public proclamation of law. The making and issuing of laws are amongst the oldest attributes of medieval kingship, and reports of their enactment in Scotland are as ancient as the kingdom itself. The promulgation of a new law code would have been a stage-managed, ceremonial affair at one of the traditional seats of kingly power. In c.860, for example, Domnall mac Ailpin (Donald I, 858–62), introduced the laws of the Scots to what had formerly been Pictland in a highly symbolic ceremony at Forteviot, the ancient centre of the kings of Fortriu.<sup>4</sup> The choice of site was surely not coincidental, for the landscape around Forteviot possessed a ritual significance stretching back into the Neolithic period, and had evidently been developed as a major royal centre under the last two generations of the powerful and sophisticated Pictish monarchy of the early ninth century.<sup>5</sup> Here was a seat of power already nearly four millennia old by the time that Domnall proclaimed his law code.

In the absence of more detailed archaeological examination, it is difficult to discuss centres of early Scottish kingly and lordly power other than in generalisations, but it is arguable that in the later eighth and earlier ninth centuries kingship, particularly within Pictland, was undergoing rapid evolution. From the reign of Oengus I mac Fergus (729–61), a politically sophisticated clergy had aligned itself with politically ambitious rulers, with the church promoting the concept of a 'national' monarchy in place of the somewhat shadowy regional kingdoms. By the early 800s, influences from late Roman Imperial and Carolingian traditions of authority were permeating Picto-Scottish society. This can be seen most clearly in the emergence of a dynastic succession to the kingship.



There can be no doubt of the centrality of the church to the spread of these ideas: a stable and secure monarchy in the European tradition provided the best environment within which the ecclesiastical hierarchy could develop and extend its influence. In return for royal protection and the identification of kings with the work of the church, the church gave the divine 'seal of approval' to rulers and sanctioned their exercise of kingly power. This is revealed in the reigns of Constantine mac Fergus and Oengus II mac Fergus, where major new ecclesiastical centres were founded at Dunkeld and St. Andrews by monarchs who were assuming the attributes of continental kingship.<sup>6</sup>

Continental, and also Anglo-Saxon, influences were not restricted to abstract concepts such as the nature of kingship or to the exercise of kingly power, but had a broader impact on the physical manifestations of authority, most obviously in the architecture of power. With the exception of a magnificent sculptured archway from a now lost ninth-century church, the buildings of the palace complex at Forteviot have vanished, possibly swept away by river erosion. Analogy with other near-contemporary sites elsewhere in Britain and Europe, however, allows a rough idea of the physical layout of Forteviot to be obtained. Its main component would have been a ceremonial hall, a descendant of the absorption into barbarian cultures of the Roman basilican tradition, as was the case at Yeavering in Northumberland and the great Carolingian palace-complex at Ingelheim in Germany, which would have served as 'a great visual theatre for the display of royal power'.<sup>7</sup> Excavated examples of such halls, as at Doon Hill near Dunbar, or where identified through aerial photography, as at Sprouston in Roxburghshire, lie further down the social scale but give a fair impression of the physical layout of such complexes.<sup>8</sup> At Sprouston, a substantial aisled hall with separate, smaller annexes at the opposed gable ends lay at the heart of one phase of the developed complex. Such halls form a distinctive element within Germanic lordly society, but drew their inspiration ultimately from the Roman forms.<sup>9</sup> Within Picto-Scottish territory, no such hall has been identified with certainty, but the cropmark site of Monboddoo near Laurencekirk in the Mearns, detected through aerial photography, would seem to indicate their existence.<sup>10</sup> Built of timber, these structures have left no upstanding remains, but some impression of the interior of an aisled hall of this kind, albeit in stylised form, can

be obtained from the sculpted hog-back gravestone in the churchyard at Luss in Dunbartonshire.<sup>11</sup>

Central though the hall may have been to the exercise of certain attributes of early kingship, it is also clear from Forteviot that the major Neolithic ritual monuments in the landscape around it must have played a significant and active rôle in its functioning. It has been suggested that the earthworks of the henges were still upstanding and that while 'there can be no question of direct continuity of function ... the social elites may have deliberately used or associated themselves with these monuments of the past in order to both promote and legitimise their own interests'.<sup>12</sup> Such association between the monuments of remote prehistory and the vocabulary of power in early medieval Celtic society has been little explored in Scotland, but it is a clearly recognised commonplace in relation to Irish kingship, with key royal centres such as Tara and Knowth sited in the midst of Neolithic and Bronze Age ritual complexes.<sup>13</sup> It is a pattern of 'historical landscape' which is recognisable throughout the Middle Ages, where for example Robert Bruce sought to strengthen his royal legitimacy through direct association with the Canmore past, and down to the present, with attempts at the political exploitation of traditional symbols and historic architectural settings of nationhood.

Used as we are to the location of our courts of law and seats of government in splendid and architecturally symbolic buildings, we have failed in the past to give due recognition to the continued importance throughout the Middle Ages, as in classical antiquity, of open-air settings for these most vital of public functions.

Although halls were important stages for displays of kingly power before assemblies of nobles and churchmen, they were not unique. This can be seen more clearly at the main rival to Forteviot as the seat of kingly power in early historic Scotland: Scone.

Scone has a recorded history extending back to the early eighth century, but the site was largely developed as the inauguration place of Scottish kings from the time of Cinaed mac Ailpin (Kenneth I, 843–58).<sup>14</sup> Here the ceremonial focus evidently lay out of doors on the low mound now known as the Moot Hill, but earlier referred to as the Hill of Faith or Hill of Credulity.<sup>15</sup> This hill possessed a more general significance as a place of assembly and law-giving, it being here in c.906, for example, that Constantin mac Aeda (Constantine II, 900–43) and Bishop Cellach of St Andrews confirmed the application

1.1. Reconstruction  
plan of Scone Abbey  
and its environs.  
(RCAHMS DC 25143)

I.I. Reconstruction plan of Scone Abbey and its environs. (RCAHMS DC 25143)

FIGURE REMOVED – DUE TO COPYRIGHT RESTRICTIONS



of the laws of the Scots to 'the laws and disciplines of the faith, and the rights in churches and gospels', thereby setting their seal on the takeover of Pictish society.<sup>16</sup> Writing of early eleventh-century events in the late fourteenth century, John of Fordun described the 'Moot Hill of the royal seat of Scone' as a place 'where the kings, sitting in their royal robes on the throne, are wont to give out judgements, laws and statutes, to their subjects'.<sup>17</sup> To Fordun, moreover, Scone was 'the chief seat of government' of both Pictish and Scottish kings.<sup>18</sup> It preserved a major ceremonial significance as late as the coronation of King Robert II in March 1371, when, after the crowning and anointment ceremony in the abbey, the following day '... the King seated in the royal seat upon the hill of Scone as is customary, there gathered and compeared in his presence the prelates, earls, barons and nobles ... who all made their homage' to him.<sup>19</sup>

Scone's importance as a seat of power, if only as the location of the king-making ritual, extended over six centuries until its abandonment as the site of royal inaugurations in the fifteenth century, while Forteviot lost its royal significance earlier in the twelfth century.<sup>20</sup> The royalty of these sites, however, has obscured their original significance as the *loci* for assemblies. Indeed, it seems that this associated royalty overwhelmed and subsumed all other functions, with the result that when that royal rôle was withdrawn, both sites lost all significance as judicial or legislative centres. Elsewhere, however, glimpses can be had of the survival of ancient places of assembly into the later Middle Ages. In the 1380s, for example, the Neolithic standing stones at Easter Kingussie functioned as the setting for the head court of the lordship of Badenoch, itself the thirteenth-century political successor of a more ancient unit.<sup>21</sup>

#### BUILDING CONSENT: THE TWELFTH CENTURY

The traditions of early kingship remained strong in Scotland down to the eleventh century, when growing Anglo-Saxon influences began to remodel the exercise and function of authority. The settings of power, however, appear to have changed little from the ninth century, with monarchs still based on the major royal sites which had evolved under the Picto-Scottish monarchy. Indeed, there had evidently been little change in the architectural vocabulary of lordship, although there had

been developments in the technical nomenclature. Lightly fortified complexes centred upon a hall appear to have remained the dominant tradition for all senior ranks in the hierarchy of power from the king through the mormaers – quasi-regal rulers of provinces – to the thanes.<sup>22</sup> The pace of change, however, accelerated sharply from the late 1060s onwards, following the marriage of Malcolm III (Maelcoluin MacDonnchada, 1058–93) to the Anglo-Saxon princess, Margaret. With Margaret and her family came a small but significant group of English émigrés, whose influence in the royal household resulted in the introduction of Anglo-Saxon social and cultural forms, quite disproportionate to their numbers or political weight. Although interrupted in the period 1093–7 by the violent cultural backlash which followed Malcolm's death, the imported traditions had become embedded in the king's family. Once restored to authority in Scotland with the backing of the English crown, the Canmore dynasty identified themselves even more closely with the governmental traditions of the southern kingdom.

Consultation by kings with the great lay and ecclesiastical figures of their realm grew through the twelfth century. Although there was no formal vehicle for this process of consultation, there was growing recognition of the responsibility of kings to seek counsel and advice from their magnates on weighty matters of state.

Following European, and more particularly English, practice, with which the kings of Scots were personally familiar from the early 1100s, the root of this lay in the *curia regis*, the king's court, made up normally of the major office-holders, such as the chancellor and chamberlain, and the core of professional clerks and knights of the king's household.<sup>23</sup> This court had a variety of functions, including judicial responsibilities, the auditing of royal finances, and a straight advisory rôle. It can be seen working in the last capacity in 1198 when the king's *curiales* – courtiers – in court at Forfar advised him on the selection of a suitable candidate for the abbacy of Scone.<sup>24</sup> It evidently, too, fulfilled an important advisory rôle in cases involving inheritance and property disputes, as in 1213, when the court at Edinburgh was the venue for the settlement of a dispute over the earldom of Menteith.<sup>25</sup>

It is quite wrong to think of the *curia regis* as an institution meeting with the formality of tradition with which we are still familiar through modern law courts. Arrangements were much more *ad hoc*, the evidence from England suggesting that the king might simply take



counsel from the men standing around him, while the example of Louis IX of France sitting under the oak tree at Vincennes, with his courtiers seated around him on the grass, and decreeing that anyone, regardless of rank, could approach him for justice, stresses the potential informality of medieval royalty.<sup>26</sup> This ease of personal access to the king in an appeal for royal justice was also demonstrated on occasion in early medieval Scottish kingship. In his obituary of King David I (1124–53), Abbot Ailred of Rievaulx described how ‘when ready to go a-hunting, his foot was placed in the stirrup and he wished to mount his horse, yet at the voice of a poor man requesting that an audience be given him he drew back his foot, left his horse and returned to the hall . . . and kindly and patiently heard the case for which he had been appealed to’. And that ‘he was accustomed to sit at the entrance of the royal hall, and diligently to hear the cases of poor men and old women, who on certain days were called to him singly, in whatever district he came to . . .’<sup>27</sup> Although such setpieces of direct access may have been occasional and staged, and although the dispensing of justice was a different matter from the taking of counsel by the king himself, such accounts should warn us against picturing any formally organised assembly gathering in a specialised meeting-place. Nor need the chambers in which they gathered have been particularly large, for there is no evidence for specialist furnishings being required until the later Middle Ages. Indeed, it is quite likely that on many occasions most of the participants – other than the king – would have remained standing, further reducing the requirement for space. Certain business required wider consultation, when this inner core of the court was expanded by the summoning of members of the senior nobility and clergy. This can be seen in Malcolm IV’s 1160 Christmas court at Perth, which was swollen by the attendance of six bishops, seven abbots, three priors, two archdeacons, a dean, five earls and four barons.<sup>28</sup> The dominance of clergy on that occasion was a result of those who had attended the consecration of the bishop of St Andrews joining the king for the Christmas festivities. Councils which discussed primarily secular business were, in turn, dominated by the magnates.<sup>29</sup>

In common with other European states of this period, there was no fixed location for meetings of the *curia regis* or larger councils. The largely informal nature of the body meant that its core could accompany the king as he travelled around the kingdom. Courts were

held practically wherever there was a royal residence, evidently within the king's castles where there was presumably both a suitable hall-like venue and adequate accommodation for an enlarged household. Naturally, the key royal strongholds or particularly favoured residences, such as the castles of Edinburgh or Stirling, occur throughout the twelfth and thirteenth centuries most frequently as meeting-places of the *curia regis*. The scale of some of the venues, however, warns us against picturing such occasions as grand affairs. It has recently been argued that the site of Forfar Castle, one of the favourite residences of Scotland's kings, where courts and councils met throughout the twelfth and thirteenth centuries, is now 'enclosed within the back garden of an average town house'.<sup>30</sup> The personal nature and essential informality of royal government at this date must not be forgotten. Business was conducted wherever the king happened to be, as is evident from the number of charters issued throughout the Middle Ages from royal hunting-lodges.<sup>31</sup> This parallels the situation in England, where royal hunting-lodges, such as Woodstock in Bedfordshire and Clarendon in Wiltshire, the latter close to the twelfth-century centre of English government in Winchester, accommodated key assemblies in the reign of Henry II.<sup>32</sup> At Clarendon the nucleus of the palace complex was an arcaded great hall, aisled like the nave of a church, which served as the meeting-place of Henry's councils. There were halls of this form at most of the major English royal residences – for example, Winchester and Westminster – and it is probable that the architecture of the chief Scottish royal sites, certainly from the reign of David I, who had started his career in the household of his brother-in-law, Henry I of England, was modelled closely on English practices. Unfortunately, the wars which ravaged Scotland from 1296 onwards saw the destruction of most of these traditional royal foci. Only some shapeless masonry fragments atop a scarped earthwork remain of the early castle at Clunie between Dunkeld and Blairgowrie, which was developed as a royal hunting-lodge from the reign of David I, who issued a charter there,<sup>33</sup> but especially by his grandson, William.<sup>34</sup> Of Kincardine near Fettercairn, foundations and low walling survive at the castle site developed originally by William in the late twelfth century, but probably rebuilt in stone by his son, Alexander II, whose major residential development at Kinclaven on the Tay above Perth likewise survives in a fragmentary state. Elsewhere, subsequent phases



of rebuilding have obliterated or obscured any remaining traces of the twelfth- and thirteenth-century layouts.

In the period 1174–89, the choice of some locations was dictated by the loss of the more traditional settings following William the Lion's surrender to Henry II in the Treaty of Falaise, which obliged him to hand over the castles of Berwick, Edinburgh, Jedburgh, Roxburgh and Stirling, if required to do so by his overlord. Jedburgh and Stirling were never occupied by an English garrison, but Henry chose to exercise his right over the remaining three: Edinburgh was held until 1186, and Berwick and Roxburgh were not returned to William until 1189. In place of Edinburgh, William made greater use of residences at Haddington and Linlithgow, the former being the scene in March 1181 of a major assembly.<sup>35</sup> At neither does any trace of the early royal residence survive.

A few assemblies in this period were both larger in scale and of longer duration, on account of the importance of the business under discussion. In 1182, for example, an unlocated three-day assembly discussed the vexed issue of the disputed election of a new bishop of St Andrews.<sup>36</sup> The two most important assemblies of the period, however, in 1188 and 1189–90, congregated in places which had no clearly royal associations and which lacked obvious buildings in which such gatherings could meet. The first was at Birgham, a minor settlement on the Tweed between Kelso and Coldstream which enjoyed some status in the twelfth and thirteenth centuries as a meeting-place on the Border, made famous by the two parliaments there in March and July 1290 which agreed the marriage of the Maid of Norway to Edward, Prince of Wales.<sup>37</sup> There was neither castle nor parish church at this place, nor any surviving evidence for some alternative substantial structure, such as a teind barn. This suggests that 'the king of Scots himself with almost all the bishops and earls and barons of his land, and with an endless multitude of his vassals' might have met in the open air, foreshadowing Louis IX of France's *al fresco* councils; or there may have been tented accommodation, which could have facilitated committee-like discussions in smaller sub-groups. The second of these assemblies took place at Musselburgh in late 1189 or early 1190 to discuss the raising of a tax to pay the 10,000 merks promised to Richard I of England for his cancellation of the Treaty of Falaise.<sup>38</sup> Musselburgh does not appear to have been a royal burgh in the twelfth century and by the early fourteenth century was

a burgh under the abbot of Dunfermline, which implies again that there was no obvious focus in the form of a royal castle at which this assembly could gather. The parish church may have provided a suitable venue, but there is still the problem of why such a minor location should have been the meeting-place for so important an assembly when the royal centre of Edinburgh lay so close. Late fourteenth- and fifteenth-century accounts locate this meeting in Holyrood Abbey, an altogether more likely venue for a gathering of the prelates and magnates of the realm, but the assembly of a second council at Musselburgh in 1201 indicates that the twelfth-century evidence cannot be discounted.<sup>39</sup>

#### THE THIRTEENTH CENTURY

The last decade of the long reign of William the Lion saw a burst of activity, concerned primarily with the deteriorating relationship between the Scots and John, king of England. On 24 May 1209 a great council at Stirling, evidently in the castle there, discussed negotiations then in progress with John.<sup>40</sup> In September that year, the great council assembled at Perth, possibly in the parish kirk of St John, to discuss the levying of an aid to pay the 15,000 merks promised by the Scots under the terms of the Treaty of Norham which had arisen from the earlier negotiations.<sup>41</sup> The assembly, however, was literally a washout, for the rivers 'Tay and Almond flowed right through the greater part of the town . . . called Perth . . . king William, his noble son Alexander and his brother the earl of Huntingdon left the same town in a very small boat and looked for dry land, accompanied by a very few of the magnates who happened to be there at that time. Some others among the nobility of Scotland who had likewise been in the same town only just escaped, saving themselves as best they could in small boats or upper rooms'.<sup>42</sup> The Perth council was, understandably, abandoned, and in October/November 1209 reassembled at Stirling, where the arrangements for the aid were finalised.

In the reigns of Alexander II (1214-49) and Alexander III (1249-86) the first records occur of gatherings styled (in Latin) *colloquium*.<sup>43</sup> The word means literally 'a talking together' – the same as the French *parlement*. Indeed, in England during this same period the two terms were used interchangeably in official records. In



Scotland, however, the Latin term prevailed until the reign of John Balliol (1292-6), a consequence, it has been suggested, of the limited use of French among the ruling élite of the kingdom.<sup>44</sup> It is unclear what exactly differentiated a *colloquium* from one of the earlier great councils, for they appear to have been concerned primarily with the same general business of policy, diplomacy and justice. In contemporary England, parliaments were regularly summoned to give assent to the growing financial demands of the crown, which led by the end of the thirteenth century to an enlargement in membership. Taxation was rare in thirteenth-century Scotland and does not appear to have borne heavily on the business of *colloquia* or parliaments until the fourteenth century, particularly after 1326 when parliamentary assent was given to an annual tax for the support of the king for life. This expansion of the financial aspect of parliamentary business then resulted in a broadening of membership, with burgess representatives being summoned infrequently down to 1357 and then on a regular basis thereafter.<sup>45</sup> Only eight meetings described as *colloquia* can be identified for the whole of this period, the first in 1235, supplemented by a handful of meetings of an enlarged royal council called together to discuss urgent business which demanded a speedier response than would be possible if a parliament had to be summoned and assembled. There were probably other, unrecorded assemblies, for example in 1236-7 in the course of the negotiations which led to the 1237 Treaty of York. In 1242, moreover, there were three assemblies to which the name *colloquium* is not applied, but which had clear parliamentary characteristics. The first, in July at Perth, began as an ecclesiastical council attended by all the bishops and senior clerics, but as its business was concerned mainly with the activities of secular magnates who were 'harassing them over teinds and the privileges of the church', the presence of the king, earls and barons of the kingdom had been requested.<sup>46</sup> It is probable that this assembly gathered in St John's Kirk, or the burgh's new Dominican convent (house of friars), which had been founded c.1231. The council met in the midst of the growing crisis which followed the suspicious death of Patrick of Atholl at Haddington: the earls took the opportunity to demand royal action against the supposed perpetrators of the act. Under pressure from his nobility, Alexander assigned a date for an assembly at Forfar 'for mature deliberation and discussion of the evidence'.<sup>47</sup> No final decision was made on that occasion, the king instead continuing the



assembly to Edinburgh on 26 November, when a formal sentence made with 'the judgement and advice' of the nobility was delivered.<sup>48</sup> Here, the formal advisory and judicial roles of the royal council are unequivocally demonstrated.

Throughout the thirteenth century, councils and *colloquia* appear primarily in these roles rather than as legislative bodies. While there was also a legislative function in its activities, as well as a consensual role where raising of finance was involved, it is as a court that such an assembly emerges most clearly in contemporary records. This should warn us against looking to England as the chief source of influence in the development of the Scottish parliamentary tradition, as the institution which was evolving in thirteenth-century Scotland is in many ways closer to the French model of the *Parlement* of Paris. There, a role as a primarily judicial venue began to predominate under Philip II (1180-1223), but it was the reign of Louis IX (1226-70) that saw the *Parlement* emerge as 'the French royal court of appeal', with its judicial function eventually displacing its earlier advisory and legislative capacity.<sup>49</sup>

It is also perhaps no coincidence that the more regular summoning of *colloquia* gains pace in the reign of Alexander II. This may be an accident of survival in the documentary record, but it does bear close correspondence to the development of the organs of church government in Scotland after 1215, in particular to the emergence of the provincial council of the church.<sup>50</sup> This should come as no real surprise, especially considering the ecclesiastical influence within the royal court, where, for example, the chancellorship was controlled from 1231 to 1247 by William de Bondington, bishop of Glasgow from 1233. Bondington and David de Bernham, bishop of St Andrews, formerly Alexander II's chamberlain; moreover, were intimately familiar with the growing conciliar tradition within the continental church, which had sprung from Innocent III's Fourth Lateran Council of 1215; both set out to attend a council at Rome in 1241 and in 1245 de Bernham attended the First Council of Lyons, an assembly in which much of the business was devoted to discussion of technical matters of law and procedure, and where the financial demands of Innocent IV's papacy were brought under debate.<sup>51</sup> The council was not simply or purely an ecclesiastical forum, its business having a profound impact upon secular affairs and the kings of Europe intervening actively in its debates. Scotland's uniquely close

relationship with the papacy in this period, therefore, may have encouraged the quite rapid percolation of ideas concerning the form and function of conciliar government. De Bernham, certainly, was a regular holder of councils within his own diocese, using these assemblies to reform, discipline and organise its administration. The experience of these senior clerics with the precedents of ecclesiastical councils, therefore, may have had a profound influence upon the evolving parliamentary tradition in Scotland, not least in the siting of assemblies. The Lateran Councils, for example, gathered in the great late Roman basilica of St John Lateran in Rome, a building which physically embodied the close identification of imperial power with ecclesiastical authority, while subsequent councils – for example, Lyons (1245 and 1275) or Vienne (1311) – assembled in the archiepiscopal cathedrals of the cities in which they were held. In general this period, as noted in the Introduction, saw the secular power of the Church at its height, across Europe.

Including the ecclesiastical council at Perth, all the recorded Scottish *colloquia* which can be given a precise location within this period occurred at what had emerged as the chief centres of royal government in the later twelfth and earlier thirteenth centuries. What were already the main royal castles, Edinburgh (in which the royal archive and treasury were located)<sup>22</sup> and Stirling, appear to have dominated as the chief meeting-places, but the still highly peripatetic nature of kingship meant that some of the more outlying and smaller royal castles, such as Forfar, served for meetings of councils.<sup>23</sup> Although we have no firm evidence, it can be assumed that it was in the great halls of these castles that the *colloquia* met, while the king's chamber may have sufficed for meetings of his council. In one way, this parallels the situation in thirteenth-century England, where, although London and Westminster were already acquiring their domination of parliamentary life, there was also no fixed venue for assemblies. There, however, the twelfth-century precedent of holding councils in the major royal castles and palaces had been effectively abandoned – with the obvious exception of Westminster – probably as a consequence of the rapid expansion in the scale of parliaments after 1216. By the middle of the thirteenth century, ecclesiastical venues had won favour. In 1259, for example, parliament met in the New Temple at London, where presumably the hall-like qualities of the Temple church or the accommodation provided in the associated



buildings marked it out as a suitable setting, while in 1263 it met within St Paul's Cathedral.<sup>54</sup> At Bury St Edmunds in 1267, it was the monastic refectory of the great Benedictine abbey which was pressed into service.<sup>55</sup> There, clearly, it was less the royalty of the venue than the demands of accommodation which determined the location of meetings.

From the following century there is continental evidence for the regular use of monastic refectories as the meeting places of representative assemblies. In the kingdom of Naples and Sicily, for example, Robert of Anjou commenced work in 1310 on the convent of Santa Chiara, which was consecrated in 1340 and became both the burial place of the Angevin kings of Naples and the venue for meetings of the royal council within the refectory. These met there regularly until 1442, when that role was assumed by the refectory of the monastery of San Lorenzo Maggiore, founded in 1265 by King Charles I; the Neapolitan parliament met there until the Napoleonic conquest of southern Italy in 1806. Although there was space in abundance in Charles I's great fortress residence of Castel Nuovo, a conscious decision was taken to make use instead of a monastery with close connections with the ruling dynasty; the shift to San Lorenzo Maggiore was a direct consequence of the capture of Naples by Alfonso of Aragon in 1442 and represented a deliberate break with Angevin tradition.

At Bruges, the refectory of the Carmelite convent was used as the formal assembly-place of various national merchant groups, particularly the German Hanse and Catalan merchants, but possibly also the Scots, until the construction of the Oosterlingenhuis as a specialist venue in 1478. Clearly, the conventional modern image of the monastic precinct as a closed area, free from external secular influences, is quite wide of the medieval reality. Even the heart of the cloister was accessible to, and used by, lay people as the venue for the gathering of merchant guilds, local or national legislative assemblies and secular local tribunals. In Scotland, there is only scanty thirteenth-century evidence for such use of religious buildings as venues for secular assemblies. The fragmentary nature of the written record, however, may conceal a more regular function of such buildings for lay gatherings. There is, for example, an isolated and undated reference to the meeting of a legal tribunal at Holyrood Abbey in Alexander II's reign. This was a lay judicial assembly, where

various of the *iudices* of Galloway and of Scotia (the region north of the Forth-Clyde isthmus) gathered in the chapter house of Holyrood to give judgement on Gilleasbuig Mahohegan or Macihacain for his rebellion against the crown.<sup>6</sup> This was purely secular business and touched directly on the king's person and, while members of the Gaelic professional legal class issued the judgement, it is unlikely that they were operating outwith the context of the royal court. Why the judges gathered in the chapter house of the abbey rather than in the castle or some other secular venue within the adjacent burgh can only be guessed at, but it is possible that the judgement formed an item of business of a larger and otherwise unrecorded royal assembly, perhaps connected with the suppression of the Galloway rebellion in 1235 and the partition of the lordship inheritance there between the heiresses of the last native lord. Laconic though this one reference is, it does indicate that the cloister of at least one major Scottish monastery was accessible to, and used by, lay assemblies in the thirteenth century, and suggests that Scotland was in line with contemporary European practice.

The royal great halls also played a key role as venues for assemblies. Today's popular imagination, aided by Sir Walter Scott and Hollywood, sees the great hall as primarily a feasting chamber but, although lavish entertainment was a significant attribute of kingship in the Middle Ages, this function was subsidiary to its primary role as a chamber of state, where the king – in direct continuity of early medieval practice – would hold court both literally and figuratively. Again, we should not picture these chambers as being fitted up with formal fixed furnishings in the later Westminster tradition; perhaps only the high table at the dais end of the hall had any permanency. After all, most early medieval Scottish parliaments lasted for less than a week. Certainly, later medieval exchequer accounts reveal that the major royal halls at Edinburgh, Linlithgow and Stirling were provided with removeable trestle tables and benches. There appears, too, to have been a removeable 'bar', a barrier which separated the formal assembly within the hall from a small area near to the door into which non-members of the council could be admitted if called upon to give evidence or expert legal opinion. We should, thus, probably picture such assemblies as a cluster of nobles and clergy gathered round the king, some seated on benches, others standing, with minor figures, such as the clerks who recorded the



proceedings, seated on the floor.<sup>57</sup> The general arrangement was similar to the smaller assemblies of Greek antiquity, but, crucially, the direction of sovereignty was reversed; in Greece the presiding individuals were the servants, rather than the rulers, of the assembly. Comparisons between Scottish governmental institutions and those of antiquity would later begin to assume importance under the Stewarts, with the growing tendency to appeal to classical symbolism of imperial power. But in the twelfth and thirteenth centuries it was, above all, as multi-function ceremonial spaces that the royal halls should be seen, as the settings for ceremonial feasting, investitures, councils and parliaments. None of these early halls has survived in any recognisable form in Scotland, but some impression of their scale and sophistication can be gauged from the restored mid-thirteenth-century hall of the kings of Norway at Bergen, or, closer to home, in the much-altered English royal castle at Dublin, developed from the time of King John (1199–1216) as the seat of English government in the island and where Henry III ordered the construction of a great hall some 37m long.<sup>58</sup>

In Scotland, the nearest parallels are the halls of the greater magnates, best represented in the remains of the earl of Mar's hall at Kildrummy in Aberdeenshire.<sup>59</sup> Like royalty, the earls required a formal ceremonial setting in which to display their power and authority. For them, too, the great hall was more than just a glorified dining-hall in which the extended comital household could assemble *en masse* for meals, for it served as the assembly-place of their law courts and meeting-place of their councils. Indeed, possession of such a hall was evidently viewed as a requirement of their status and remained so into the fifteenth century. The elevation in 1372 of John Dunbar to the earldom of Moray, for example, was followed by the provision of a magnificent new hall at his chief castle of Darnaway. Archibald, 3rd earl of Douglas, and Archibald, 4th earl of Douglas, displayed their status in the halls built at Threave and Bothwell respectively. Even as late as the 1460s, possession of a major ceremonial hall was viewed as an attribute of magnatial power, as was perhaps reflected in the building of a splendid new hall range at Dean Castle by Robert, Lord Boyd, who controlled both the person of the king and, as a consequence, the government of Scotland, in the period 1466–9.<sup>60</sup>

In 1248, parliament met on 1 August in the royal castle at



1.2. Darnaway Castle, 1965 view of Great Hall. (RCAHMS MO/214)

FIGURE REMOVED – DUE TO COPYRIGHT RESTRICTIONS

Stirling.<sup>64</sup> For the first time, we can glimpse the assembly in action, with subsidiary business being transacted away from the formal meetings. On this occasion, a property dispute was settled by arbiters in the *colloquium* proper, which probably met in the great hall of the castle, with the settlement being finalised in the presence of the two parties involved and 'many others' in the king's chamber. At Edinburgh, however, it was not solely the castle which accommodated parliament. In January 1285, the *colloquium* had assembled in the church of Holyrood, perhaps because a larger attendance than could be accommodated comfortably within the castle had been summoned to discuss the pressing issue of the royal succession following the death of Alexander III's heir apparent in January 1284 and the question of the king's remarriage.<sup>65</sup>

The ten years which followed the death of Alexander III in 1286 saw a flurry of conciliar activity which preserved an image of continuity. In this period, the Augustinian abbey at Scone, the inauguration place of Scottish kings, first emerged as a meeting-place for *colloquia* and councils. There had been assemblies here in 1214 and 1249 for the inauguration of kings Alexander II and Alexander III, which, although not strictly *colloquia*, were used by the assembled political community to discuss pressing affairs. This was the case in 1249, where the assembly witnessed the opening moves in the prolonged conflict between Alan Durward, Walter Comyn and their supporters for control of the government of the child-king, Alexander III.<sup>66</sup> A regular or formal role for Scone as a place of assembly, however, did not emerge until the 1280s. Council met there in February 1284, one month after the death of Alexander III's son, and settled the succession on the king's grand-daughter, Margaret of Norway.<sup>67</sup> The implicit 'royalty' of the location may have influenced the decision to summon parliament here on 2 April 1286, two weeks after the king's death, to discuss the succession and formalise arrangements for government in the absence of a monarch.<sup>68</sup> That status, too, may have lain behind the decision of John Balliol, who had been inaugurated king there on 30 November 1292, to summon his first parliament at Scone in February 1293. Underlying this, however, may have been the continuing strong influence of ecclesiastical conciliar precedent, most recently displayed in the Second Council of Lyons of 1274, and reinforced after 1286 by the powerful rôle of the episcopate in the government of the kingless kingdom.

1.2. Darnaway Castle, 1965  
view of Great Hall.  
(RCAHMS MO/214)



Balliol's four-year reign was characterised by administrative continuity from the reign of Alexander III, and by maintenance of the steady expansion of the instruments of royal government – in the form of sheriffdoms – into the western periphery of the kingdom. There were, however, some significant changes, for the most part a consequence of his importing of several key officials from his English-based household. Clerks who had served both his mother, Dervorguilla, and himself in the administration of their extensive properties, were introduced into Scottish royal government. Amongst the most important of these was Master Thomas of Hunsingore, one of the Balliols' prominent legal servants, who was to be appointed chancellor by his now royal master. The influence of such men was pervasive and long-lasting, especially in the introduction of new terminology in the records of government. One of the most visible changes was the substitution of the Franco-English term 'parliament' for the Latin *colloquium*, a change which became permanent in the struggles of the early fourteenth century.<sup>66</sup>

#### WAR AND RECOVERY, 1296–1357

The central place held by the major royal castles as the usual venues for parliaments and councils throughout the thirteenth century ended abruptly with the eruption of war with England in 1296. Over the following two decades, most of these sites were first garrisoned by the English or their Scottish adherents, then suffered destruction on their capture by the resurgent Scots under the leadership of Robert Bruce. Throughout Scottish history, relations with England have been one of the main constraining factors on the buildings of government and national assembly; but whereas in later years, and certainly after 1660, that influence was played out by peaceful means, in this period the main constraint was one of warfare and open hostility. Edinburgh provides a useful illustration of the fate of the main royal castles at this time. Garrisoned by Edward I in 1296, it was only retaken by the Scots and slighted in March 1314, and still lay in ruins in July 1336 when the English king, Edward III, ordered its refortification. It remained an English garrison post until 1341, when it was again taken by the Scots, but, although they did not raze it on this occasion, its location in one of the most war-ravaged zones of the kingdom precluded it from



reclaiming its place at the heart of royal government until after the conclusion of the war in 1357.

This elimination of the traditional assembly-places in the years after 1296 forced the Scots to press into service what appear at first sight to be some unusual venues in their efforts to maintain a functioning 'national government' in the face of continued English occupation. What becomes immediately apparent is the predominantly ecclesiastical nature of the buildings utilised – parish churches, convents and major monasteries – no doubt a consequence of the particular demands for space raised by such assemblies: it was the hall-like – basilican – qualities of such buildings which suited them to the needs of parliaments. The spiritual nature of such buildings, however, and our post-Reformation perceptions of the separation of church and state, should not obscure the fact that medieval churches fulfilled a broad range of secular roles, including as venues for the settlement of legal contracts. Parish churches, for example, may have served regularly as the meeting-places of sheriff courts after the destruction of many of the old royal castles in the main burghs, as in the case of St Mary's at Hawick in 1342.<sup>67</sup> Presumably, such worldly meetings took place in the nave, away from the spiritual focus in the sanctuary. As discussed above, churches, too, functioned as private meeting-places, the most infamous incidence of this being the confrontation between Robert Bruce and John Comyn in the church of the Greyfriars at Dumfries, which began in the cloister and reached its bloody climax in the chancel before the high altar.<sup>68</sup> Even in the later fifteenth century, churches continued to function as places of secular, political assembly, as occurred at Lauder in 1482 when the disaffected nobility plotted their overthrow of James III's unpopular governmental clique.<sup>69</sup> The regular use of such buildings for parliamentary assemblies, therefore, represented only a development of an already well-established rôle as venues for solemn but otherwise non-religious business.

In most cases there appears to have been a conscious effort to maintain a royal association, either through the holding of the parliament or council in one of the royal burghs free from enemy control, or through meeting at a monastery or church with strong royal or national/patriotic associations, for example Scone or St Andrews. What started as a contingency measure, however, gained the force of tradition in the six decades of intermittent war and partial

conquest which extended down to 1357, and ecclesiastical locations remained the most favoured venues for meetings of parliaments or councils until the assassination of James I at Blackfriars in Perth in 1437. Although the use of churches can be written off as an *ad hoc* arrangement which filled the void created by the destruction of the traditional venues, it can also be seen as a direct consequence of the key position held in Scottish government after 1296 by the senior clergy, most notably bishops Wishart, Lamberton and Moray, and the regular traffic with the papacy which formed the centrepiece of Scottish diplomatic initiatives on the continent. Guided by churchmen operating with the papal courts, firstly at Rome and subsequently at Avignon, firmly in mind, and with the experience of both the provincial councils of the Scottish church and the reforming councils of the church in general behind them, clerical precedent may have prevailed.

The trend was established in August 1299 when the gathering of the leading figures in the national cause was used as an opportunity for the holding of a council. In the course of a major raid against English garrison-posts south of the Forth, the Scots held a council at Peebles, the only royal burgh in the region at that time free from enemy occupation.<sup>70</sup> Where in the burgh this meeting was held is unknown, the old royal castle there vanishes from the documentary record earlier in the thirteenth century, but it is probable that either the parish church or the buildings of the Trinitarian friars' convent – the so-called Cross Kirk – outwith the town was the venue.

The growing confidence of the Scots saw a parliament being held in May 1300 at Rutherglen.<sup>71</sup> The selection of this minor western royal burgh as the meeting-place for parliament appears odd, but its strategic location at the head of the Clydesdale routes into the Borders suggests that it, like Peebles, was chosen with a view to following up the assembly with a raid against English garrisons in the south. Here, however, the early royal castle had survived in a functional state and was to become the base for an English garrison after 1304.<sup>72</sup> If the 1300 parliament did not meet there, the most likely alternative is the parish church of St Mary, of which only a fragment of the medieval building remains, but nineteenth-century descriptions of which suggest was over 31.5m long with a broad, aisled nave which could amply accommodate the assembly.<sup>73</sup>

A parliament at Scone in February 1302, at the peak of Scottish



successes in the struggle with Edward I and symbolising confidence in the imminent return of King John from his enforced exile, was the last meeting of an independent Scottish parliament until 1309, but in March 1304 Edward I convened a meeting at St Andrews to ratify the surrender terms agreed with the Comyns.<sup>74</sup> It was at St Andrews, too, that Robert I held his first parliament in March 1309, in which a large body of the magnates and chief clergy of the kingdom declared their loyalty to the king, and where the clergy backed a defiant declaration of right in the name of Scottish sovereignty and of Robert Bruce's rights to the throne.<sup>75</sup> Attendance at this highly significant parliament was impressive: seven bishops or their representatives, the abbots and priors of the major monasteries, three earls, representatives of five earldoms whose heirs were minors in ward, representatives of the communities of three more earldoms, seventeen lords, together with 'the barons of all Argyll and the Hebrides' and 'the inhabitants of the whole realm of Scotland acknowledging allegiance to Robert king of Scotland'.<sup>76</sup> Where in St Andrews so large an assembly could meet at this time is open to question. The bishop's castle is a possibility, but a meeting either in the cathedral church or in the buildings of the adjacent Augustinian priory would seem more likely. In the latter, the formal meeting-room of the canons – the chapter-house – was enlarged in the late 1310s, but in 1309 it would have been too cramped to accommodate such a prestigious assembly, even if they were all standing.<sup>77</sup> Instead, the large halls of the prior's house, monastic refectory or guest-house may have been used.

The strongly ecclesiastical character of most of the assembly places for parliaments and councils was maintained for the remainder of Robert I's reign. Councils were held at Arbroath Abbey in 1315 and Newbattle Abbey in March 1320, on which latter occasion the Declaration of Arbroath was probably planned, but it was the major monasteries of Cambuskenneth, Holyrood and Scone which predominated. Cambuskenneth, where parliament assembled in November 1314, was evidently utilised on account of its proximity to Stirling, where the castle had been razed following its surrender to the Scots after Bannockburn. The situation in respect of Holyrood and Edinburgh Castle, which had been destroyed following its recapture in March 1314, is identical. For Scone, however, although proximity to the old royal centre at Perth may have been important, there appears to have been a greater symbolism in the choice of site – the inaugu-

1.3. Aerial view of Cambuskenneth Abbey, site of the 1314 and 1326 parliaments. (RCAHMS A64963)

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ration church of the kings of Scots – and the abbey emerged in the period down to 1373 as the most regular meeting-place for parliaments and councils. The parallel with Westminster, where the traditional meeting-place of English parliaments and the coronation site of English kings in the Benedictine abbey were contiguous, is quite striking. However, considering the intense hostility between the two kingdoms after 1296, it is perhaps unlikely that Robert saw Westminster as a direct model for emulation.

There may be some significance in the fact that these three abbeys, together with St Andrews, were Augustinian communities, members of an order noted for their hospitality. The parliaments of 1314 and 1326 at Cambuskenneth, of 1317, 1318, 1320, 1323 and 1325 at Scone, and of 1316, 1321 and 1328 at Edinburgh – which were probably all held in Holyrood – were all of particular importance and were well attended. These Augustinian abbeys, presumably, were well-placed to provide suitable accommodation for the large numbers attending these assemblies, although their hospitality must have been strained to the limit. This was evidently the case at Scone in 1390, where major damage was inflicted on the abbey's property by those attending the coronation and first parliament of Robert III.<sup>78</sup>

Suitable living quarters for the chief figures at these meetings were probably provided within the monastic complexes. The king, certainly, can be assumed to have taken over the abbots' lodgings, which would have been the most comfortable available within the abbeys. Where, however, the actual parliaments met within the precincts is less certain. In England, Henry III rebuilt the chapter-house of Westminster Abbey as a splendid octagonal chamber on a grander scale than would have been required by the monks, with the apparent intention that it should serve as a council chamber for meetings of parliament, and it functioned through the later Middle Ages as the usual meeting-place of the Commons. Nothing remains of the abbey buildings at Scone to give any impression of the architectural sophistication of the complex or the scale of the structures in which the parliaments may have met, save for a few sculptural fragments.<sup>79</sup> The records of Robert II's first parliament of March 1371, however, speak of business being conducted there in the king's 'privy chamber in his privy council and afterwards in public in his parliament chamber'.<sup>80</sup> These are unlikely to have been specialist chambers reserved exclusively for such occasions, but would rather

1.3. Aerial view of Cambuskenneth Abbey, site of the 1314 and 1326 parliaments. (RCAHMS A64963)





have been parts of the abbey complex taken over for the king's use. Little of Cambuskenneth, other than its thirteenth-century detached bell-tower, has survived above the lowest masonry courses, but these show that the chapter-house never expanded beyond its early thirteenth-century form of a vaulted room some 21 feet (6.7m) square. The most likely venue here, if not the nave of the abbey church, would have been the refectory, which occupied the south range of the cloister. This was a large chamber, approximately 6m by 20m in dimensions, and could have accommodated such a major assembly as the 1314 parliament.<sup>81</sup> At Holyrood, the substantial monastic refectory in the south cloister range, which survived into the later sixteenth century following conversion into a great hall for the adjoining royal palace, raises the probability that it was the domestic complex, as at Bury St Edmunds, which housed parliaments.<sup>82</sup> There are also fragmentary traces of a large late thirteenth-century octagonal chapter-house nearly 40 feet (12.2m) in diameter with a stone vault carried on a central column, which could have accommodated the meetings of Robert I's parliaments, here following the lines of Henry III's Westminster.<sup>83</sup> Some impression of the appearance of this sophisticated chamber can be obtained from the surviving example of this type in Scotland at Elgin Cathedral.<sup>84</sup> The scale of some of the assemblies, however, suggests that often it may have been in the abbey churches that the formal sessions were held, the architectural splendour of the setting lending additional dignity to what were meetings of national importance.

The meeting-places of the remaining recorded parliaments and assemblies of Robert I's reign, at Inchtute in 1312 and Ayr in 1312 and 1315, were dictated by the realities of the moment. In early 1312 the Scots had been besieging Dundee, the last significant English garrison beyond Perth, and, probably in late February, its garrison seems to have negotiated an agreed surrender by a fixed date unless relieved. The parliament of early April 1312 at Inchtute, therefore, appears to have been arranged to coincide with the handing over of the burgh. It is perhaps significant in this context that one of the main pieces of business discussed there concerned the military demands of the crown upon the burghs.<sup>85</sup> While Inchtute itself lies some 7.5 miles (12km) west of Dundee, the bishop of St Andrews' hall there may have been the only suitably large building remaining in the vicinity of the burgh. Inchtute was an ancient property of the bishops and the location of



one of their more important country residences.<sup>86</sup> No structural remains survive, but the cropmark traces of what may have been the medieval manorial complex have been detected near the present village.

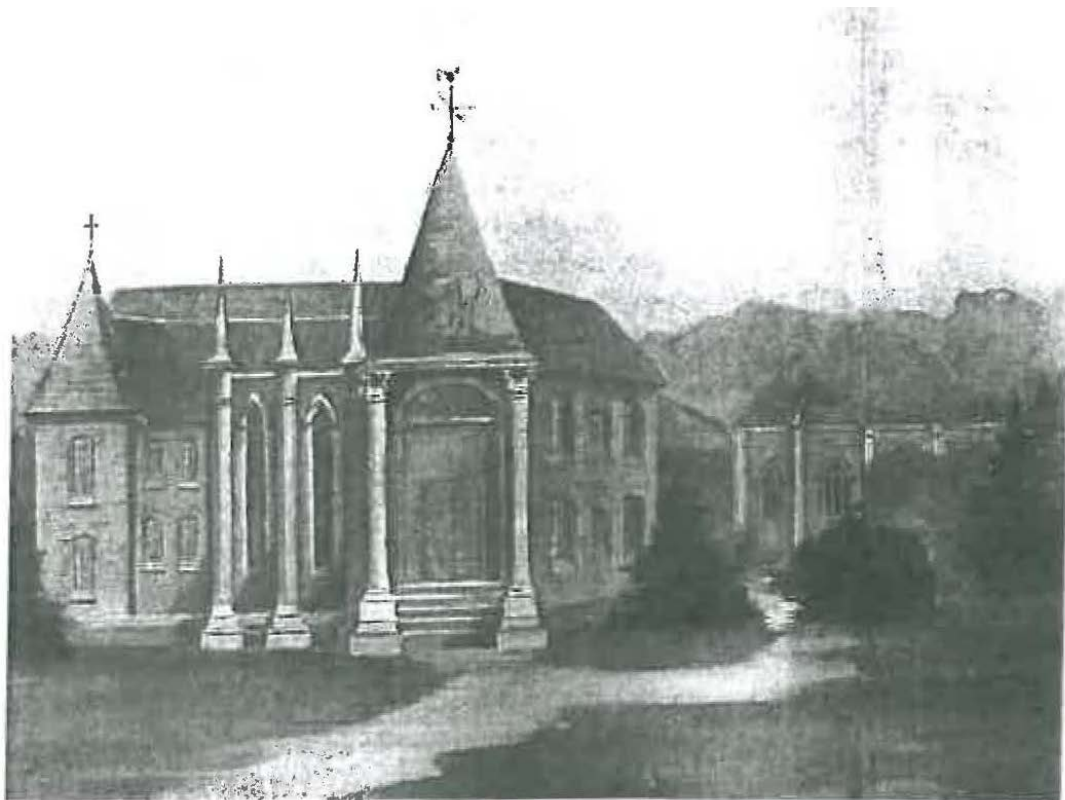
The Ayr parliament of 1312 and assembly of 1315 were both summoned in connection with military campaigns. In the second half of 1312, in addition to a major raid into northern England, King Robert and his brother, Edward, campaigned in south-western Scotland.<sup>87</sup> Ayr, close to the Bruce heartland in Carrick, probably served as a base of operations in this offensive. Its castle had fallen to the Scots and been dismantled shortly after its last appearance in English records in December 1309.<sup>88</sup> It is likely, therefore, that the 1312 parliament, like that of April 1315 which settled the issue of the royal succession and agreed to Edward Bruce's planned invasion of Ireland, met in the parish church of St John in the burgh.<sup>89</sup> Of this large thirteenth-century church only the western tower survived incorporation into and the subsequent demolition of the Cromwellian citadel, but the remains indicate the existence of an aisled nave in which the parliament could have been accommodated.

The largely ecclesiastical character of the meeting-places for parliaments and councils was maintained for the remainder of the fourteenth century. The abbey at Scone preserved the dominant position it had established under Robert I and was, indeed, to secure a place as the nearest equivalent in Scotland to Westminster in England. After the parliament and coronation here in November 1331 of the child-king, David II, the invasion of the kingdom in 1332 by Edward Balliol and the re-opening in 1333 of both civil war and war with England brought an end to the regular holding of parliaments until 1357, when David was freed from English captivity.<sup>90</sup> As in the first phase of the Wars of Independence, such assemblies as were held down to 1357 were naturally located in those parts of the kingdom which had been recovered from English domination.

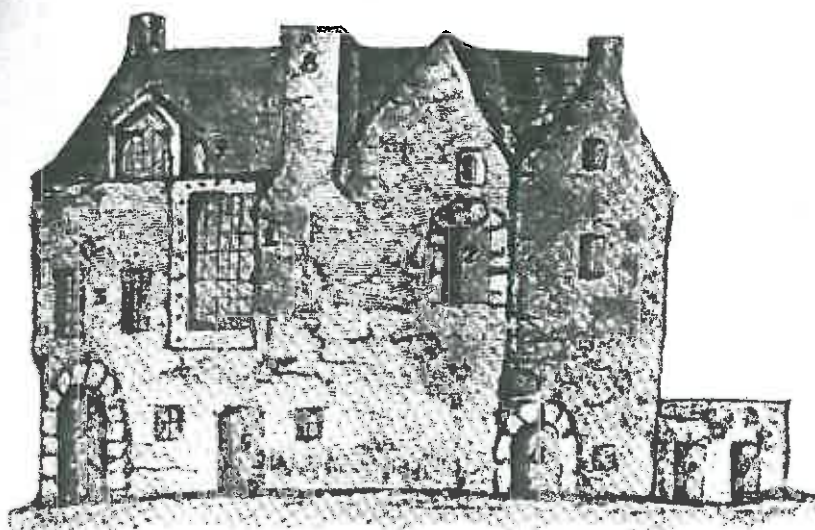
The last council or parliament before the re-opening of the wars of Scottish independence assembled at Perth on 2 August 1332, its business to select a new guardian to replace Thomas Randolph, earl of Moray, who had died on 20 July. Its nominee, Donald, earl of Mar, survived only nine days in office, dying with the cream of the Scottish army in the slaughter at Dupplin. The victor of Dupplin, Edward Balliol, held only two parliaments before his grip on Scotland was

1.4. Scone Palace, view of entrance facade, 1775 (drawn by A Rutherford). (RCAHMS B10588)

FIGURE REMOVED – DUE TO COPYRIGHT RESTRICTIONS







broken and he became dependent on English support. The first, held immediately after his coronation at Scone on 24 September 1332, was sparsely attended, with only the prelates and nobility of the areas closest to his base in Perth, which had submitted to him following his victory, present to augment the ranks of the so-called Disinherited Lords, the heirs of men forfeited by Robert Bruce, who had accompanied him to Scotland.<sup>91</sup> His second parliament, at Holyrood in February 1334, was just as poorly attended.<sup>92</sup>

After the crushing defeats of Dupplin in 1332 and Halidon Hill in 1333, it was not until April 1335, when the tide of the war was again running in their favour, that the supporters of David II held a parliament. With Scone effectively controlled by the English garrison of Perth, and with most other major centres still in Balliol's hands, this was held at Dairsie in Fife,<sup>93</sup> a venue decided by the presence of the Scottish leadership at the siege of nearby Cupar, to which they returned in December 1335 following the battle of Culblean.<sup>94</sup> As with Inchturk in 1312, it was probably the existence at Dairsie of one of the country residences of the bishops of St. Andrews, the remains of which may be incorporated in the largely late sixteenth-century castle on the site, or the adjacent parish church, which determined its choice as venue.

The Dairsie parliament was followed in spring 1336 by a larger assembly of the magnates at Dunfermline, which elected Sir Andrew de Moray as Guardian.<sup>95</sup> At that date, Dunfermline was one of the few

OPPOSITE TOP.

1.4. Scone Palace, view of entrance facade, 1775 (drawn by A Rutherford). (RCAHMS B10588)

OPPOSITE BELOW.

1.5. Undated drawing of Blackfriars Monastery, Perth. (S Cowan, *The Ancient Capital of Scotland*, London, 1904, 100)

LEFT.

1.6. St Mary's Chapel, off High Street, Perth (the site of the old 'Parliament Hall'); undated drawing. The key to the picture includes the following: (1) window of the old 'Parliament Hall'; (3) windows of the room where the Lords of the Articles sat. (S Cowan, *The Ancient Capital of Scotland*, London, 1904, volume 1, 80)

major abbeys in the kingdom outwith the regional domination of a local English garrison. Not only did it hold strong royal associations as a place of burial, but it also possessed a magnificent complex of recently completed monastic buildings, including a substantial guest range and spacious refectory hall which could have comfortably accommodated such a meeting.<sup>96</sup> The next recorded parliament assembled on 24 October 1339 at Perth which, until its surrender on 17 August, had been the last English stronghold north of the Forth and had served for a while as the centre of Edward Balliol's government of Scotland.<sup>97</sup> The defences of the town had been levelled after its surrender and the countryside around was reportedly so devastated by the activities of both the besieging Scots and the English garrison that supplies could scarcely be found. Indeed, one burgess is said to have resorted to cannibalism.<sup>98</sup> Amidst such devastation, Scone was clearly in no position to host a parliamentary assembly and had, presumably, been thoroughly ransacked. Perth can have been in little better condition, but it was the nearest major royal centre then in Scottish hands to the war zone south of the Forth, and the parliament which assembled here formalised plans for the continuation of the offensive with the siege of Stirling.<sup>99</sup>

Parliament and council remained without fixed venues over the next few years as the Scots consolidated their grip on the lands south of the Forth. Dundee was the venue for meetings in 1340 and 1347 and Aberdeen in 1342. At both, the royal castles had never been reconstructed following their destruction in the earlier wars, but Dundee's large Franciscan convent – Greyfriars – had established a role in the early fourteenth century as meeting-place for church councils and may have fulfilled a similar role for parliament.<sup>100</sup> A similar function may have been performed by the Dominican friary at Aberdeen, which occupied a fairly central position in the burgh in the area known as the Green, although the episcopal palace, adjacent to the cathedral in Old Aberdeen, is a strong contender as an alternative location.<sup>101</sup> By the end of the period, however, it was Scone which had re-established its dominant position as the principal meeting-place of parliaments, with both a council and a full parliament assembling there in 1352. After a lull of nearly 22 largely war-scarred years, for much of which time the abbey had lain in the principal war zone, the release in October 1357 of David II from captivity in England saw Scone restored to the position which it had held under Robert I.



## RESTORING TRADITION, 1357-1437

David II's summoning of his first parliament after his release from 11 years of enforced exile was highly symbolic, marking the return of kingly authority to a land in which 'good peace' and government was regarded as having failed in the intervening years.<sup>102</sup> It was presumably no arbitrary decision which led him to hold his council at Scone, the site which his father had all but established as the usual meeting-place for such assemblies. During the mid-fourteenth century, the growing French cultural influence over Scotland was largely responsible for the adoption of the 'three estates' model of parliament; the Scots still to some extent also looked to the English parliamentary model as an exemplar, despite its bicameral arrangement. For the remainder of David's reign, Scone maintained its dominant position, with five out of the eight parliaments summoned between 1364 and 1370 held at the abbey. The remaining three parliaments, however, were held at Perth, presaging the emergence of the burgh in this rôle in the early fifteenth century. For the first of these meetings, in January 1364, parliament assembled in the burgh's Dominican convent, the possible venue for earlier gatherings in 1339 and 1357, and probably used again in the parliaments of 1369 and 1370.<sup>103</sup> The convent was one of the largest and wealthiest Dominican communities in Scotland, and its extensive complex of buildings – including the evidently purpose-built king's house or palace<sup>104</sup> – on the northern edge of the burgh overlooking the North Inch, came to serve as a frequent and favoured residence of the early Stewart kings down to the assassination there in 1437 of James I.<sup>105</sup>

The death of David II did not see an easy transfer of power to his nephew and heir presumptive, Robert the Steward. Soon after the king's death, 'the three estates of the realm met in the royal town of Linlithgow', where some dispute took place over the succession.<sup>106</sup> This meeting lacked both royal authority to assemble and the kingly figure as its focus, but the unexpected death of the king necessitated less formal arrangements. There was, moreover, the precedent of such deliberation in the crisis years after 1286. Where in Linlithgow such a body gathered is open to question. There was a royal residence here under the early Stewarts, destroyed by fire in 1424.<sup>107</sup> This may have served as a meeting-place, but it is perhaps more likely that old St Michael's Church, also destroyed in the fire of 1424, provided the most convenient venue.

The emergency circumstances of 1371-2 were followed by what appeared at first to be continuity of practice, with Scone serving as the venue for the new king, Robert II's, first two parliaments, in March 1372 following his coronation and again in March 1373. After 1373, however, as the new Stewart régime bedded itself into the structure of power within the kingdom, the practice of annual or near-annual parliaments which had been introduced by David was abandoned. Few parliaments were summoned between 1373 and 1389 – that at Scone in October 1378 is the only one recorded – with great councils or councils general (a meeting of the Three Estates, but with smaller membership and less formal procedures, and lacking parliament's judicial rôle) instead serving as the primary forum for discussion and criticism of government policies.<sup>108</sup> Even with these, however, there are no records of meetings until September 1384 when the council gathered in Glasgow.<sup>109</sup> Council-meetings were more regular thereafter, serving as the means of legitimising the *coups* through which first Robert II's eldest son John, earl of Carrick – the future Robert III – and then his second son, Robert, earl of Fife, later duke of Albany, seized executive power from their father. The location of these councils, moreover, demonstrated a decisive shift in the *locus* of political power in Scotland, all of them being held south of the Forth, primarily in Edinburgh.<sup>110</sup> It was in a council at Holyrood Abbey in November 1384 that Carrick secured his position as guardian of the kingdom,<sup>111</sup> while a council held at Edinburgh in December 1388 stripped him of that office and handed it instead to Fife.<sup>112</sup>

For most of the following 30 years, the earl of Fife controlled or dominated the government of Scotland. That control was marked by a shift once again in the main centres of government away from the country south of the Forth, which was the sphere of influence of the earl of Douglas, to Fife's own heartland of power in Stirling and Perthshire. The parliament of March 1389, summoned originally to Scone, was continued in April at Holyrood, the last occasion for ten years that such a gathering met outwith Fife's political power-base.<sup>113</sup> Apart from one council in 1397, which met at Stirling, it was to Perth that the Guardian summoned almost every other meeting during the period of his domination. This centrality, and the position of the Blackfriars within it, is exemplified by its function as the location for the formal submission of Alexander Stewart, earl of Buchan, better known as the 'Wolf of Badenoch', younger brother of Robert III and



Fife, following his infamous burning of Elgin Cathedral in June 1390. Buchan made his submission before his brothers and an important cross-section of the political community at a stage-managed ceremony at the gates of the friary and again before the high altar in the church.<sup>14</sup>

The settings for most parliaments and councils of the period 1373–1406 are unknown. Other than those occasions when the venue was Scone or Holyrood, where the abbey continued in their earlier fourteenth-century rôle, the locations in which meetings assembled are couched in general and often ambiguous terms, usually simply naming the burgh in which they were held, for example, Edinburgh, Glasgow, Linlithgow, Perth or Stirling. Edinburgh appears on occasion to have been used as shorthand for Holyrood, which was described as ‘the monastery of Holyrood of Edinburgh’ in 1389.<sup>15</sup> Holyrood, however, was supplanted by the tolbooth of Edinburgh in the fifteenth century. This became the most regular meeting-place for Scottish parliaments from the reign of James II (1437–60), but may have served in a similar rôle from an earlier date. It was Perth, however, which could claim to have served in the late fourteenth and early fifteenth centuries as the nearest Scotland had to a fixed seat of legislative government.

Fife’s monopoly on the exercise of royal power by virtue of his office as lieutenant for his incapacitated brother, Robert III, and from 1406 until his death in 1420 as Governor of the kingdom for his captive nephew, James I, saw the effective settlement of the meeting-place for parliaments and councils in the heart of his region of personal domination at Perth. Throughout this period, and continuing under James I after his release from England in 1424, Perth Blackfriars emerged as the replacement for Scone as both a royal residence and venue for political assemblies. It was in Perth, too, that the provincial council of the church appears to have most regularly assembled between the thirteenth and fifteenth centuries, presumably in recognition of both its significance in secular politics and its central location within Scotland.<sup>16</sup> The convent-church itself housed the full parliamentary sessions. In a general council held there in October 1433, James I is described as sitting ‘in front of the high altar in the choir of the church’ in the presence of the prelates and magnates of the kingdom.<sup>17</sup> This suggests that the friars’ choir-stalls were occupied by the principal members of the council and that it was standard practice for the assembled members to sit facing each other ‘across the

floor of the house' in what appears to have been the standard European format, typified by the English Westminster parliament.<sup>128</sup> The friars' convent was ransacked by a Protestant mob in 1559 and its abandoned buildings were subsequently plundered for stone, leaving no upstanding remains.

Administrative business spilled beyond the convent precinct and the adjacent royal residence. As early as March 1408, the governor and members of his council met in the chapel of St Mary at the east end of Perth's High Street to receive resignations of property rights,<sup>129</sup> while in March 1415 a subsidiary tribunal gathered in this same 'chapel [of St Mary] next to the great bridge of Perth, in the name and on behalf of the Three Estates of the kingdom of Scotland then assembled and the council general meeting in the house of the Friars Preachers [Dominicans] of the said burgh'.<sup>130</sup> After the Reformation in 1560, the site was acquired by the burgh and portions of the medieval chapel were incorporated into a new tolbooth. This survived in a much-altered and expanded state until the later nineteenth century; a sixteenth-century stone building on the site was excavated in 1975-7, prior to construction of the present Marks & Spencer store.<sup>131</sup> The use of this chapel for parliamentary business presumably had more to do with requirements of space and the hall-like qualities of the building than with any spiritual significance in the business under discussion. St Mary's most regular administrative role, however, was as the meeting-place for Exchequer audits. Audits from the end of the reign of Robert I had been held for the most part at Scone, further emphasising the Westminster-like role for the abbey which that king had established, but when regular records of audits resume in 1359-60, Perth emerges rapidly as one of the principal meeting-places for exchequer business. Annually from 1365 to 1372 and sporadically thereafter, repairs to an unnamed chapel in which the exchequer met, evidently St Mary's, are recorded.<sup>132</sup> This role continued throughout the period of Fife's governorship: all audits held from 1406 to 1422 were heard in Perth. In 1406, the auditors evidently complained about the condition of the building, for the Governor granted them 14s 10d for the repair of the chapel windows, and further repair work associated with audits was carried out in 1414 and 1416.<sup>133</sup> By the 1430s, Perth was bidding fair to become the permanent seat of the Scottish parliament, having housed 15 out of 19 parliaments and councils held between 1406 and 1437. Indeed, the special significance attached to the burgh by the king is



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further emphasised by the unsuccessful royal petition to the pope that the University of St Andrews, which James wished to remove from the influence of the bishop, should be relocated to Perth.<sup>121</sup> In February 1437, however, James I was murdered in his lodgings at the Blackfriars. Perth's near monopoly as the meeting-place of parliament and incipient 'capital city' died with the king.

#### THE ROYAL HALL

Although the reign of James I presents an image of conservatism and adherence to tradition in the use of the Dominican friars' convent at Perth as the most usual venue for parliaments, it was in other ways a quite revolutionary period in the development and function of government and the projection of monarchical power, in many ways

1.7. James I with his Parliament, soon after his return to Scotland in 1424; woodcut from Holinshed's *Chronicles* (1577). (British Museum)



harking back to the style of kingship practised by David II after 1357. Like David, James's first-hand experience of the workings of English royal government and his familiarity with both English and French seats of power had a profound effect on his vision for reconstructed royal authority in Scotland. Furthermore, both were men determined to set the crown firmly at the heart of the political life of the kingdom and to elevate it securely above the level of the magnates. For both, this involved the political emasculation of the aristocratic governing *élite* and the building of a wholly new apparatus of administration and government. It also required physical projection which would underscore the psychology of the new régimes. For David II this was made manifest in the massive tower-house which he built on the summit of the castle rock at Edinburgh, a fittingly militaristic symbol for a king whose domination of his nobility was achieved through military superiority. James, however, demonstrated the power of his new régime through quite different architecture in a structure loaded with political symbolism, the Palace of Linlithgow.<sup>155</sup> Here we see the first tentative uses of classical symbolism to celebrate Scottish royal and governmental power – a trend which would eventually culminate in the vast range of classically-expressed civic and national imagery of the nineteenth and twentieth centuries.

The remodelling of the old royal residence at Linlithgow began in 1425, but from 1428 the scale of expenditure on the royal works there suggests that the operation was nothing short of building from scratch. The structure which emerged over the next six years was something radically new, reflected in its description from 1429 as a 'palace', a wholly new term in the Scottish vocabulary of power.<sup>156</sup> Unlike David II, James chose not to project his authority through fortress-like architecture, adopting instead a relatively unfortified style which drew heavily on the classicism of early Italian Renaissance and French designs. Although primarily residential, the palace was monumental in scale and had as its focus a vast hall which filled almost the whole of what became the east quarter of the quadrangular complex developed by his successors. At the time of its completion, this hall was probably the largest such structure in the kingdom, which begs the question of its intended role. It was loaded with visual symbolism. The statues over the courtyard mouth of the gate pend depict the three main orders in medieval society, namely the nobles, clergy and labourers (groupings not quite corresponding to the parlia-



mentary estates); and above the main entrance is a massive representation of the royal arms and crown supported by angels. These suggest strongly that James may have intended this hall to act as a venue for more than just ceremonial feasting or as a stage set on which to parade his exalted ideals of monarchy. Any plans for a more formal rôle, however, were stillborn, dying with James in 1437.

As we have seen, halls had been a central element in the traditional architectural vocabulary of royal power through the twelfth and thirteenth centuries. It was the loss of these formal ceremonial chambers to the Scottish crown after 1296, first through enemy occupation then through physical destruction, which had resulted in the shift to primarily ecclesiastical settings for national political assemblies. Although Robert I constructed a new royal hall at the heart of his 'retirement home' at Cardross in Dunbartonshire, and a hall was evidently a major component of the complex initiated by David II and completed under Robert II at Edinburgh, neither was intended to serve as anything other than a setting for displays of royalty by the Bruce kings, for whom Scone functioned as the parliamentary *locus*.<sup>127</sup> Provision of such formal secular settings was not a priority for Robert II, Robert III or Albany, but James I may have had just such a function in mind when he began the redevelopment of Linlithgow. The arrangements which emerged under his son and successors, however, were decidedly less grandiose.

While the evidence from royal buildings remains ambiguous, the deliberate provision of a hall as the meeting-place of councils and assemblies can be seen clearly in one highly significant non-royal instance: the Lordship of the Isles. At Finlaggan on Islay, the seat from the thirteenth century of the Clan Donald segment of the descendants of Somerled, lord of Argyll, the fourteenth and fifteenth centuries saw major redevelopment of the old stronghold under the powerful MacDonald Lords of the Isles. The Lordship has been presented in the past as a rival political force within Scotland to the Lowland, east-coast-based monarchy, a view given added strength by the evident cultural cleavage between the intensely Gaelic West Highlands and Islands and the more anglicised society of the Lowlands. The political pretensions of the Lords were further emphasised by the elaborate quasi-regal inauguration ritual which each underwent on his succession.<sup>128</sup> While clearly having its origins in Gaelic Irish king-making rituals, there are also close parallels with the pre-1329 Scottish

TOP. 1.8. Linlithgow Palace, first-floor plan, with Great Hall at right. (RCAHMS)

BOTTOM. 1.9. Linlithgow Palace, 1983 aerial view, with Great Hall at left. (RCAHMS WL/3937)

**FIGURES REMOVED – DUE TO COPYRIGHT RESTRICTIONS**



ceremony. It is perhaps no coincidence, then, that the inauguration site at Finlaggan developed the dual inaugural and assembly function displayed at Scone, particularly so since Scone's dominance as the king-making and parliamentary seat was strongest during the period of consolidation of MacDonald power under the first Lord of the Isles, John (1336–87).

The seat of lordship at Finlaggan occupied two islands in a shallow loch. The larger, Eilean Mòr, contained a substantial complex of structures and evidently comprised the principal residential and industrial element of the site. The smaller island, Eilean na Comhairle (the Council Island), appears to have been the site of the original late twelfth- and thirteenth-century fortress, which was swept away and replaced in the fourteenth century by a non-defensive complex comprising three buildings. The largest of these has been interpreted as the residence of the keeper of the Council Island and dates from the period 1420–75, with the smallest serving as its store-house. The remaining building, a well-built rectangular structure measuring approximately 7m by 3.5m internally, thus appears to have housed the chamber from which the island took its name.<sup>129</sup> It was probably here, too, rather than in the great hall or chapel on Eilean Mòr, that the inauguration ceremony described in the sixteenth century took place. Although of good construction, it can hardly have been an imposing edifice, but since the Council of the Isles which gathered there numbered usually only some 14–16 members, it would have provided ample accommodation.<sup>130</sup> Despite its lack of architectural pretensions, the council chamber possessed a symbolic significance as a ritual and political focus for much of Gaelic Scotland. As a consequence of that, when the Lordship of the Isles was forcibly suppressed by James IV in 1493 the buildings on Eilean na Comhairle were carefully levelled and the site given over to cultivation.

In its functions, the Council of the Isles was both a judicial and an advisory body. The Council was described in sixteenth-century accounts as 'the supreme court of appeal in the lordship of the Isles', but there is little surviving documentary evidence to show it active in this rôle.<sup>131</sup> Archdeacon Monro, writing in the 1540s, commented that it 'decernit, decreitit and gave suits furth upon all debatable matters according to the laws of Renald McSomharkle', in essence that it administered a law code attributed to Ranald son of Somerled, the late twelfth-century lord of Argyll.<sup>132</sup> Nowhere is it claimed that the

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1.8. Linlithgow Palace, first-floor plan, with Great Hall at right. (RCAHMS)

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1.9. Linlithgow Palace, 1983 aerial view, with Great Hall at left. (RCAHMS WL/3937)

Council exercised any rôle as a legislative assembly. There is a good body of charter evidence, however, which shows it acting in an advisory capacity.<sup>73</sup> Here, important land grants, grants of key offices and the disposition of marriages appear to have strengthened by their arrangement through the counsel and advice of this body. In these two areas of competence, the Council of the Isles shared the characteristics of magnate councils – where they can be identified – elsewhere in the kingdom. Such functions were features of parliamentary business, too, but here the comparison ends. So far as can be ascertained, the Lords of the Isles did not seek formal advice on foreign alliances and negotiations: the 1462 Treaty of Ardtornish-Westminster, for example, was a private arrangement settled between John, Lord of the Isles, and the English crown. Essentially, the council's sphere of competence was restricted to internal matters, and even then of a primarily domestic nature.

#### THE EMERGENCE OF THE CAPITAL: HOUSE OF THE MAGISTRATES

A major consequence of the assassination of James I at Perth was the final shift of the seats of Scottish royal government to the country south of the Forth. It was here that the principal royal fortresses – Stirling and Edinburgh – were located, and where the dominant figures in national political and economic life had their main centres of power. This centralisation and urbanisation of political power was a general trend across Europe during the late Middle Ages. Overwhelmingly, it was Edinburgh, the wealthiest and most populous of Scotland's burghs, that acted as a political centre of gravity and became swiftly in real terms the kingdom's 'capital'. The castle, which had been redeveloped under David II as the principal royal residence, became a true seat of royal government, with both the royal archives and treasury based there and with key officials provided with accommodation within its walls. This, however, was as far as its rôle went for, contrary to nineteenth-century traditions, it did not serve as the venue for parliaments despite its possession of one of the larger royal halls.<sup>74</sup> From the reign of James II to James IV, the principal function of the great hall at Edinburgh was as a venue for court ceremonial, in particular for the formal banqueting which was a major



feature of the great occasions of state. It was evidently in the castle that the nobility assembled, as in 1438 for the coronation of the young king when they processed down the hill to Holyrood and to which they presumably returned for the celebratory feast. Certainly, repairs in 1457-8, described as being undertaken 'on account of parliament', were not carried out in advance of any meeting of that body in the hall: the only parliament which assembled in that period, commencing 6 March 1458, met in the tolbooth.<sup>55</sup> Rather, it would seem that the hall was being prepared to accommodate the enlarged court which was the inevitable accompaniment to the congregation of the kingdom's political classes. We may already be witnessing the development of processual ceremonial of the kind later seen in the 'Riding of Parliament' (see Chapter 2).

The trauma of the murder of King James I in his own house at Perth had a profound impact on Scottish government. With the assassins still at large, the queen and her six-year-old son, now King James II, moved south to the relative security of Edinburgh and Stirling. So unsafe was Perth felt to be that the decision was made to shift the coronation from Scone, where all Scottish kings had been enthroned since the formation of the kingdom, to Holyrood, under the watchful eye of the royal castle. It was there that the new government and the loyal lords gathered, and on 25 March 1438 they processed from the castle to the abbey for the coronation, then assembled for a parliament which initiated proceedings against the assassins and their abettors.<sup>56</sup> The shift in the place of coronation from Scone to Holyrood may only have been regarded as a temporary expedient, but the circumstances of the successions of James II's descendants ensured that Scone's exclusive traditional role was ended.<sup>57</sup> The consequent effect of this transplanting of the king-making process was the ending of the formal link of the abbey with parliament and its business, a severance which had at its roots a continuing question mark over the security of Perth as a meeting-place.

Something more profound was taking place, however, albeit perhaps unconsciously. The break with Scone and with Perth Blackfriars marked a watershed in the development of the Scottish parliament, for it resulted in a more general ending of the role of church buildings as the meeting-places of secular assemblies. This may have been a reflection of the growing continental influence in

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Scotland. In Europe, many legislative assemblies by this date tended to meet in secular, if not specialist, venues. Throughout France, for example, the regional Estates met in the great halls – *Salles des Etats* – within the walls of the chief royal or ducal castles, a position with which many of the leading figures in Scottish government would have been personally acquainted.<sup>98</sup> Contemporaneously, within the Burgundian territories in the Netherlands, Duke Philip the Good (1419–67) developed specialist administrative centres for his far-flung domains at Brussels, Ghent and The Hague, building on his grandfather's provision of a single such centre at Lille. The nuclei of these administrative centres were a *chambre de conseil* and a *chambre des comptes*, combining the legislative and financial functions on a single site.<sup>99</sup> Possible venues of this form existed within Scotland from the second half of the fourteenth century. There are, indeed, parallels in the use of Perth Blackfriars for parliaments and the nearby chapel of St Mary for exchequer audits, while James I's building work at Linlithgow Palace and Edinburgh Castle appeared to provide almost purpose-built settings with just such a rôle in mind. For some unknown reason, however, such formal settings were rejected as natural venues, and that despite the key players in the years of minority government after 1437, Sir William Crichton and Sir Alexander Livingston, controlling the castles of Edinburgh and Stirling respectively: neither stronghold emerged as a replacement for Perth. Scotland appears unique amongst the monarchies of fifteenth-century Europe in that it rejected the development of a specialist, formal and secular setting for its parliaments at the same point as it abandoned its traditional ecclesiastical settings. The reasons for this abandonment are not altogether clear, but may be a manifestation of a growing anti-clericalism in the fifteenth century, or may be in some way linked to the tensions between the papacy and the wider body of the church which had erupted into open warfare in the Council of Basel (1431–49). Many Scots played a leading role in the Conciliar movement or supported its views, including the key political figure in the kingdom at this time, James the Gross, 7th earl of Douglas, and it is possible that the influence of the reforming principles expressed in the initial stages at Basel contributed to a nascent desire to effect a clearer separation of spiritual and temporal authority. Whatever the cause of the break, it was abrupt and permanent.

After abandoning one manifestation of the basilican tradition in



the churches, the expedient was adopted of housing meetings of parliaments or general councils in the civic expression of that tradition, the tolbooths of the kingdom's chief burghs, principally at Edinburgh, Stirling and Perth. These were, of course, distinctly secular buildings with already established judicial, legislative and fiscal roles as the seats of burgh government and (unlike royal palaces) open to citizens to give in petitions; we should remember that from the late fourteenth century, the commissioners sent by the royal burghs made up one of the estates of parliament. It may have been this status as *pretoria*, as they were labelled in Latin sources, meaning literally 'house of the magistrates' and identified with the attributes of coercive power, which singled them out as a potential location for parliament meetings. After the parish church, tolbooths were usually the largest public buildings in the medieval townscape, often dominating their burghs with tall towers, and contained a substantial hall in which the burghs' ruling councils met: a fuller account is contained in RCAHMS, *Tolbooths and Town Houses*, 1996. The move to hold parliaments in them may have been prompted by a reluctance on the part of many of the political community to place their persons in the hands of the wily and ambitious politicians who controlled the chief royal castles. Most likely, however, it was the result of a piece of opportunism on the part of the chief burgesses of Edinburgh, the largest and wealthiest urban community in Scotland, who, presumably recognising the economic and political advantages which would accrue from the regular basing of parliament in the heart of their town, and perhaps spurred by the obvious splendour of the civic administrations of Europe, offered their tolbooth to a distinctly shaken royal household. This was a distinctly Scottish response to a peculiarly Scottish problem. However, right across Europe in the following centuries, civic and national legislative architecture became intermingled to the point where one historian could argue that 'to the end of the seventeenth century, government buildings were . . . nearly all town halls'.

In November 1438, parliament assembled 'in pretorio' at Edinburgh.<sup>140</sup> A tolbooth is on record in the burgh by 1365, when David II granted the burgesses a plot of land near to the site of their old tolbooth for the construction of a new one.<sup>141</sup> This new building, which appears to have stood in a vennel off the High Street to the south-east of St Giles', had been constructed by 1368 but was burned

during the sack of the town by the English in 1385.<sup>142</sup> Work on a replacement began in 1386, when Robert II granted the burgesses a new site on the north side of the market-place immediately to the north-west of the west front of St Giles'.<sup>143</sup> This survived, much altered in subsequent centuries, until its demolition in 1817, when Sir Walter Scott bought its main doorway and some late fifteenth- or early sixteenth-century architectural detailing for incorporation into his new house at Abbotsford.<sup>144</sup> Little evidence exists of its earlier fifteenth-century appearance. Most representations of the building postdate its replacement in 1561–2 by the New Tolbooth (which lay to its south within what is now Parliament Square), the demolition of its tower in October 1571 during the siege of Edinburgh,<sup>145</sup> the rebuilding of what was evidently the fourteenth-century western portion of the structure in 1610, and the subsequent conversion of the Old Tolbooth into a prison, the 'Heart of Midlothian'.<sup>146</sup>

The earliest surviving depiction, in a bird's-eye view of the town drawn by an English spy in 1544, is highly schematised; the draughtsman made no attempt to give an accurate architectural representation of the townscape and he places the tolbooth too far to the east, adjacent to the chancel of St Giles'.<sup>147</sup> The next oldest detailed image, James Gordon of Rothiemay's 1647 bird's-eye view of the burgh, postdates the replacement of the fourteenth-century work, but shows the eastern portion of the building, which was nearing completion in 1501.<sup>148</sup> Drawings and plans of the Old Tolbooth, made shortly before its demolition, show this eastern block to have been an elaborate design, its northern façade, which fronted the High Street, faced with ashlar and with richly decorated canopied and corbelled niches framing the windows on the first and second floors. Nasmyth's 1817 view of the Old Tolbooth from the south-west shows the south front of this block, with its main ogival-headed entrance-doorway in a projecting circular stair-tower at the south-east angle, set below a decorated niche and with a framed armorial panel over the first-floor window.<sup>149</sup> The fenestration and detailing suggest that its principal chambers were originally at first-floor level, presumably mirroring the arrangement in the older fourteenth-century block. It would have been within that older structure that parliament met, presumably in the main hall on the first floor.

There was clearly no intention in 1437–8 that Edinburgh should become the fixed seat of parliament. Where parliament was held still



clearly depended on the location of the king, even when the king was a minor. In 1439, therefore, a general council was summoned to assemble in the tolbooth at Stirling, James II then being in the control of Sir Alexander Livingston, keeper of Stirling Castle. Nothing survives of this early tolbooth, the present structure occupying a site which was acquired for the burgh in only 1473.<sup>10</sup> In June 1445, parliament assembled in the tolbooth of Perth, which has likewise long vanished. This, however, was an expedient forced on the Douglasses, who controlled the king's person at that time, for Edinburgh Castle, held by Sir William Crichton, was currently under siege. It may also have been linked to an attempt to declare the minority of the 15-year-old king at an end, possibly in some ceremony at Scone where James may have been required to take the coronation oaths which, as a six-year-old at Holyrood, he had been incompetent to perform.<sup>11</sup> Interestingly, however, it was still in the tolbooth rather than in the traditional assembly places at Scone Abbey or Blackfriars that the meeting was held, which shows that a conscious decision had been taken – by whom remains unknown – to break with past precedent and meet instead in secular, civic venues.

The Perth assembly of June 1445 was brief, parliament being continued to Edinburgh to receive the negotiated surrender of the castle. This marked the end of the peregrinations of the early years of the minority and, although James II held four further parliaments or councils outwith Edinburgh – two in the tolbooth of Perth and two in the tolbooth of Stirling – he held eleven within the town, which was now clearly viewed as the chief seat of Scottish royalty. But in August 1455, arrangements for the fitting-up of parliaments 'in ilk Burgh quhair Parliament or General Councel sall be halden', were enacted, a wording which suggests that Edinburgh, where this legislation was passed, was still far from having monopoly status.<sup>12</sup>

The same act of the 1455 parliament, which is concerned mainly with the dress of the different ranks of nobles and burgh commissioners attending parliament, indicates that it was in the tolbooths of the various burghs that parliaments would convene. It gives, moreover, the first clear information on the physical layout of the assemblies, stating that in place of the 'Barre', that is, the barrier which separated the formal space of the meeting from an area near the door where non-members could be admitted to view the session or give evidence or information, there was to be a three-tiered, removeable

seat on which the burgh commissioners would sit.<sup>133</sup> Presumably, there was already tiered seating for the noble and ecclesiastical estates, arranged in lines facing each other along the side walls of the hall. Such a face-to-face arrangement, often mistakenly seen in Britain as originating with 'Westminster tradition', was of course ultimately inspired by the classical precedent of the Roman Senate, which influenced so much of the architecture of European government in those years; but what was different now was the dominance of the king at one end of the chamber. He sat in the 'place Riale', the royal place or seat, which, like James I enthroned before the high altar in Blackfriars, would have provided a strongly directional focus for the assembly, very different from the more diffuse, oligarchic hierarchy of the Senate.<sup>134</sup> One late sixteenth-century account speaks of a board with a board-cloth set in front of the king and his chief advisers, presumably at which the clerks would have recorded the proceedings, and legal materials and documents would have been deposited.<sup>135</sup> It may have been on this table, too, that the crown, sceptre and sword, carried by three of the senior earls before the formal procession of the king, his parliamentary nobility, prelates and burgh commissioners, were set.<sup>136</sup> Although mostly in place only from the reign of James IV, and first mentioned in this context at the parliament of August 1524, it is probable that the presence of the regalia, by then clearly imbued with the symbolism which differentiated the abstract notion of monarchical authority from the physical person of the king, was regarded as an essential component in establishing the legitimacy and authority of the assembly, particularly when the king himself was either absent or in his nonage.<sup>137</sup> It was at this time that the Stewarts began to employ the imperial crown as a symbol of their authority.

The death of James II in 1460 was followed by a further shift in favour of Edinburgh. The parliaments and councils of James III's minority years all met in the tolbooth at Edinburgh, with the exception of a single meeting at Stirling in 1468. As a mature ruler, James III has been criticised for his supposed laziness and dislike of travel, which saw him rarely stir far beyond the confines of what was now indisputably the capital. This inertia may be more apparent than real, for it is based chiefly on the evidence of the place of issue of documents recorded in the *Register of the Great Seal*, with 707 out of a total of 712 enrolled between November 1469 and May 1488 emanating from Edinburgh.<sup>138</sup> What this more truly reflects is the more or less permanent settlement



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of the offices of government, particularly the writing-office, in Edinburgh Castle, as the scale of the royal administration expanded.<sup>159</sup> The castle had served as the main repository of the royal archive in the thirteenth century and again from the 1350s, and was the base from which the chapel, or royal writing office, operated. Clerks, if not the chancellor himself, however, had always accompanied the kings on their travels around the kingdom, to be on hand to deal with the recording of important business and to issue charters. This is very clear from any examination of the places of issue of charters of all Scottish kings before the fifteenth century, which shows a spread of locations around the kingdom with a few favoured royal residences predominating.<sup>160</sup> Government, however, became increasingly sophisticated from the later fourteenth century, with the evident development of a greater level of bureaucracy. This must have been particularly true during the reigns of James I after 1424 and, more particularly, James II after 1455, as a consequence of those kings' annexation of substantial lands to the crown with the forfeitures of the Albany Stewarts and the Black Douglases. Certainly, the volume of business passing through the chancellor's office increased massively in the course of the fifteenth century, serving to make this arm of government less mobile. As the executive became increasingly fixed in Edinburgh Castle, the case for continuing to move the legislature around the burghs of the kingdom must have proportionately weakened. Increasingly, too, nobles who wished to retain influence at court needed both a town house and a rural seat.

Like the writing-office and repository of the records, the Exchequer also gravitated towards Edinburgh in the aftermath of the assassination of James I at Perth. During the minority and reign of James II, most audits were seemingly held there, although Stirling put in a brief appearance. It was at Edinburgh that the first Exchequer of James III's reign was held, but in 1466 Linlithgow Palace was the venue for the audit from which the teenage James III was kidnapped by the Boyds; the palace was by then well provided with large chambers, in addition to the formal space of the great hall and the royal suites. After James III's assertion of his personal rule in 1469, followed by the effective settlement of royal government in Edinburgh, the castle there became the seat of Exchequer audits; the records, writing-office and treasury were likewise situated within what was effectively a royal administrative centre. At Falkland, building

expenses for 1461–2 record repairs to the palace 'counthouse', while at Stirling, a 'compt house' is on record from 1531. Both these establishments probably functioned as the accounts office of the royal residence concerned, particularly when the household was in occupancy, rather than as the venue for full exchequer audits.

Under James IV, the position of Edinburgh as the seat of both legislature and executive was confirmed. Unlike his father, James was a prodigious traveller who undertook extensive annual forays around his kingdom. While charters continued to be issued from the various locations at which he based himself on these trips, from Tain to Whithorn, Loch Kilkerran (Campbeltown) to Coldingham, the vast majority emanated from the capital.<sup>160</sup> Furthermore, from 1489 – when a council met at Stirling – until 1513, all parliaments met in the tolbooth at Edinburgh. Indeed, through the sixteenth century it was only the threat of war or disease which forced parliament to assemble elsewhere than in the tolbooth at Edinburgh. Thus, in 1513, en route to the battle of Flodden, there was an assembly of the lords at Twizelhaugh, Northumberland, and after the battle, fearing an English invasion, a parliament met at Perth. In 1545 parliament assembled at Linlithgow, Edinburgh having been sacked and burned by the English army in 1544. The nunnery of Haddington was the venue in 1548, when the Scots ratified their treaty with the French which settled the marriage of Queen Mary to the Dauphin Francis, in the course of the Franco-Scottish siege of the English garrison of the burgh.<sup>161</sup>

The pre-eminent position of Edinburgh was further reinforced after 1488 by the division of the functions of the ancient royal council into two distinct but not mutually exclusive specialist segments, one largely judicial, exercised by the session, and the other advisory and less formal, by the body which was later formally constituted in 1545 as the Privy Council. This latter group was principally engaged in formulating royal policy, and emerged as an executive in the course of the sixteenth century. As it was still largely an advisory body, however, it tended to be mobile and could be summoned to assemble wherever the king happened to be at a given time. With kings spending an increasing amount of their time in Edinburgh, however, meetings tended to be held in either Edinburgh Castle or (from the 1530s) in the new royal palace of Holyroodhouse. In 1535–6, when James V undertook the construction of the south and west quarters of the



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quadrangle at Holyroodhouse, a new chapel was built in the south quarter while the old chapel, evidently in the north quarter built by James IV between 1502 and 1504, was fitted up or rebuilt as a chamber for meetings of the Privy Council.<sup>169</sup> The implication is that the new council was constituted on a far more formal basis than the early medieval *curia regis*. Certainly, by the mid-sixteenth century, its business was recorded meticulously and lists of those present – sederunts – were compiled, and its sessions were given added dignity by meeting in a formal setting. The model for this provision of a specialised council chamber may have been the Star Chamber at Westminster, the meeting-place throughout the later Middle Ages for the English royal council. The shared characteristics of advisory body and judicial court for both Scottish and English councils adds some weight to this possibility, but the growing influence of French royal architecture in Scotland at this time offers an alternative source in the council chambers and *salles des états* of the Loire chateaux, especially that at Amboise, built for King Charles VIII (1483–98), which functioned as the hub of French government during his reign and again under Francis I (1515–47).

In tandem with the refinement of the Privy Council, sessions of parliamentary and conciliar committees for the administration of civil justice, which can be traced from the reign of James I and evolved into 'the Session', were matured in the reign of James V. Although a more-or-less permanent corps of judges had been instituted before 1513, it was he who formalised the Session through the institution of the College of Justice, modelled to some extent on the Parlement de Paris, in 1532; in an allusion to the combined judicial and political function of the Roman Senate, the Session judges were referred to as 'senators'.<sup>170</sup> Parliament had always had a judicial function alongside its other roles, while the king's council had not; and so these sessions appear to have met in the tolbooth at Edinburgh throughout the fifteenth century, and James V's failure to provide his promised funding for the new College of Justice ensured that courts continued at first to sit in that building, between 1532 and 1539. After that it moved to the mansion of the President, Abbot Myln, in the Lawnmarket. From 1552 until 1560, the court sat in a range of locations, including the Blackfriars Hall, the Tolbooth, the Magdalen Chapel, and the mansion of the Bishop of Moray at the foot of the High Street.

THE REFORMATION ERA:  
PARLIAMENTS, CONVENTIONS, ASSEMBLIES

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In the second half of the sixteenth century, we move from the era of the simple consolidation of royal power into a transitional period, in which the authority of both the monarch and the church was called increasingly into question: the time of the Reformation. In this period, religious and political reform proceeded in parallel, with a growing trend of separation of church and state. Until then, as we have seen, parliament had needed the royal consent to meet, and to make its acts legal, and its work was channelled through the heavily regulated committee of the Lords of the Articles; in effect, it served as a meeting-place for interest groups rather than as a forum for debate. The 'Reformation Parliament' of 1560 showed the potential for autonomous parliamentary action. It proceeded to exploit the weakness of the monarchy in those years by abolishing papal jurisdiction and outlawing the mass, citing an overarching interest of national community. During the rule by regent which followed the abdication of Mary, the convening of parliaments became a matter of political factionalism; during ten months in the early 1570s, six rival parliaments were called.

Since the mid-fifteenth century, other quasi-parliamentary meetings (usually under the title of 'convention') had also become increasingly common; the various estates often held their own conventions around the sessions of parliament. Additionally, the Convention of Royal Burghs (a kind of 'burghal parliament' convened by the Lord Chamberlain) met until the early sixteenth century prior to the meetings of parliament and the estates. After 1567, the title 'Convention of Estates' was increasingly used to denote a national but informal quasi-parliamentary meeting, free of the control of the Lords of the Articles, and able to pass temporary legislation and levy taxes: to some extent, the powers of these gatherings overlapped with those of the Privy Council. Such meetings became more and more frequent, with seventeen being held between 1594 and 1601; by the 1640s, with the decline in the power of the Articles (see Chapter 2), they would become virtually identical with formal parliaments. In 1587, parliament itself had been reorganised into four estates (by the addition of the lairds), a situation which prevailed until bishops were abolished in 1639.



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Another consequence of the Reformation was that the General Assembly of the reformed church developed as a new national religious legislature, its members mainly ministers with some burgesses and lords. It concerned itself repeatedly with the correction of supposed royal misuse of power, and the combating of erastianism (the doctrine of state control of the church). The two assemblies shared some organisational features and sat in a similar U-shaped layout. The historian and political philosopher George Buchanan, tutor of the infant king James VI and Moderator of the 1567 General Assembly, wrote a corpus of texts advocating curbs on royal power by the nobility and the reformed clergy, adducing in support the classical constitutional precedent of the *res publica*: these books included *De Iure Regni Apud Scotos* (1567/8) and the *History of Scotland* (1582). However, on reaching adulthood in the 1580s, James VI dedicated his efforts to reversing this decline in royal prestige, citing the contrasting classical precedent of imperial Roman authority. As well as summoning full parliaments he also called conventions of the the estates, and attempted to control parliament through his appointments of bishops, and through the committee of the Lords of the Articles. By the end of the period covered by this chapter, a general conflict had begun to take shape within the Scottish elite, between monarchical and oligarchic factions, both citing antiquity in their support; this conflict had religious overtones, owing to the fact that the Reformation in Scotland had prevailed through an act of resistance against the state.

What were the architectural repercussions of this growing conflict of views and interests? Two themes in particular stand out: an expansion of permanent accommodation in the centre of Edinburgh, based on the established tolbooth pattern; and a growing tendency, during periods of emergency and civil strife, for competing or splinter assemblies to meet in a variety of *ad hoc* settings. In 1561–2, prompted presumably by the conflicting demands of parliament, court of session and the town council of Edinburgh, as well as the evidently poor physical state of the old building, Queen Mary ordered the building of a 'New Tolbooth'.<sup>165</sup> Overseen by master of works David Somer, this was erected to the south of the Old Tolbooth in what is now Parliament Square. It lapped around and adjoined the south-west end of St Giles's on a rough L plan.<sup>166</sup> It had three or more storeys, with an entrance in a semi-polygonal turnpike stair projecting from its narrow

north end; accommodation included a hall or apartment on two levels, termed either the Laigh or High Tolbooth, or the Laigh and High 'counsall-hous'. The meetings of the town council were moved from the Old to the New Tolbooth, and the Lords of Session, itinerant during most of the 1550s, also took up permanent residence there; the old building was mainly used as a prison from c.1562 onwards, and at some date before 1610, when work began on the building of new prison accommodation, the late fourteenth-century western portion had been demolished. The New Tolbooth also became a centre for the meetings of national assemblies. Parliaments may on occasion have continued to meet in the main chambers of the late fifteenth-century eastern block, but it is more likely that their sessions moved into the New Tolbooth, which remained the primary venue for parliamentary meetings until the building of the New Parliament House in the 1630s. The New Tolbooth was used by a wide variety of other national institutions, including meetings of the 'generale Kirk' (the General Assembly – on 24 December 1565), and the Convention of Royal Burghs (1579). The exchequer likewise had rooms here until the seventeenth-century Parliament House was opened. The Laigh Hall or House (within the New Tolbooth) was decorated with oak panelling, and possibly portraits, including one said to represent Mary of Guise.

Shortly before the building of the New Tolbooth, the Reformation had opened up the possibility of subdivision of the large unitary space of St Giles', and its south-western section was now fitted out as an overspill tolbooth, containing several rooms, including the town's charter house in a room above the south door. This overspill accommodation was referred to in 1598 as the 'Outer Tolbooth' and also sometimes, confusingly, as the 'new tolbooth'. At ground level, a narrow passage between St Giles' and the New Tolbooth gave access to the kirkyard (now Parliament Close), while an upper-level link allowed easy intercommunication between the New Tolbooth and the tolbooth accommodation inside St Giles'. In 1601, the Lords of Session were moved into the three westernmost bays of the nave of St Giles', which served as a court-room annexe to the Old Tolbooth, under the title 'Outer House of the Lords', and provided their usual meeting-place until 1632; part of the remainder of the nave accommodation was used by the town bailies as a burgh courthouse.<sup>167</sup> This move on the one hand harks back to the earlier medieval use of church naves as court-houses, while on the other it hints at contemporary

1.10. Edinburgh Old Tolbooth, plans after Chambers and north elevation after Sime. (RCAHMS)



1.10. Edinburgh Old Tolbooth, plans after Chambers and north elevation after Sime. (RCAHMS)

FIGURE REMOVED – DUE TO COPYRIGHT RESTRICTIONS

1.11. Edinburgh Old Tolbooth and St Giles's Kirk seen from the northwest, drawn in 1817 by Daniel Somerville. (DJ Black)

1.12. Edinburgh Old Tolbooth and St Giles's Kirk seen from the southwest, drawn in 1817 by A Nasmyth. (Mrs S Stevcnson; RCAHMS EDD/579/2)

**FIGURES REMOVED – DUE TO COPYRIGHT RESTRICTIONS**



perceptions of the architectural norms for judicial buildings, perhaps reflecting the revival of Classical models, especially the aisled basilica.

By the 1560s, therefore, Edinburgh had secured its place as 'capitall toune' and 'the first parliament toun' of the kingdom, and Scottish government had acquired a recognisable legislature and executive, although it had yet to secure the dedicated, specialist venue which would give it an institutional identity.<sup>168</sup> The civil war of 1570–73, while it undermined the growing cohesiveness of government, further reinforced the powerful symbolism of Edinburgh as the seat of national government, with the rival factions going to enormous lengths to establish their legitimacy to rule through the summoning and holding of parliaments in the midst of the war-zone which was the nation's capital.

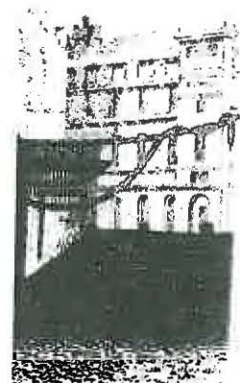
Contemporary accounts of this conflict, although concerned primarily with the political and military ebb and flow between the supporters of the deposed and exiled Queen Mary and those of her young son, James VI, provide the first detailed information concerning some of the tradition and ceremonial which had built up around the holding of parliament over the preceding three centuries, and which still retained force, even in the aftermath of the upheaval of 1560.<sup>169</sup> The legislative powers of the assembly remained generally under the control of the ruler, whose officers and appointees dominated the committee of the Lords of the Articles, which drew up the programme of business and prepared legislation for presentation before the full sessions of parliament. But certain forms were now in place which acted as safeguards against the subjection of parliament to arbitrary royal decisions. Thus, procedures had to be gone through for the summoning of parliaments, initiated by a formal proclamation at the cross of Edinburgh in which a venue and date for the next occasion were specified. Once set, these could not be changed nor the summonses cancelled. This was the argument used in 1578 against James Douglas, earl of Morton, regent for James VI from 1572–8, and champion of an erastian and episcopalian settlement of the Kirk, when he attempted to move a parliament summoned at Edinburgh to Stirling, where he controlled the castle.<sup>170</sup> In 'resisting him, the chancellor, John Stewart, earl of Atholl, declared that the attempt was aganis the King's proclamatiounis and inviolable edicts, aganis all justice, consuetude and law', and 'in manifest abrogation and diminution of the libbertie and power of the thrie Estaitis, the onlie

## TOP.

1.11. Edinburgh Old Tolbooth and St Giles's Kirk seen from the north-west, drawn in 1817 by Daniel Somerville. (D J Black)

## BOTTOM.

1.12. Edinburgh Old Tolbooth and St Giles's Kirk seen from the south-west, drawn in 1817 by A Nasmyth. (Mrs S Stevenson; RCAHMS EDD/579/2)



stowppis and pillers of the Crown'.

This underscores the problem which faced Matthew Stewart, earl of Lennox, regent for his grandson James VI, in May 1571. Parliament had been summoned to assemble at the tolbooth of Edinburgh, but the castle and burgh were controlled by the supporters of Queen Mary, who proceeded to hold their own parliament in the appointed place.<sup>171</sup> Lennox was bound by procedure, however, and could not shift the venue of 'his' parliament without first 'opening a formal session in Edinburgh and then 'continuing' it at some more convenient location. As a consequence, therefore, he and his supporters occupied the house of William Cook in the Canongate, technically outwith the burgh but claimed as lying 'within the freidome of Edinburgh', and 'fenced' or formally instituted parliament there. His purpose, as understood by one contemporary observer, was to establish it as a legitimate parliament.<sup>172</sup> This was a necessary step towards establishing his authority as lawfully appointed regent, both at home and in the eyes of foreign observers, and to giving credibility and force to his government and its legislation. Furthermore, it could be claimed as the 'official' parliament of 1571, denying the legitimacy of the assembly of the Queen's men in the tolbooth and thereby removing any questionmark over the authority or validity of subsequent parliaments summoned by him. Its business was brief, basically the passing of sentences of forfeiture on the 'rebels' in the castle, which had been the principal intended purpose of the parliament summoned to the tolbooth, and the announcement of its continuation at Stirling. In this, too, Lennox followed the established tradition as closely as possible, proclaiming the continuation of parliament and the date and venue for its re-assembly at the cross in the Canongate.<sup>173</sup>

The absence of the regalia seems also to have been a major concern for Lennox and his supporters. At his first parliament in October 1570, the new regent had failed to secure the presence of these powerful tokens.<sup>174</sup> The rapid descent into civil war over the following months ensured that Lennox had been unable to gain possession, and for his Stirling parliament of August 1571 he was obliged to have a new set of regalia manufactured for the ceremonial procession of the young king and his nobility from the castle to the tolbooth.<sup>175</sup> Interestingly, one source for this event, giving a more detailed account of the pageantry of the procession, describes how the king was 'brocht furth of the castell downe to the tolbuith with gret tryvmpe the crowne



beand on his heid the vthir crowne beirand be his guidshir the regent baith borne vnder ain pail the cepture and the sword also befor thame borne'.<sup>176</sup> These may have been the 'jewallis . . . maid of brace [brass] and doubill ourgilt with gold', used by the King's Men at their Edinburgh parliament of January 1572-3.<sup>177</sup> The reference *two* crowns, however, adds further strength to the political symbolism attached to the regalia, the crown borne by the regent, presumably, being the actual coronation crown – or in this context a facsimile of it – which carried the greater symbolic weight as the manifestation of kingly authority.

By the early sixteenth century, the public parading of the crown, sword and sceptre in the mounted procession of the king and his nobles from the castle or palace of Holyroodhouse to the tolbooth had become a central feature of parliamentary ritual. During both the minority and the personal reign of Mary, where the queen evidently did little more than attend the opening session in which the Lords of the Articles were nominated, deliver her proposition and orisoun in parliament', and return when necessary to settle formal processes which required her authority, such as forfeitures, the regalia must already have acquired its role as a symbol of monarchy.<sup>178</sup> Although it is nowhere stated explicitly in sixteenth-century or earlier accounts, the symbolic role of the royal regalia in establishing the authority of seventeenth-century Scottish parliaments must represent the continuation and development of an older tradition. In the opinion of some, the fact that the 1560 'Reformation Parliament', convened without the permission of the Queen, had assembled without these powerful symbols of royal authority, brought the legitimacy of its proceedings further into question.<sup>179</sup> Despite Lennox's efforts in 1571, there was clearly doubt over the validity of the actions of the king's parliaments since October 1570, which had either met without the 'official' regalia, or which had assembled elsewhere than in the tolbooth of Edinburgh, but it seems to have been the latter point which was of paramount concern, presumably as a consequence of the potential illegality of the Canongate parliament of 1571. Thus, in January 1573, when one of Lennox's successors as regent, the 4th Earl of Morton, had succeeded in taking the town of Edinburgh, he convened a parliament in the tolbooth while the castle was still under siege, with the express purpose of ratifying all acts passed in the king's name

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In recognition of the continuing siege – the castle's artillery fired on the burgh throughout Morton's parliament was hardly an exercise in triumphalism.<sup>181</sup> Although the replacement regalia was borne in procession, no trumpeters or heralds proclaimed their arrival nor the fencing of parliament, and the regent and his allies were obliged to pass through St Giles's and enter the tolbooth through a breach made in its wall. Presumably as a consequence of either the risk posed by the artillery barrage, or as a result of existing damage to the upper levels of the new building, the parliament convened in 'the laigh [low] counsall hous of the toun on the west syid of the tolbuyth'.<sup>182</sup> In April 1573, as the civil war moved to its close and many of the erstwhile leaders of the Queen's party sought reconciliation with their opponents, Morton, now based in Holyroodhouse, summoned a second parliament. After a ceremonial procession from the palace to the tolbooth and the formal selection of lords of the Articles, its business session was moved down the hill to Holyroodhouse, well out of range of the castle's guns.<sup>183</sup> There, after processing from 'the tour of the abbay', evidently the existing north-west tower built by James V, through 'the inward clos', the regent and nobles convened in the 'north hall', presumably the council chamber which had been fitted up in the former chapel in the north quarter of the palace (see below).<sup>184</sup>

#### CONCLUSION

Throughout this chapter, the physical settings of Scotland's medieval parliaments have remained elusive. The ravages of time and warfare have today obliterated most traces of the earliest venues of government, leaving simply the frustratingly imprecise recording of the name of the location in the equally frustrating fragmentary documentary record. For the earliest of the sites, dating from the formative years of the Scottish kingdom, archaeology has added considerably to our knowledge, but this is largely through conjecture and analogy with excavated remains elsewhere in Britain and on the European continent rather than through the detailed examination of any Scottish remains. What is evident, however, even from the earliest period, is the range of influences and inspira-



Scotland, the influence of the English system of more restricted parliamentary power remained fairly strong, as a legacy of the close political relationship between the two kingdoms in the central decades of the thirteenth century. Westminster, indeed, was the model followed in the development of Scone as the physical nexus of royalty, government and religious symbolism. Furthermore, despite the catastrophic failure of the good relationship between the kingdoms in the period after 1296, it was still partly to the Westminster tradition that Robert I returned when reconstructing Scottish government.

From 1296 until 1437, it was ecclesiastical buildings which predominated as the regular venues for parliaments and councils. Most probably, it was the essentially basilican form of the churches so employed which provided the attraction, but this may also have been influenced by the established position of church buildings – especially the basilican naves as the locations of secular courts and meeting-places. Such was the force of this tradition that long after the crown had refurnished itself with what were otherwise suitable stages on which to parade the powerful new monarchy of the post-Wars of Independence era – such as Linlithgow – parliaments continued to meet in these established ecclesiastical venues. The impact of tradition in influencing Scottish responses to the needs of government should not be underestimated, and is seen most clearly in the emergence of Perth. There, geographical location and the coincidence of the sites of the king-making ritual, the meeting-place of the provincial council of the Scottish church, and an economically influential burgh community with suitable structures within which to house the king and his household, the participating nobility and their retinues, and the officers and functionaries of government – overrode what we, with the benefit of hindsight, might regard as logical imperatives for relocation elsewhere.

The survival of Perth as the location of parliament long after Edinburgh had regained its status as the seat of government, is a powerful indication of the strength of tradition.

It took force to break that grip. The assassination of James I in 1437 appears as the single act which severed both the link to Perth and the bond with the church as a parliamentary venue. Underlying this, however, were a number of factors which contributed to an unvoiced demand for change. Growing anti-clericalism and the

demands for clearer separation of the functions of church and state which issued from the Council of Basel, coupled with the practical concerns regarding the security of Perth and the political reality of the economic and governmental dominance of Edinburgh, brought about that change at a single stroke.

Colouring the scene, however, may again have been growing continental influences, where specialist settings for government were being developed in many of the states with which Scotland had close diplomatic or commercial links. Furthermore, the flow of early Renaissance principles concerning the exercise of political authority, and a reawakening of interest in the classical Roman past, evident from the reign of James I onwards, may have stimulated a conscious rejection of the medievalism of the old parliamentary tradition in favour of the secular, magistratist and essentially imperial tradition represented by the civic authority of the tolbooth. Although not a specialist parliamentary structure *per se*, the tolbooth marked a decisive step from medieval monarchy towards an architecture of modern government. But the path which linked the two would be riven with conflict; the balanced 'society of orders' of the late Middle Ages could now no longer be maintained. The legacy of the Reformation was a contest between polarised extremes of oligarchy and monarchy over the source of authority in government, a contest which would sharpen into a bitter civil war in the 1630s and '40s.

## NOTES

1. S.M. Foster, 'Before Alba: Pictish and Dal Riata power centres from the fifth to the late ninth centuries AD', in S. Foster, A. Macinnes and R. Macinnes (eds.), *Scottish Power Centres from the Early Middle Ages to the Twentieth Century*, Glasgow, 1998, 1-31.
2. Foster, 'Before Alba', 10-11.
3. Foster, 'Before Alba', 16; A.O. Anderson, *Early Sources of Scottish History AD 500 to 1286*, Edinburgh, 1922, i, 50.
4. Anderson, *Early Sources*, i, 291.
5. L. Alcock and E.A. Alcock, 'Reconnaissance excavations on Early Historic fortifications and other royal sites in Scotland, 1974-84'; L. Alcock, 'Excavations and other fieldwork at Forteviot, Perthshire, 1981', *Proceedings of the Society of Antiquaries of Scotland (PSAS)*, 122, 1992, 215-93 at 218-42; L. Alcock and E.A. Alcock, 'The context of the Dupplin Cross: a reconsideration', *PSAS*, 126, 1996, 455-7; S.M. Foster, *Picts, Gaels and Scots*, London, 1996, 48-51, 98-99.
6. D. Broun, 'The Origin of Scottish Identity', in C. Bjorn, A. Grant and K.J. Stringer, *Nations, Nationalism and Patriotism in the European Past*, Copenhagen, 1994, 35-55 at



- 52-4; J. Bannerman, 'The Scottish takeover of Pictland and the relics of Columba', *Innes Review*, xlviii, 1997, 27-44.
7. S. Airliie, 'The View from Maastricht', in B.E. Crawford (ed.), *Scotland in Dark Age Europe*, St Andrews, 1994, 33-46 at 35.
8. B. Hope-Taylor, 'Doonhill, Dunbar, East Lothian', *Medieval Archaeology*, 10, 1966, 175-6; I.M. Smith, 'Sprouston, Roxburghshire: an early Anglican centre of the eastern Tweed Basin', *Proceedings of the Society of Antiquaries of Scotland*, 121, 1991, 261-94. For a general discussion of lordly and royal power centres in this period, see S.T. Driscoll, 'Formalising the mechanisms of state power: early Scottish lordship from the ninth to the thirteenth centuries', in Foster, Macinnes and Macinnes, *Power Centres*, 32-58.
9. See, for example, B. Hope-Taylor, *Yeaving: an Anglo-British centre of early Northumbria*, Department of the Environment Archaeological Report, 7, London, 1977; P. Rahtz, *The Saxon and Medieval Palaces at Cheddar*, Oxford, 1979.
10. Foster, *Picts, Gaels and Scots*, 59.
11. Driscoll, 'Formalising the mechanisms of state power', 43.
12. Foster, 'Before Alba', 20.
13. F.J. Byrne, *Irish Kings and High Kings*, London, 1973, 53-7.
14. Anderson, *Early Sources*, i, 224; A.A.M. Duncan, *Scotland: the Making of the Kingdom*, Edinburgh, 1978, 115; Foster, *Picts, Gaels and Scots*, 49. The certain identification of Scone as the *Caislenn Credi* of the annals is still a matter of academic debate.
15. This remained the site of royal enthronements down to the time of Robert I. For a detailed medieval description, see Walter Bower, *Scottichronicon*, D. Watt and others (eds.), 5, Aberdeen, 1990, 293-5.
16. Anderson, *Early Sources*, i, 445; Foster, *Picts, Gaels and Scots*, 112; A.P. Smyth, *Warlords and Holy Men, Scotland AD 80-1000*, London, 1984, 189.
17. *John of Fordun's Chronicle of the Scottish Nation*, W.F. Skene (ed.), (facsimile reprint), Llanerch, 1993, 177.
18. *John of Fordun's Chronicle of the Scottish Nation*, W.F. Skene (ed.), (facsimile reprint), Llanerch, 1993, 218.
19. T. Thomson and C. Innes (eds.), *The Acts of the Parliaments of Scotland*, Edinburgh, 1814-75, i, 545.
20. Foster, 'Before Alba', 19.
21. *Registrum Episcopatus Moraviensis* (Bannatyne Club, 1837), no. 159.
22. Driscoll, 'Formalising the mechanisms of state power', 41-3.
23. For a discussion of the *curia regis*, council, its composition and workings, see A.A.M. Duncan, *Scotland: the Making of the Kingdom*, Edinburgh, 1975, 211-3, 608-610.
24. Bower, *Scottichronicon* (Watt), 4, 21.
25. G.W. S. Barrow (ed.), *Regesta Regum Scotorum*, ii, *The Acts of William I*, Edinburgh, 1971, no. 519.
26. G. Duby, *France in the Middle Ages*, trans. J. Vale, London, 1991, 255; Joinville and Villehardouin, *Chronicles of the Crusades*, trans. M.R.B. Shaw, London, 1963, 177. Joinville's account of Louis IX's court emphasises the informality of medieval government.
27. A.O. Anderson, *Scottish Annals from English Chroniclers, AD 500 to 1286*, London, 1908, 233.
28. G.W.S. Barrow (ed.), *Regesta Regum Scotorum*, i, *The Acts of Malcolm IV*, Edinburgh, 1960, 14-15.
29. For example, Duncan, *Making of the Kingdom*, 212.
30. F. Watson, 'The expression of power in a medieval kingdom: thirteenth-century

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Scottish castles', in S. Foster, A. Macinnes and R. Macinnes (eds.), *Scottish Power Centres from the Early Middle Ages to the Twentieth Century*, Glasgow, 1998, 59-78 at 63.

31. For example, APS, i, 64, 66 (Alyth and Selkirk), J.M. Thomson (ed.), *Registrum Magni Sigilli Regum Scotorum*, (reprint), Edinburgh, 1984, i, no. 549 (Loch Freuchie in Strathbraan), no. 639 (Kindrochit in Mar); RMS, ii, no. 2198 (Hunthall in Glenfinglass), nos. 922, 923, 2185 (Glenartney).

32. J. Steane, *The Archaeology of Medieval England and Wales*, London, 1984, 13-4; W.L. Warren, *Henry II*, London, 1973, 473. It is known that William the Lion attended councils of Henry II of England at Northampton and Feckenham in 1176, Nottingham in 1179 and 1181, London in 1185, Oxford in 1186, and visited also the royal residences at Woodstock and Windsor.

33. A.C. Lawrie (ed.), *Early Scottish Charters prior to 1153*, Glasgow, 1905, no. 136.

34. RRS, ii, nos. 147, 203, 204, 331, 435.

35. Bower, *Scottichronicon* (Watt), 4, 339.

36. *A Scottish Chronicle Known as the Chronicle of Holyrood* (Scottish History Society, 1938), 168-9.

37. A.O. Anderson, *Scottish Annals from English Chroniclers AD 500-1286*, London, 1908, 300-301; APS, i, 70.

38. RRS, ii, 15, no. 326. For alternative locations and discussion, see Duncan, *Making of the Kingdom*, 212, note 54; W.F. Skene (ed.), *John of Fordoun's Chronicle of the Scottish Nation* (facsimile reprint), Llanerch, 1993, ii, 269; Bower, *Scottichronicon* (Watt), 4, 395.

39. APS, i, 66.

40. RRS, ii, 18-19, 103.

41. RRS, ii, 19, 104; Bower, *Scottichronicon* (Watt), 4, 459.

42. Bower, *Scottichronicon* (Watt), 4, 457 and note.

43. A.A.M. Duncan, 'The early parliaments of Scotland', *Scottish Historical Review*, xlv, 1966, 36-58.

44. Duncan, 'The early parliaments', 1, note 5.

45. A. Grant, *Independence and Nationhood: Scotland 1306-1469*, London, 1984, 162-3, 166-7.

46. Bower, *Scottichronicon* (Watt), 5, 181 and note on 279.

47. Bower, *Scottichronicon* (Watt), 5, 181.

48. Bower, *Scottichronicon* (Watt), 5, 183-5.

49. Duby, *France in the Middle Ages*, 218, 255-6, 283, 284.

50. D.E.R. Watt, 'The Provincial Council of the Scottish Church, 1215-1472', in A. Grant and K.J. Stringer (eds.), *Medieval Scotland: Crown, Lordship and Community*, Edinburgh, 1993, 140-55.

51. Duncan, *Making of the Kingdom*, 294; G. Barraclough, *The Medieval Papacy*, London, 1968, 135.

52. J. Bain (ed.), *Calendar Relating to Scotland*, i, Edinburgh, 1884, nos. 526, 840.

53. Preparations for the war with Norway in 1263 appear to have been finalised in a parliament or council at Edinburgh in February 1263. On 18 March 1286, the afternoon before his death, Alexander III held a council in Edinburgh Castle, attended by 'a great number of his nobles', followed by an extended banquet; Anderson, *Early Sources*, ii, 690-1.

54. M. Powicke, *The Thirteenth Century*, 2nd edition, Oxford, 1962, 147, 177.

55. R. Midmer, *English Medieval Monasteries, 1066-1540*, London, 1970, 89-90. Parliaments also met in the refectory in 1296 and 1447.

56. A. Stevenson, 'Medieval Scottish Associations with Bruges', in T. Brotherstone and D. Ditchburn (eds.), *Freedom and Authority: Scotland c. 1050-c. 1650*, East Linton, 2000,



100. *APS*, i, 59; see also Duncan, *Making of the Kingdom*, 529, note 19. Gillesbuig appears as a witness to a charter of Thomas de Colville, lord of Dalmellington, dateable to 1201/1206 (*Liber S. Marie de Melros*, Bannatyne Club, 1837, no. 192).
57. *APS*, ii, 43, where the bar was replaced by new seating for the burgh commissioners under legislation of 1455. This is the arrangement which can be seen in a late thirteenth-century manuscript illustration showing Edward I enthroned before an assembly of clerics, with scribes seated on the floor at their feet (British Library, Cottonian MS Vitellius A XIII, f.6v).
58. T. McNeill, *Castles in Ireland: Feudal Power in a Gaelic World*, London, 1997, 45-7.
59. It is possible that some structural remains of Alexander II's hall survive in the rubble-choked and overgrown ruins of Kinclaven in Perthshire. Smaller halls perhaps survive in the fragmentary remains of the royal hunting-lodges at Kincardine near Fettercairn and at Clunie near Dunkeld.
60. G. Stell, 'Architecture: the changing needs of society', in J.M. Brown (ed.), *Scottish Society in the Fifteenth Century*, London, 1977, 153-83 at 157-9.
61. W. Fraser, *The Lennox*, Edinburgh, 1874, ii, no. 9.
62. Duncan, 'Early parliaments', 37, note 5; A.A.M. Duncan, *Scotland: the Making of the Kingdom*, Edinburgh, 1978, 592-3; Bower, *Scottichronicon* (Watt), 5, 417.
63. Bower, *Scottichronicon* (Watt), 5, 291-3.
64. *APS*, i, 69, 424.
65. Nicholson, *Later Middle Ages*, 28.
66. Duncan, 'Early parliaments'.
67. *Chron. Fordoun*, ii, 357.
68. John Barbour, *The Bruce* (edited and translated by A.A.M. Duncan), Edinburgh, 1997, 79-81 and notes.
69. Robert Lindsay of Pitcottie, *The Historie and Cronicles of Scotland* (Scottish Text Society, 1899), 173-6.
70. *CDS*, ii, no. 1978.
71. Barrow, *Robert Bruce*, 112.
72. The burgh was fortified by the English after 1304 and was besieged in December 1308 by Edward Bruce; D. Macpherson and others (eds.), *Rotuli Scotiae in Turri Londiniensi et in Domo Capitulari Westmonasteriensi* (1814-19), i, 60a.
73. MacGibbon and Ross, *Ecclesiastical Architecture*, i, 372-5.
74. *APS*, i, 454.
75. Barrow, *Robert Bruce*, 183-6.
76. Barrow, *Robert Bruce*, 183-6.
77. Fawcett, *Scottish Abbeys and Priories*, 101.
78. Bower, *Scottichronicon* (Watt), 8, 3-5.
79. RCAHMS, *South East Perth: an Archaeological Landscape*, HMSO, 1994, 124-7.
80. *APS*, i, 546: '... in Secreta Camera predicti domini Regis in suo Secreto consilio et post in Camera sui parlamenti in publico'.
81. RCAHMS, *Stirlingshire*, i, no. 130; S. Cruden, *Cambuskenneth Abbey, Stirlingshire*, Edinburgh, 1973, 6.
82. J. Dunbar, 'The Palace of Holyroodhouse During the First Half of the Sixteenth Century', *The Archaeological Journal*, cxx, 1964, 250.
83. RCAHMS, *The City of Edinburgh*, Edinburgh, 1951, no. 86, 131; Fawcett, *Abbeys and Priories*, 101.
84. R. Fawcett, *Scottish Cathedrals*, London, 1997, 59-60.
85. *RRS*, v, 91 and no. 18.
86. *RRS*, i, no. 240.

19. Gillesbuig  
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37, no. 192).  
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87. Bower, *Scottichronicon* (Watt), 6, 379.
88. *Rotuli Scotiae*, i, 80a.
89. Bower, *Scottichronicon* (Watt), 6, 379.
90. *APS*, i, 73.
91. *APS*, i, 7, 81.
92. R. Nicholson, *Scotland: the Later Middle Ages*, Edinburgh, 1978, 129-30.
93. Bower, *Scottichronicon* (Watt), 7, 109.
94. Bower, *Scottichronicon* (Watt), 7, 117.
95. Bower, *Scottichronicon* (Watt), 7, 117.
96. RCAHMS, *Fife, Kinross and Clackmannan*, Edinburgh, 1933, no. 197, 113-20.
97. Nicholson, *Later Middle Ages*, 138-9; Bower, *Scottichronicon* (Watt), 143.
98. Bower, *Scottichronicon* (Watt), 7, 143-5.
99. Nicholson, *Later Middle Ages*, 139.
100. Barrow, *Robert Bruce*, 268-9; D.G. Adams, *Celtic and Medieval Religious Houses in Angus, Brechin*, 1984, 28.
101. The friary buildings, including large parts of the church, were excavated in the mid-1990s. The outline of the church has been marked in the paving of the car park behind the tenement blocks fronting the south side of the Green.
102. Nicholson, *Later Middle Ages*, 164-5.
103. *APS*, 495; J. Goodare, *Parliamentary History*, 15, 1996.
104. There does not appear to have been adequate accommodation for the king, court and household at Blackfriars before the 1380s. In 1373, Robert II hired two houses for royal use in the burgh, possibly at the time of the Scone parliament of that year. These were probably used to accommodate household departments, principally the king's and queen's wardrobe: see *ER*, iii, 442.
105. M. Brown, *James I*, Edinburgh, 1994, 114-5.
106. Bower, *Scottichronicon* (Watt), 6, 365 and note.
107. Bower, *Scottichronicon* (Watt), 8, 243 and note.
108. *RMS*, i, no. 652.
109. *APS*, i, 550; *RMS*, i, nos. 752, 770.
110. *APS*, i, 551, 553, 555.
111. *APS*, i, 500; S. Boardman, *The Early Stewart Kings: Robert II and Robert III*, East Linton, 1996, 124.
112. *APS*, i, 555; Boardman, *Early Stewart Kings*, 152.
113. *APS*, i, 556-7.
114. *Moray Registrum*, 382.
115. *Moray Registrum*, 557.
116. Watt, 'Provincial Council', 145.
117. Bower, *Scottichronicon* (Watt), 8, 289.
118. For the layout of medieval European parliaments and assemblies, see A.R. Myers, *Parliaments and Estates in Europe to 1789* (London, 1975), figs. 2, 15, 18, 28.
119. *RMS*, i, nos. 896, 908.
120. *APS*, i, 587.
121. Royal Commission on the Ancient and Historical Monuments of Scotland (RCAMHS), *Tolbooths and Town-houses: Civic Architecture in Scotland to 1833*, Edinburgh, 1996, 205-206.
122. *ER*, ii, 223, 262, 290, 309, 348, 360, 394-5.
123. I. Campbell, 'Linthgow's "Princely Palace" and its Influence in Europe', *Architectural Heritage*, 5, 1995, 1-20; J. Dunbar, *Scottish Royal Palaces*, East Linton, 1999, 5-10; Brown, *James I*, 114-5.



126. *ER*, iv, 513.
127. Boards for the roofing to the hall at Edinburgh were purchased in 1375: see *ER*, ii, 472; Dunbar, *Scottish Royal Palaces*, 75-7.
128. *Monro's Western Isles of Scotland and Genealogies of the Clans*, R.W. Munro (ed.), Edinburgh, 1961, 95-100; *Highland Papers* (Scottish History Society, 1914-34), i, 23-4.
129. D.H. Campbell and N.A. Ruckley, 'Domestic Architecture in the Lordship of the Isles', in R.D. Oram and G.P. Stell (eds.), *Lordship and Architecture in Medieval and Early Renaissance Scotland* (forthcoming).
130. *Acts of the Lordship of the Isles, 1336-1493* (Scottish History Society, 1986), xivi-1.
131. Monro, *Western Isles*, 57; *Highland Papers*, i, 25; *Acts of the Lordship of the Isles*, xliii.
132. Monro, *Western Isles*, 57.
133. *Acts of the Lordship of the Isles*, nos. 42, 76, 80, 82, 89, 90, 91, 96, 119, 122, 123.
134. *ER*, vii, p.lx; Dunbar, *Scottish Royal Palaces*, 76-7.
135. *ER*, vi, 385.
136. *APS*, ii, 31; C.A. McGladdery, *James II*, Edinburgh, 1990, II.
137. James III was crowned in 1460 in Kelso Abbey, following the death of his father during the siege of nearby Roxburgh. In 1488, James IV chose to be crowned at Scone, presumably to give greater legitimacy to a regime which had established itself through the violent overthrow and death of the old king by his son: see N. Macdougall, *James IV*, Edinburgh, 1997, 51.
138. For example, the great halls at Tours, Bois or Amboise, which had formal legislative and judicial, rather than banqueting roles. Tours was the venue for the assembly of the three Estates of France in 1468: Philippe de Commynes, *Memoirs*, trans. M. Jones, London, 1972, 168-9.
139. G. Holmes, *Europe: Hierarchy and Revolt, 1320-1450*, London, 1975, 272.
140. RCAHMS, *Tolbooths and Town-houses*, Edinburgh, 1996; N. Pevsner, *A History of Building Types*, London, 1976, 34; *APS*, ii, 31.
141. *RMS*, i, no. 207.
142. *Tolbooths and Town-houses*, 82; *Registrum Cartarum Ecclesie Sancti Egidii de Edinburgh* (Bannatyne Club, 1859), 2; Bower, *Scottichronicon* (Watt), 7, 407.
143. *Tolbooths and Town-houses*, 83; *Edinburgh St Giles Registrum*, 77, 170.
144. J. Gifford, C. McWilliam and D. Walker, *Edinburgh*, London, 1984, 66.
145. *A Diurnal of Remarkable Occurrents that have passed within the country of Scotland from the death of King James the Fourth till the year 1575* (Bannatyne and Maitland Clubs, 1833), 252.
146. *Tolbooths and Town-houses*, 82.
147. British Library, MSS Cotton Augustus I, vol. ii ant. 56.
148. *Tolbooths and Town-houses*, 82.
149. *Tolbooths and Town-houses*, 83.
150. *Tolbooths and Town-houses*, 188.
151. McGladdery, *James II*, 33.
152. *APS*, ii, 43.
153. *APS*, ii, 43: '... there be ordained quhair the Barre uses to stand, a seate of three seges, ilk ane hiare than other, to the Commissionares to sit on, under the payne of ten pounds to be rayssed of the Toun, quhair Parliament or General Councel sail be halden, and the said seges un-maid, als oft als they are halden'.
154. *APS*, ii, 125.
155. *The Historie and Life of King James the Sext* (Bannatyne Club, 1825), 88.
156. For example, Robert Lindsay of Pitcottie, *The Historie and Cronicles of Scotland*, A.J.P. Mackay (Scottish Text Society, 1899), ii, 201.

in 1375: see *ER*, ii, 472;

W. Munro (ed.),  
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119, 122, 123.

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157. *Diurnal of Occurrents*, 9.
158. See 'Place-dates: James III (1460-88)', in P.G.B. McNeill and H.L. MacQueen (eds.), *Atlas of Scottish History to 1707*, Edinburgh, 1996, 180.
159. The Treasurer, for example, was accommodated with a lodging in the castle by the fifteenth century. Repairs to the 'dom(us) thesaurarie' are listed in the Exchequer accounts for 1468: *ER*, vii, 424; Dunbar, *Scottish Royal Palaces*, 82-3.
160. 'Place-dates of royal charters', McNeill and MacQueen (eds.), *Atlas*, 159-76.
161. Exchequer, *ER*, v, 180; *ER*, vii, 1; Nicholson, *Later Middle Ages*, 411; Dunbar, *Scottish Royal Palaces*, 23 and 200. James IV's charters: McNeill and MacQueen (eds.), *Atlas*, 181.
162. *Diurnal of Occurrents*, 46-7.
163. Dunbar, *Scottish Royal Palaces*, 68, 73. See also Pitscottie, *The Historie of King James the Sext*; or *Diurnal of Occurrents*.
164. *The Historie of King James the Sext*, 170.
165. Pitscottie, *Historie*, ii, 253; *Diurnal of Occurrents*, 214.
166. *Diurnal of Occurrents*, 214.
167. *Diurnal of Occurrents*, 214-5.
168. *Diurnal of Occurrents*, 191: 'It is to be notit, that in thair passing to the said tolbuyth, remayning in the same, nor yit returneing thairfra, thair wes nather croun, sceptre nor sword in this parliament borne, for thaj had nane bot quhilk wes in the castell of Edinburgh, and the capitane thair of wald not deliuer the same to thame . . . ' Lennox also lacked the records and books of parliament, which the Queen's supporters had obliged the scribes of the Session to hand over to them: *Diurnal of Occurrents*, 213.
169. *Diurnal of Occurrents*, 242.
170. Pitscottie, *Historie*, ii, 262.
171. *Diurnal of Occurrents*, 324.
172. *Diurnal of Occurrents*, 76.
173. *Diurnal of Occurrents*, 61.
174. *Diurnal of Occurrents*, 324.
175. Pitscottie, *Historie*, ii, 296.
176. *Diurnal of Occurrents*, 324.
177. Pitscottie, *Historie*, ii, 301.
178. *Diurnal of Occurrents*, 330-331.
178. Dunbar, 'The Palace of Holyroodhouse', 243, 248-40; Gifford and others, *Edinburgh*, 125-6.
180. G. Donaldson, *Scotland: James V to James VII*, Edinburgh, 1965, 42, 46-8.
181. J.H. Burton (ed.), *The Register of the Privy Council of Scotland*, i, 1545-69, Edinburgh, 1877, 198-9.
182. *Tolbooths and Town-houses*, 86; Gifford and others, *Edinburgh*, 103-106.
183. Gifford and others, *Edinburgh*, 119.
184. *The Historie of King James the Sext*, 178.
185. A.R. Myers, *Parliament and Estates in Europe to 1789*, London, 1975, 31-2.



