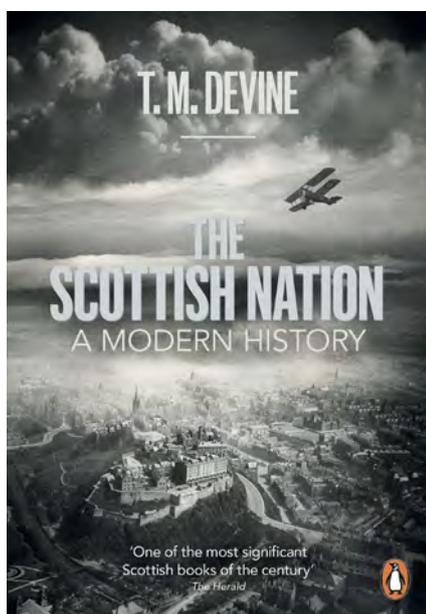


# Scotland in

**A**S 2021 SEES our ancient nation of Scotland edge ever closer to regaining her independence, more so now than at any time since the Union in 1707, it is interesting to reflect on the timeline of events leading up to and around the establishment of the Kingdom of Great Britain through that Union, and its aftermath. Evidenced by historical analysis and political commentary, much of it published in the following century, we'll continue to look at how and why the Union came



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about and whether it has ever been the benefit to Scotland claimed by its supporters. Last month, in the second part of this series, we explained 'How Scotland was forced into an unwanted Union with England'. This month, we'll pick up the story with how the Scottish public reacted to the signing of the Treaty and look at how events unfolded in the first century of the Kingdom of Great Britain...

### Part 3: The First Century of the Union

It is well documented that the 1707 Treaty of Union was not wanted, or welcomed, by the people of Scotland. In his book, *The Scottish Nation*, Tom Devine notes: "... when the Scottish parliament met in October 1706 at the start of the historic session to debate the draft articles of union, it is plain that opposition had not subsided. Not all burghs and counties sent in petitions, but those that did were virtually all vehemently anti-Union in content." He goes on to describe Presbyterian ministers – highly influential figures – as "vigorously condemning the proposed Union" and cites the Clerk of Penicuik as lamenting "the yawning gap which he perceived between the parliament and the people on the issue" and his observation that "not even one per cent [of the people] approved of what [the parliament] was doing". That "one per cent" approval tallies with the verdict of the English spy Daniel Defoe, who reported back to his masters in London that "for every Scot in favour there are 99 against"!

Devine describes examples of how the people demonstrated their discontent, in addition to publicly cheering politicians who were against the Union and attacking those in favour. "... anti-Union demonstrations were common in the capital ... the Glasgow mob rose against unionist sympathisers in disturbances which lasted intermittently for over a month, while in the burgh of Dumfries the proposed Articles of Union were ritually burnt before an angry gathering of several thousand townspeople." Despite this widespread popular

# the Union



by Gordon Craigie

opposition, enough of the politicians were coerced, cajoled and bribed into accepting the treaty and duly voted it through by 106 to 69 in January 1707.

Historian Jenny Eeles is curating an online searchable archive of Scottish history on her *Random Scottish History* website, [www.rsh.scot](http://www.rsh.scot), which boasts an impressive collection of contemporaneous accounts from the 1700s and 1800s. Many of the extracts quoted in this series are taken from Jenny's archive, and she notes: "It took the new British parliament only one year to begin nullifying the supposedly protected (by article XIX) Scottish institutions. The first to be affected, in 1708, was Scotland's Privy Council. It was abolished by an act, 'for rendering the Union of the two kingdoms more complete', which created one Privy Council for Great Britain as a whole."

Tom Devine recognises the seriousness of this action: "The end of the Privy Council was a key development because it gravely weakened the ability of government in Scotland to respond vigorously and decisively in crisis situations. The vacuum which it left at the centre of power could only give further comfort to the Jacobites ... the continuing Jacobite threat [to the Union] was always more menacing in Scotland than in England ... Jacobites were implacably opposed to the Union since they viewed it – correctly – as a means of buttressing and perpetuating the Revolution of 1688–89 and so ensuring that the Stuarts would never again return to their rightful inheritance ... James Stuart [James VIII], the exiled 'Old Pretender', in his *Declaration to the Scots Nation* had promised, [among other things], the restoration of the Scottish parliament in a deliberate attempt to attract the support of those disenchanted with the Union settlement." In 1708, in what became known as the First Jacobite Rising, James set sail from exile in France with 6,000 French troops and 30 French navy ships to join with his Scottish supporters and reclaim his position as King of Scots. A combination of bad luck, bad

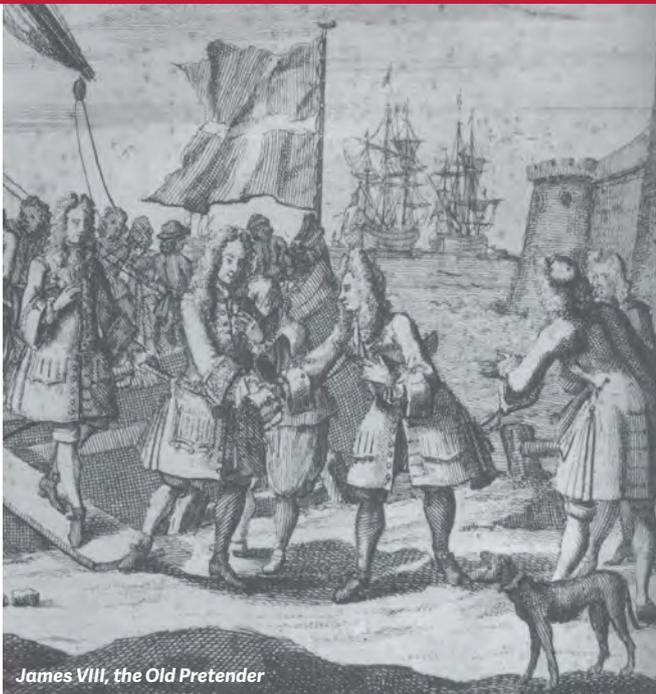


weather and the intervention of the British (English) navy prevented him from landing in Scotland and he was forced to return to France. Also during 1708, the Earl of Mar is said to have outlined the popular mood in Scotland to Queen Anne: "I think myself obliged in duty to tell your Majesty that so far as I understand, the inclination and temper of the generality of this country is still as dissatisfied with the Union as ever and seem mightily sow'd."

*In 1708, in what became known as the First Jacobite Rising, James set sail from exile in France with 6,000 French troops and 30 French navy ships to join with his Scottish supporters and reclaim his position as King of Scots*

**Jacobite broadswords bore the inscription: "Prosperity to Scotland and no Union"**  
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James VIII, the Old Pretender

There were other inflammatory British acts to follow – Devine records how, in 1710, Westminster introduced measures “cutting down the privileges of the Church of Scotland enshrined in the Treaty of Union ... followed in 1712 by two more provocative measures, the Toleration Act and the Patronage Act ... the legislation of 1712 raised the issue of the nature of 1707 and the extent to which the treaty was an inviolate, fundamental law or subject to change at the whim of the sovereign legislature in Westminster”. But it was to be the issue of taxation which would prove to be the most troublesome...

The introduction of a new tax regime, covering essential commodities including linen, soap, salt, beer and, most controversially, malt. In 1713, in direct contravention of the provisions



Robert Harley – “Have we not bought Scotland?”

**It was to be the issue of taxation which would prove to be the most troublesome...**

of the Treaty of Union, Westminster voted to apply the malt tax in Scotland. Jenny Eeles notes a report in the *Aberdeen Free Press* from 1885 in which Sheriff Guthrie Smith describes the imposition of this malt tax as being “in the direct teeth of an Article of Union expressly prohibiting it”, and explains: “This led to Lords Seafeld and Findlater taking it upon themselves to attempt to repeal the Treaty of Union in Westminster – an action which only failed by the slender majority of four proxy votes.” The proxies were necessary as the parliament vote had been split 54–54. It should be noted, however, that the majority of Scottish parliamentarians voted in favour of dissolving the Union. Not for the first time, or the last, this was not to have been an entirely fair contest.

*As regards stamp duties, window tax, coals, and malt, Scotland was exempted from the English taxation only during the currency of the existing English imposts, all of which expired at latest in 1710. Thereafter, no mercy was shown to the poorer country. The Land Tax remained as it had been, but all other taxes were imposed without regard to the comparative poverty of Scotland.*

*It was invaded by an army of English excisemen – the ‘Gaugers’ – against whom the Scotch fisherfolk and illicit distillers waged ruthless war for more than a century. The imposition, after the war, of a duty on the inferior malt of Scotland, the same as that on the richer malt of England, was one of the four chief grievances which induced Lords Findlater and Seafield, supported by the Duke of Argyll – two of the Scottish statesmen who had done most to bring about the Union – to introduce a motion for its repeal six years afterwards, which was only defeated in the House of Lords by a majority of four.*

*It was not only the severity of the measures, but the manners of the men who introduced them, that added gall to the bitterness of the cup which the Scottish members had to drink at Westminster. Most of them had supported the Union to gratify their own ambition or avarice, but the English statesmen by whom they had been suborned showed little consideration for their tools. A tax upon linen cloth, the staple commodity of Scotland, having been proposed in the House of Commons, was resisted by Mr. Baillie of Jerviswood and other Scottish members, favourers of the Union, until Mr. Harley, who had been Secretary of State during the Treaty, stood up and cut short the debate, by saying: ‘Have we not bought the Scots, and did we not acquire a right to tax them? Or for what other purpose did we give the equivalent?’ Lockhart of Carnwath arose in reply and said, he was glad to hear it plainly acknowledged that the Union had been a matter of bargain, and that Scotland had been bought and sold on that memorable occasion; but he was surprised to hear so great a manager in the traffic name the equivalent as the price, since, the revenue of Scotland itself being burdened in relief of that sum, no price had been in fact paid but what must ultimately be discharged by Scotland from her own funds.*

(H. Gow, ‘Home Rule for Scotland Financial Grievances’, *Scots Magazine*, 1 March 1891)

*The idea appears to have occurred six years after the Union had taken place, when the Earl of Findlater moved in the United Parliament a bill for its repeal. His lordship, on the 1st of June 1713, introduced his motion by a speech representing the grievances of the Scotch nation, and concluded by moving, ‘That leave be given to bring in a bill for dissolving the said Union, and securing the Protestant succession to the House of Hanover, the Queen’s prerogative in both kingdoms, and preserving the entire unity and good correspondence between the two kingdoms.’ After an interesting and animated debate, Lord Findlater’s motion was supported by 54 peers, and*