‘a Labyrinth of Troubles’:
Legitimacy and identity during the
Cromwellian conquest of Scotland, 1650-1653

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Abstract

The triumvirate of king, country and religion which had been ostensibly bound together in the Scottish National Covenant of 1638 was unpicked during the Cromwellian conquest of 1650-53. The Covenant had sought to present a coherent identity in which the interests of reformed religion, king and country were aligned, but the English invasion and occupation of Scotland posed a new challenge to this never consistent and already fraying identity. Charles II was disgraced and distrusted; the church was split by its involvement in his cause; and a country crippled by war was threatened with ruin. Invasion, occupation, conquest and union each raised new questions about English and Scottish identity, the legitimacy of government and the location of authority. This was last time that England conquered Scotland and the first time that England, Ireland and Scotland were united under one government. It is in this labyrinthine history that the processes of legitimation and identification can be reconstructed.

Keywords: Cromwell; Scotland; England; conquest; identity; legitimacy; authority.
# Table of Contents

*Abstract*  
i  
*Conventions and Abbreviations*  
iii  
1. **Introduction**  
   1  
2. **Invasion, Resistance and Propaganda**  
   24  
3. **The Politics of Occupation and Conquest**  
   41  
4. **An Enforced Union**  
   57  
5. **Conclusion**  
   73  

*Bibliography*  
78
Conventions and Abbreviations

Dates are given in Old Style, but the year has been taken to have begun on 1 January rather than 25 March. Throughout, spelling and punctuation have been modernised and abbreviations expanded where possible, with the exception of titles. For ease of reference short titles have been used.

The following abbreviations are used throughout the footnotes of the thesis:

- **Aldis 1641-1660**: Aldis, Harry G., A List of Book Published in Scotland before 1700, Including Those Printed Furth of the Realm for Scottish Booksellers, with Brief Notes on the Printers and Stationers (Edinburgh, 1904).
- **Balfour, Historical Works**: Balfour, James, The Historical Works of Sir James Balfour of Dennymlne and Kinnaird, Knight and Baronet; Lord Lyon King at Arms to Charles the First, and Charles the Second, 4 vols., (Edinburgh, 1848).
- **Row, Life of Blair**: Blair, Robert and Row, William, The Life of Mr Robert Blair, Minister of St Andrews, Containing his Autobiography, from 1593-1636, with Supplement to his Life, and the Continuation of the History of the Times to 1680, by his Son-in-Law, Mr William Row, Minister of Ceres, ed. Thomas McCrie (Edinburgh, 1848).
- **CSPD**: Calendar of State Papers, Domestic Series, 1649-60, 13 vols., ed. Mary Anne Everett Green (London, 1875-1886).
- **Lamont, Diary**: Lamont, John, The Diary of Mr John Lamont of Newton, 1649-1671, ed. G. R. Kinloch (Edinburgh, 1830).
- **Laing II**: University of Edinburgh Special Collections Laing MSS Division II, volume 89 (meeting minutes of the Scottish deputies and related documents).
Leviathan

Lex, Rex
Rutherford, Samuel, Lex, Rex, or The Law and the Prince, (Harrisburg, Virginia: 1982).

Mercurius Scoticus

NA SP 25/138
National Archives, Kew, State Papers 25/138 (Anglo-Scottish Committee appointed to confer with the deputies from Scotland: minute book).

Nicoll, Diary
Nicoll, John, A Diary of Public Transactions and Other Occurrences, Chiefly in Scotland, From January 1650 to June 1667, ed. David Laing (Edinburgh, 1836).

NLS

Terry, CU

TSP

Wariston, Diary

Whitelocke, Memorials
Whitelocke, Bulstrode, Memorials of the English Affairs from the Beginning of the Reign of Charles the First to the Happy Restoration of King Charles the Second, 4 vols. (Oxford, 1853).

Wodrow MSS
National Library of Scotland, Edinburgh, Folio xxxi (ii), no. 37, f.f108 (A declaration and vindication of the poore opprest Commons of Scotland).
Introduction

‘What should a people do, when a kingdom is unjustly invaded, by a Foreign Enemy, which seeks the overthrow of Religion, King and Kingdom?’
—Robert Douglas (1 January 1651).

‘And if a kingdom be divided against itself, that kingdom cannot stand.’
—Mark 3:24.

In June 1650 a letter penned by a certain J. Satterston was published in London. The author, an Englishman writing from Alnwick in Northumberland, gave an account of the confusion and turmoil gripping Scotland, describing a populace of wavering convictions and unsure allegiances. The common people, he claimed, were ‘in a Labyrinth of Troubles, not knowing which way to act or move, that may most conduce to their welfare and safety’. The pamphlet may have been a propagandistic ploy, but the people of Scotland had good reason to be troubled. Oliver Cromwell, recently returned from the brutal re-conquest of Ireland, was marching northwards with his infamous New Model Army. Though invasion was immanent Scotland was a kingdom divided and the advance of the English soldiery served to exacerbate this discord rather than unify the land. The triumvirate of religion, king and country which had been ostensibly bound together in the National Covenant of 1638 was fraying. Charles II was distrusted and divisive; the Kirk was split by its involvement in his cause; and a country crippled by war was threatened with ruin. The Cromwellian conquest tested Scottish identity further and raised new questions about the exercise of power and the basis of authority. This was certainly a labyrinth of troubles: Scots’ allegiances were tested at every turn as they struggled to reconcile loyalty to an ungodly king with commitment to a schismatic Kirk whilst their country was invaded, conquered and occupied.

Different identities demanded different things of those that assumed them, creating complex and often contradictory patterns of allegiance and loyalty. In his account of Cromwell’s conquest of Ireland Micheál Ó Siochrú observes that the confederate motto, translated as ‘Irishmen united for God, king and country’, encapsulated the ‘multilayered allegiance’ of the civilian population. In Scotland we also encounter a populace who pledged loyalty to multiple authorities and various identities with many names: king, kingdom, country, Kirk, religion, cause, covenants. For David Beetham and Richard Jenkins legitimacy and identity are concepts which can be used to explain behaviour. Neither are simply about belief, but rather the actions compelled by it; the social reality of legitimacy and identity

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1 The Forme and Order of the Coronation of Charles the Second (Aberdeen, 1651), p. 12.
3 Siochru 2008, p. 32.
rather than abstract conceptualisations of them. Legitimacy justifies obedience on the part of those subordinate in power relations, and the converse is true: illegitimacy justifies, or even compels, resistance. For Jenkins, identity is ‘something that one does’ and for Fredrik Barth identity is ‘for acting ... rather than contemplation’. Identities shape behaviour and compel action. To identify as a Scot or a royalist or a Presbyterian, for example, had political repercussions. However, in the 1650s the political implications of identities were not always clear, resulting in significant divisions in Scottish society. This thesis is an exploration of the tension between power and authority and the role of identity in this process. Legitimacy and identity, separately and in combination, can help explain a period of intense upheaval, a time when legitimacy was continuously contested for, allegiances were strained and identities invoked in the interests of religion, king and country. Cromwell’s conquest of Scotland is an important and useful case study because it was last time that England conquered Scotland and the first time that England, Ireland and Scotland were united under one government. This troubled period was characterised by the instability of Scots’ allegiances, frequent tussles between king and Kirk and dramatic constitutional upheavals. This distinctive context allows us to rigorously test the problematic concepts of legitimacy and identity.

**Religion, king and country in seventeenth century Scotland**

Charles I’s attempts to impose religious innovation on the Scottish church and bring it more into line with English custom had provoked a furious backlash in 1637. In part also driven by resentment at the king’s absence from the kingdom and his absolutist tendencies, an alliance of nobles and divines drafted and promulgated a National Covenant in 1638. The National Covenant was a supposedly popular document uniting the people of Scotland behind a religious and political programme which was both deeply conservative and potentially revolutionary. Scotland had an established tradition of resistance theory, boldly articulated by thinkers such as John Knox and George Buchanan, and Scots were far less reluctant than the English to defy their king. The Covenant was written by a lawyer, Johnston of Wariston, and a divine, Alexander Henderson, and it embodied the attempt to bring together the concerns of ministers and the aristocracy in opposition to Charles I’s religious and political innovations. The Covenant tied together a Presbyterian identity with a Scottish one and a noble interest with a popular one: in essence it ‘formulated the purposes of a single, coherent Scottish realm’. Benedict Anderson argues that ‘the nation is always conceived as a deep, horizontal comradeship’, whilst Hastings describes the nation-state as ‘a horizontally bonded society’. In this sense the National Covenant was a constitutional embodiment of Scottish nationhood. It was, according to a contemporary observer,

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7 Russell 1987, p. 415.
8 Williamson 1999, p. 165.
subscribed ‘in a very short time by almost the whole Kingdom’, and the revolution of 1637-8 has been described by Michael Lynch as a ‘self-consciously national revolt’. However, we should not overstate its particularism at the expense of its universalism, or imagine that it was subscribed by all Scots willingly, or even that it was widely popular. The Presbyterian vision was primarily an internationalist rather than nationalist one, and that the Covenant was initially known as the Nobleman’s Covenant indicates that it was essentially a vehicle for the political aspirations of an elite rather than a popular expression of unity. Intended in part to restore the traditional authority of the aristocracy, it has been argued that the Covenant’s appeals to a church under threat, anti-Catholicism and apocalypticism were designed solely to engender popular support. The Covenanting state, Laura Stewart argues, was supported by ‘the consent and active involvement of a relatively wide cross-section of the lowland population’, but after the failed invasion of England in 1648 in support of Charles I, the radical Kirk Party seized power in Scotland and its theocratic ambitions alienated elites.

The church was a central element of Scottish identity, as was the case in many other European nations. Its authority was felt throughout the country, and it wielded enormous influence. Following the Glasgow Assembly of 1638 the Covenanter movement became the dominant political and religious power in Scotland, and the Fifth Table the country’s de facto government. Religion, therefore, was central to Scots’ identities, and it also formed the basis of the value-system which legitimated power. The cry of the Covenanter movement in their Revolution had been ‘For Christ’s Crown and Covenant’, an explicit proclamation of the superiority of the cause of true religion, as they defined it, over king and, tacitly, the subordination of royal authority to the ecclesiastical. The Covenanter Revolution overthrew Episcopalianism and established a Presbyterian church in Scotland, directly challenging the authority of the king in ecclesiastical and political matters. The Kirk was ‘a perfect republic’ and Christ was ‘the King of the Kirk’, an expression of ecclesiastical sovereignty and an affirmation that the interests of king, Kirk and kingdom were not, and could not be, divergent. Nevertheless, the Reformation had fractured Scottish national identity along clerical lines, and the tumult of the mid-century was to widen these breaches.

The king had always been a powerful symbol in Scotland, representing both national unity and autonomy. Scotland, it was claimed, had been founded by Fergus I in 330 BC and had been ruled by an unbroken line of rulers ever since. This ancient line of kings became, Roger Mason argues, ‘the

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10 Quoted in Hewison 1913, p. 270; Lynch, 1992, p. 265.
11 Pittock 2001, p. 49.
12 Burgess 1998, p. 582.
13 Donaldson 1965, p. 313.
14 Stewart 2012, p. 234; Makey 1979, p. 81.
15 In the months following the signing of the National Covenant the suppliants organised into four elected committees, or ‘Tables’, one each to represent the nobility, gentry, burgesses and clergy, and a fifth Table to act as an executive body.
17 Reasons for a Generall Assemblie (Edinburgh? 1638).
18 Pittock 2001, p. 43.
enduring symbol of the kingdom’s original and continuing independence’, refuting the English claim that Scotland ‘was and always had been a dependency of the crown in England’.\textsuperscript{19} The monarch was a living embodiment of national independence without whom Scottish autonomy and identity would be forever threatened by their larger and more powerful southern neighbour. In this context, the decision to immediately proclaim Charles II as king of Great Britain after his father’s execution by the English Parliament in 1649 is not surprising. However, Lynch argues that it was in the reign of James VI and I that ‘the notion of the King of Scots as the main or only guarantor of the independence of the Scottish nation ... lost its monopoly status’ and ‘the Kirk steadily became a metaphor for Scottish identity’.\textsuperscript{20} However as, Murray Pittock argues, ‘that identity itself was defined against Stuart centralism rather than, as of old, England as a nation’ and was strongest in Lowland Scotland.\textsuperscript{21}

The king was an ambiguous figure because he was head of a composite state and wearer of three crowns, neither fully Scottish or English, and tainted by rumours of Papist inclinations. Charles I’s first and only visit to Scotland before the outbreak of the troubles confirmed to Scots that their king was ‘to all intents and purposes an Englishman’.\textsuperscript{22} Charles II was a capricious character who sought above all to reclaim his English throne. He initially favoured attempting this venture from Ireland and he only reluctantly subscribed to the covenants after he was unable to muster support from any other allies in Europe. His lack of affinity with Scotland and its people was evidenced after the battle of Dunbar in 1650 when he was said to have rejoiced at the defeat of his Scottish enemies at the hands of the English.\textsuperscript{23} After his defeat at Worcester in 1651 he fled to France and reportedly declared that he would rather be hanged than return to Scotland; he never set foot in his northern kingdom again.\textsuperscript{24} Nevertheless, Charles, by most accounts, inspired real devotion amongst many Scots. He was their king, after all, and in a world turned upside down he represented solidity and offered reassurance. For the nobility in particular the king personified conventional authority, a traditional alternative to Presbyterian church government, which they believed tended towards theocracy.\textsuperscript{25} Charles II was, however, reluctant to commit to the Covenanter programme and so both his ability and desire to protect true religion were continuously questioned.

**The Cromwellian conquest of Scotland**

The broader historical context outline above forms the backdrop to the events investigated in this thesis. On 30 January 1649 Charles I, king of both England and Scotland, was executed by the English

\textsuperscript{19} Mason 1987, p. 60.  
\textsuperscript{20} Lynch 1992, p. 243.  
\textsuperscript{21} Pitttock 2001, p. 48.  
\textsuperscript{22} LeeJr., p. 148.  
\textsuperscript{23} Stevenson 1977, p. 182.  
\textsuperscript{24} Lynch 1992, p. 282.  
\textsuperscript{25} Stevenson 1977, p. 225.
parliament. On 5 February the parliament of Scotland proclaimed his son, Charles II, King of Great Britain and Ireland, an act which was interpreted by the newly established Commonwealth of England as a declaration of war. The Council of State favoured a pre-emptive strike but Thomas Fairfax, the Commander-in-Chief of Parliament’s forces, resisted the prospect of an aggressive war against a Protestant nation and former ally, and was therefore replaced by Oliver Cromwell.26 The army of the Commonwealth of England invaded Scotland on 22 July 1650. It would not be until January 1652 that the English army could claim to be in control of most of Scotland, making simple demarcations between ‘invasion’, ‘conquest’ and ‘occupation’ difficult.27 However, after Cromwell’s remarkable victory at Dunbar on 3 September 1650 the English were able to firmly establish themselves in Scotland. Dunbar was a hugely significant moment, exacerbating and exposing the divisions which racked the Church of Scotland and the Scottish body politic. Cromwell crushed an army which, at the insistence of the Kirk Party, had been purged of malignants, Engagers and other backsliders.28 Although outnumbered by a ratio of nearly two to one, Cromwell routed the Scottish army, killing four thousand Scots and taking ten thousand more prisoner.

The defeat at Dunbar had initially seemed to favour the extreme Covenanters who interpreted the defeat as a sign of God’s displeasure at Scotland’s alliance with Charles II. On 22 October they issued a declaration, the Western Remonstrance, demanding that the King commit sincerely to the Covenantant cause and pledging to expel the English from Scotland, but renouncing their obligation to restore Charles to the English throne.29 However, defence of the realm was considered to be the priority and the ban on malignants serving in the army had to be lifted, allowing Engagers and unrepentant royalists to fight for their country against the English foe. The commission of the Kirk consented to this in the Public Resolutions of 14 December, from whence the Resolutioners received their name, deepening the split within the church. Many Scots were greatly aggrieved by this turn of events and many of them joined with the Remonstrants, forming the basis of the Protester party, whilst others reportedly even joined with Cromwell.30 The Church of Scotland was thereafter divided between the Protesters, a small group of hard-liners, led by western ministers Guthrie and Gillespie, and the Resolutioners, the majority party led by Robert Douglas, James Wood and the Edinburgh clergy who advocated leniency towards former royalists to unite the nation against Cromwell.31 The Resolutioners were the dominant force in Scotland, and the final downfall of the Kirk Party regime was to occur in June 1651 when the Acts of Classes of 1646 and 1649 were finally rescinded and the Western Remonstrance condemned.32

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26 Davis 2010, p. 104.
27 Dow 1979, p. 18.
28 Ibid., p. 8.
29 Ibid., p. 9.
31 Little 2004, p. 95.
32 Dow 1979, p. 10.
Meanwhile Cromwell had advanced steadily and surely into Scotland following his victory at Dunbar. Edinburgh was occupied and Cromwell used this position to intensify his propaganda campaign, convinced that the Scots would recognise the defeat as a clear sign of God’s providential judgement. He sought to convince the Scottish people that his quarrel was not with them, promising them protection of their persons and property, and freedom to sell their wares and hold markets in Edinburgh and Leith. The English were firmly entrenched in Scotland, able to manoeuvre their forces around the country with relative impunity, forcing the Scots to take drastic action. At the end of July 1651 Charles II and the Scottish army marched toward England in an effort to lure Cromwell away from his strong position, hopeful that many in England would rise in support of the king. It remains a point of debate whether Cromwell deliberately left the way to the south open to the Royalists, but whatever the case Cromwell began his pursuit of the King in August. Lieutenant-General George Monck was left behind to continue the conquest of Scotland with 5000 to 6000 men who were reinforced to 12,000 before the end of the year. Monck took Stirling on 6 August and its castle shortly thereafter and then marched on Dundee. The provisional government which Charles had left behind to run Scotland was meeting nearby at Alyth where Monck surprised and captured all its members, leaving Scotland leaderless and divided. By 1 September 1651 the defences of Dundee had been breached and the town was stormed.

In England Cromwell routed Charles’s army at Worcester on 3 September, a victory he described as ‘a crowning mercy’. Thus ‘within the space of one week Scotland had been deprived ‘of her central executive and the main body of her fighting troops’. Moreover, the defeat at Worcester represented something close to a demographic disaster for the Scots, with the loss of twenty-thousand men amounting to perhaps ten percent of the country's adult male population. The campaign to consolidate control of Scotland and subjugate those areas which still offered up resistance continued apace. Several burghs soon accepted the inevitable, including St Andrews which offered £500 sterling as a ‘gratuity’ to Monck’s army and Aberdeen which was fined £1,000 but avoided being ransacked after throwing a banquet for its conquerors. By January 1652, bar the lawless Highlands, the English army ‘could claim to be in control of most of Scotland’. The scale of Scotland’s collapse and the speed of its

40 Grainger 1997 p. 146.
42 Dow 1979, p. 18.
conquest by England are startling: it lost its independence, its king, its government and its army in the space of a few months.\textsuperscript{43}

Shortly after the victory at Worcester plans to annex Scotland were abandoned, and it was instead determined that Scotland was to be incorporated into one commonwealth with England and Ireland. The reasons for this change of heart are not entirely clear, though it seems likely that Cromwell played an important role in the decision.\textsuperscript{44} The Rump Parliament sent commissions to Scotland, headed by Oliver St. John and Henry Vane junior on the civil side and Major-General John Lambert and Lieutenant-General George Monck on the military side in November 1651.\textsuperscript{45} A declaration concerning the settlement of Scotland, known as the Tender of Union, was published in February 1652. It would eventually receive the formal assent of 28 of Scotland’s 30 shires and 44 of her 58 burghs, but was hardly likely to be rejected given that Scotland was an occupied country.\textsuperscript{46} However, no more than fifteen deputies signed the commission for twenty-one deputies to negotiate an Act of Union at Westminster between October 1652 and April 1653. The deputies summoned to England did so only after express permission had been attained from the exiled Charles II.\textsuperscript{47} The enforced union of Scotland and Ireland with England was to receive legislative sanction under an ordinance of the Protectorate in April 1654, but another 3 years elapsed before the union was embedded in statute.\textsuperscript{48}

\textbf{Research questions}

The road from invasion and occupation of Scotland to conquest and finally to union with England was neither easy nor certain. A bloody military campaign was accompanied by a bitterly fought contest for legitimacy in a kingdom of divided loyalties and conflicting identities. The conquest of Scotland—and its legitimisation and delegitimisation—was a process, not an event. I am interested in change over time and for this reason I use a chronological structure in this thesis, posing different though related questions for each of the contexts studied. I argue that the period 1650-53 must be comprehended as a whole if we are to understand the processes of legitimation and identification, for both were cumulative and evolutionary. Chapter 2 examines the invasion of Scotland and the propaganda war which accompanied it. How was the English invasion justified? Why did Scots fail to unify behind a common cause against a common enemy? What role did identification have in this process? The use of propaganda, how audiences were conceived, and the strategies used to shape interpretation are essential elements of this study. Chapter 3 explores the politics of occupation and conquest, focusing primarily on Edinburgh and the newsbook \textit{Mercurius Scoticus}. How did the English army attempt to

\begin{footnotesize}
\textsuperscript{43} Grainger 1997, p. 162.
\textsuperscript{44} Woolrych 2002, pp. 500-501; Dow 1979, pp. 30-31.
\textsuperscript{45} Macinnes 2005, p. 199.
\textsuperscript{46} Williamson 1995, pp. 309-310.
\textsuperscript{47} Macinnes 2005, p. 200-201.
\end{footnotesize}
legitimise its authority and undermine Scottish resistance? To whom did Scots look to provide settled
government? Could Scots’ allegiances accommodate English rule? Finally, Chapter 4 focuses on the
decision to incorporate Scotland into a British Commonwealth and the resulting negotiations for
union. How and why did conquest result in an incorporating political union? In what ways did the
prospect of union legitimise English authority? What was the relationship between union and Scottish,
English and British identities? These three chapters form a triptych, being both distinct and
interrelated, and it is only by considering these three historical periods individually and together that
the processes of legitimation and identification can be reconstructed.

Historiography
Scottish diarists and chroniclers lamented the humbling and immiseration of their country in the
1650s, but today this traumatic period is largely forgotten. The name Oliver Cromwell is not anathema
as it is in Ireland where it evoke images of ruthless destruction and vengeful massacres.\textsuperscript{49} Meanwhile,
the military rule of the Major-Generals from 1655 to 1657 has been described as ‘the most intolerable
experience England ever had’, and Cromwell’s name remains a divisive one.\textsuperscript{50} In Scotland, however, the
Lord Protector is a relatively obscure figure, and most are ignorant of his conquest of the country in the
early 1650s. Cromwell is not a bogeyman of Scottish folk memory because he did not wreak on the
country the campaign of terror which has scarred Ireland both physically and mentally to the present
day.\textsuperscript{51} Further, conquest, occupation and enforced union do not fit easily into a patriotic narrative. In
a Scottish national memory where the Wars of Independence (1296-1328 and 1332-1357) feature
prominently, the aberration of conquest by England in the early modern period is too easily forgotten,
perhaps a case of collective amnesia or wilful ignorance.

The conquest and occupation of Scotland has also largely been forgotten or overlooked, even
amongst academics, because it is perceived to have failed to fundamentally alter the tenor of the
relationship between Scotland and England in the long term. The Cromwellian occupation, like the
Interregnum itself, has been viewed as transitory, an anomaly in the narrative histories of both England
and Scotland, with historians tending to view the period as ‘little more than a parenthetical break in the
annals of the Covenants’ or, in Gordon Donaldson’s words, simply an interlude.\textsuperscript{52} Ronald Hutton
observes that ‘the Interregnum appears as a limbo or a blind alley, rather a waste of time’ to many
historians, but argues that there is warrant to the claim that ‘during the years 1649-53 the modern
political relationships of the three British realms were formed’.\textsuperscript{53} Further, as Derek Hirst observes, it is

\textsuperscript{49} In 1997 the then Irish prime minister is reputed to have walked out of the British foreign secretary’s office and refused to
\textsuperscript{50} Buchan 1934 p. 459.
\textsuperscript{51} Drayton 2001 p. 671.
\textsuperscript{52} Holfelder 1998, p. 8; Donaldson 1965.
\textsuperscript{53} Hutton 2000, pp. 133; 135.
in the complicated relationship with Scotland ‘that English assumptions and expectations about Britain must be sought’.\textsuperscript{54}

It is surprising therefore that this period is so relatively overlooked, even in recent historical writing. The so-called ‘new British history’ has sought to integrate the histories of the nations of what J. G. A. Pocock called ‘the Atlantic archipelago’ into a more holistic history.\textsuperscript{55} However, more often than not it has been English historians who have been at the forefront of the new British history, whilst Scottish historians have continued to follow a more insular approach or sought comparisons with countries other than England.\textsuperscript{56} Scottish historians have for the most part preferred to focus on the Covenanter Revolution whilst English studies of the Interregnum have, on the whole, provided only perfunctory analyses of Scotland. However, three historians, Samuel Rawson Gardiner, Charles Harding Firth, and Charles Sanford Terry, have ensured that immense collections of primary sources relating to Cromwellian Scotland have been made easily accessible for future scholars.\textsuperscript{57} Gardiner, Firth and Terry compiled and edited their sourcebooks on Scotland during the Interregnum in the late nineteenth and early twentieth centuries, but it was only in 1979 that the first full-length book on this period was published, F. D. Dow’s \textit{Cromwellian Scotland}. Dow’s volume is an indispensable account, emphasising English strategies of co-operation and coercion, though it is largely reliant on English sources. As Keith Brown argues, whilst Dow’s work ‘adequately describes the occupation as a military and administrative exercise’ further work is required to explain ‘the effect of conquest on Scottish self-confidence’.\textsuperscript{58} Dow’s volume is a detailed study, providing an account of the regime almost on a month by month basis, though the narrative is not without error.\textsuperscript{59} Such is the thoroughness of the book, based upon copious primary sources, that it remains the standard text for all histories of Cromwellian Scotland. However, being more descriptive than explanatory, it leaves ample room for further research.

It would take almost another thirty years until the next book-length study on Cromwellian Scotland would appear, R. Scott Spurlock’s \textit{Cromwell and Scotland: Conquest and Religion, 1650-1660}. This is a detailed analysis of the religious affect of Cromwell’s conquest and an exploration of the emergence of a public print culture. It does not seek to supersede Dow’s work, instead offering a detailed and nuanced study of the interactions between an evangelical English army and a vociferous Scottish church. John D. Grainger’s \textit{Cromwell Against the Scots} is a thoroughgoing military history of the Anglo-Scottish war, and contributes a number of illuminating observations. Given that it is concerned with conflict, however, it does not engage substantively with textual sources, and his narrative ends in 1652. Two significant articles, one by Derek Hirst and the other by Arthur H. Williamson, examine important

\textsuperscript{54} Hirst 1994, p. 455.  
\textsuperscript{55} Pocock 1994, p. 303; Harris 2011, p. 57.  
\textsuperscript{56} Macinnes 1994; Brown 1999, p. 243.  
\textsuperscript{57} Gardiner 1894; Firth 1895 and 1899; Terry 1902.  
\textsuperscript{58} Brown 1998, p. 235, n. 3.  
\textsuperscript{59} Little 2004.
dimensions of the Interregnum and will be referred to frequently throughout this study. Both are centred on the complex issue of Britishness, refracted through the constitutional experiments of the 1650s, and in the relationships between the peoples of the Atlantic archipelago during this tumultuous period.

There are also number of doctoral theses which have engaged with different aspects of Cromwellian Scotland. Leslie Smith’s ‘Scotland and Cromwell: a study in early modern government’ makes use of Scottish court records to study the implementation of policy at a local level, highlighting the continuation of the Kirk courts. Kyle Holfelder’s thesis, on the other hand, focuses on the Protester-Resolutioner controversy, whilst those by Susan Gillanders and John Toller examine the Scottish burghs and the Convention of the Royal Burghs respectively. Robert Shurmer’s thesis, meanwhile, focuses on the experiences of localities within Scotland and in particular the garrison towns. Finally, Robert Landrum’s grandly titled ‘Vast visions and intransigent realities: the Anglo-Scottish Union of 1651-60’ deals directly with the issue of national identity and therefore this thesis engages substantively with his findings. Landrum’s thesis is also the only academic text so far which utilises the minutes and records of the Scottish deputies during the union negotiations in 1652-53.

It should be noted that the differences between this study and earlier ones are frequently the result of emphasis rather than significant disagreement. Nevertheless, I believe that this thesis makes a threefold contribution to our historical knowledge of this period. First, it contributes to an identified and significant lacuna in the historiography of seventeenth century Britain. Second, by making identity and legitimacy the explicit focus, it engages with insights derived from other disciplines such as sociology and political science. Historians of Cromwellian Scotland have often used concepts such as identity and legitimacy uncritically, and have not thoroughly studied the impact of conquest in this regard. Landrum, for example, overreaches himself when he argues that the 1650s witnessed the birth of Scotland as a modern nation-state. Similarly, Grainger makes questionable judgements about the patriotism of particular Scots without explaining the relationship between the various dimensions of identity. Overall, the political implications of identity, particularly concerning legitimacy, have not been explored, and too much emphasis has been placed on national sentiment. Third, this thesis is centred on a collection of underused primary sources which have never been analysed in combination before. None of the books, articles and theses on Cromwellian Scotland have included studies of the 1650 propaganda war, *Mercurius Scoticus* and the negotiations for union, which I argue form a cohesive

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60 Hirst 1994; Williamson 1995.
63 Shurmer 1998.
64 Landrum 1999.
65 Ibid., pp. 4-5; 283.
unit of study. Using novel sources and robust methods and theories, therefore, this thesis contributes to an important and neglected period of British history.

Identity and legitimacy
In this thesis I explore the concept of national identity, its complicated relationship with royalism and religion, and the connections of all three with legitimacy during the Cromwellian conquest of Scotland. Following Benedict Anderson, the nation is taken to be an ‘imagined community’, though never imaginary. As Michael Biddiss stresses, it is vital to understand that by using the word ‘imagined’ Anderson ‘seeks to convey some sense of positive creativity, not the mere negatives of falsity and illusion’. In a similar vein Richard Jenkins argues that ‘groups are real if people think they are: they then behave in ways that assume that groups are real and, in so doing, construct that reality’. This explains why Anderson’s elegant definition remains persuasive and is generally accepted by those who reject his dating of the emergence of national sentiment. Adrian Hastings, for example, whose The Idea of Nationalism is a forthright critique of the modernist position as advocated primarily by Eric Hobsbawm, Ernest Gellner and Hans Kohn, nevertheless argues that nationhood ‘can survive only through an exercise in imagination’.

Anthony D. Smith contends that the essential elements of a nation were mostly lacking in pre-modern ethnic states which lacked the technology, political will and self-conception required in the ‘double drive to uniformity and uniqueness’. Smith defines a nation as ‘a named human population sharing a historic territory, common myths and historical memories, a mass, public culture, a common economy and common legal rights and duties for all members’. Following this schema, Scotland and England were certainly nations in the seventeenth century, perhaps only lacking a mass, public culture. As Brian P. Levack has argued, England ‘was emphatically the most unitary state in seventeenth-century Europe’, with centralised authority, a significant degree of legal unity and ecclesiastical uniformity and ‘almost complete freedom of internal trade from shire to shire’. Scotland was also a unitary state, possessing ‘a single, if weak, central parliament, a system of common law, a national church, and a national economic policy’. They were also, importantly, named human populations, consciousness of their identity as a distinct people. Nevertheless, national identity in the British Isles was not an uncomplicated construct, as J. C. D. Clark has noted:

67 Anderson 2006, pp.5-7; Jenkins 2008, p. 11.
70 Hastings 2007, p. 27.
72 Ibid., p. 14.
74 Ibid., p. 24.
The long track records of England, Scotland, Ireland and Wales have given rise to a variety of forms of national identity, continually evolving yet displaying long continuities; conceptualised by elites, yet validated by peoples; widely contested, yet widely held.\textsuperscript{75} Identities are multilayered and multidimensional, emerge and occur inconsistently, and somehow bridge the gap between the individual and the collective. Hobsbawm argues that national consciousness ‘develops unevenly among the social groupings and regions of a country’, and that the literary and propagandistic products of elite groups may not reflect widely held sentiments.\textsuperscript{76} Further, Levack concedes that ‘the full development of national consciousness’ in the early modern period ‘was thwarted by poor communication and the strength of local and regional consciousness’ and that therefore ‘national consciousness, both in England in Scotland as well as throughout Europe, was strongest within the wealthy and literate classes’.\textsuperscript{77} Anderson has also emphasised the connections between print-languages and the development of national consciousness.\textsuperscript{78} For these reasons it is unhelpful to make generalisations about the presence of national identity, or indeed other types of identity, across broad social groupings. Whilst Scotland and England can both certainly be seen as nations, the extent to which national identity permeated their respective populaces and shaped behaviour and loyalties remains debatable.

As this brief outline indicates, the vocabulary of identity is inherently problematic. Using terms such as ‘nations’, ‘nationalism’ and ‘national character’, as Harald Gustafsson notes, inevitably conveys associations with modern nationalist ideologies and conceptions of the state.\textsuperscript{79} The study of self identity in the early modern period is beset with difficulties for obvious reasons. Often ‘ordinary people’, themselves frequently absent from sources, are assumed to be uncritical adopters of trends the historian has discerned and posited as evidence of a shift from ‘early modern’ to ‘modern’ notions of the self. The emergence of the ‘nation state’ and consequently nationalism as an aspect of identity are seen as significant indicators of the process of modernisation. It is important not to subscribe to a teleological model of nationalism which projects the modern ‘nation’ backwards onto historical communities to which they are not fundamentally comparable. As Susan Reynolds argues, the loyalties of people in ‘national kingdoms’ and under ‘national monarchies’ ‘presumably developed because of the way they thought of themselves then’ not because their kingdoms eventually developed into nation-states.\textsuperscript{80} Similarly, Williamson also problematises the use of terms such as patriotism, arguing that before such an abstract idea existed, ‘there was “pietas”: the classical world’s spiritual commitment to kin and country, to the citizen and the public good’ and that Protestant pietas ‘lay at the heart of early

\textsuperscript{75} Clark 2000, p. 275.
\textsuperscript{76} Hobsbawm 1992, p. 12.
\textsuperscript{77} Levack 1987, pp. 171-172.
\textsuperscript{78} Anderson 2006, pp. 44-45.
\textsuperscript{79} Gustafsson 2002, p. 112.
\textsuperscript{80} Reynolds 1997, p. 253.
modern patriotic and civic identity’. Whilst Hastings makes the bold claim for ‘a standard use of the word “nation” from the fourteenth to the twentieth century’, Reynolds cautions that there is ‘no reason to believe’ that words such as nation ‘were used more precisely and consistently through the centuries than they are today’. What a nation and patriotism mean today are not necessarily what they meant in the past, and our own definitions would often not be comprehensible to our ancestors. Such a critical approach to the concept of national identity is lacking from most academic studies of Cromwellian Scotland, which have either focused on the machinery of government or neglected to problematise concepts such as nationalism and patriotism.

Histories of nationalism frequently act to simplify and integrate, or are so caught up in present-day concerns that historical objectivity is lost. Identity is a complex issue, and by fixating on what is fundamentally a modern concern, namely nationalism and its roots, academics have arguably overlooked other identities, or subsumed them into a grand theory of national identity. As Jenkins argues, individuals’ identities are ‘always multi-dimensional, singular and plural’ and ‘never a final or settled matter’. Religion, local and familial loyalties, and social allegiances must also be taken into account. However, Hans Kohn argues that within the

pluralistic, and sometimes conflicting, kinds of group-consciousness there is generally one which is recognised by man as the supreme and most important, to which therefore, in the case of conflict of group-loyalties, he owes supreme loyalty.

The Cromwellian conquest of Scotland was characterised by intense debate about which group-consciousness was the most important and to which was owed supreme loyalty. Though we might be naturally inclined to do so ‘we cannot assume that for most people national identification’, Hobsbawm argues, ‘excludes or is always or ever superior to, the remainder of the set of identifications which constitute the social being’. In the 1650s Scots could be malignants, sectaries, royalists, Quakers, covenanters and so on. However, religious and political predilections could mitigate against the group unity of these individuals as Scots, bringing into question the extent to which ‘Scottishness’ could be superimposed over this array of internal differences. I do not dispute that some feeling of nationality existed in Scotland, but I argue that identity was a complex and nuanced issue and the troubles of the 1650s complicated rather than consolidated Scottish identity. Throughout this study appeals to various identities will be examined critically, and the emphasis placed on national sentiment by other historians will be tested. I argue that identities were not wholly emotional and irrational, but often involved

81 Williamson 1999, pp. 142-143.
82 Hastings 2007, p. 16; Reynolds 1997, p. 256.
83 Jenkins 2008, p. 17.
84 Kohn 2005, p. 11.
85 Hobsbawm 1992, p. 11.
pragmatic decisions. At the same time, perceptions of identities shaped the strategies and arguments deployed by the actors studied. Identification is political and compels action, whether active or passive, and the attempt to harness this potential was a clear strategy of the actors studied here. Invasion by an old enemy may have provoked a patriotic response, but religious identity complicated this picture. The competition for legitimacy was therefore thoroughly entangled with contested identities and their political repercussions.

Max Weber famously argued that legitimacy is defined by the belief in legitimacy on the part of the relevant social agents, and power relations are legitimate where those involved in them believed them to be so. However, David Beetham has contended that Weber’s influence on the subject of legitimacy ‘has been an almost unqualified disaster’, arguing that the Weberian conception in effect puts the issue of legitimacy in the hands of the powerful. Beetham argues instead that there are a number of factors which contribute to legitimacy:

There is the legal validity of the acquisition and exercise of power; there is the justifiability of the rules governing a power relationship in terms of the beliefs and values current in the given society; there is the evidence of consent derived from actions expressive of it. These factors, successively and cumulatively, are what make power legitimate.

These elements are all central to the discussion of legitimacy during the conquest of Scotland. The English had to justify their invasion and legitimise their occupation and conquest, supplanting Scotland’s traditional rulers and attempting to forge a new, legitimate government. This was a process rather than an event, and the stages analysed in this thesis—invasion; occupation and conquest; and union—evidence successive and cumulative attempts to acquire legitimacy.

It is important here to distinguish between authority and power. The former, argues Smith, is ‘a derived or delegated right’, whilst the latter ‘is the possession of manifest or latent control or influence over the actions of persons including oneself’. Both commonwealth and protectorate were sustained by military power, but their authority was always contested. As Steve Hindle has observed, power ‘can be maintained by force’, but authority requires ‘some degree of reciprocity’. Early modern states did not possess the means to exert control effectively, and therefore ‘had to develop an integrative relationship with civil society’, as Laura Stewart puts it: ‘Individuals and groups invited the state in when they found that it served their aims better than the alternatives’. Smith also argues that ‘the authority exercised by the occupation forces of a nation victorious in war is consequent on their proven

88 Ibid., pp. 8-9.
90 M. G. Smith 1960, p. 19.
91 Hindle 2000 p. 236.
92 Stewart 2012, p. 222.
superiority of power’. In these circumstances, ‘the appropriation of power is illegitimate, in the sense that it is inconsistent with the conditions of legitimacy which define the system of government overthrown’. However, Beetham contends that the possession of superior physical power or resources grants not only the ability to compel others but ‘is also to be able to offer protection against physical coercion or destitution, and hence to establish relations of dependency’. There were many ways in which the English regime could legitimate its power, and this process was interlinked with the multilayered allegiances of the Scottish populace.

Conquest necessarily involves a contest over legitimacy. This study focuses primarily on one dimension of Beetham’s definition of legitimacy, namely the justifiability of power and authority in terms of the beliefs and values current in the given society. The conquest of Scotland could never be seen as legally valid, but it could be morally justified or denounced. The English army, Charles II and the Kirk all constructed their representations in the same discursive context, drawing upon established arguments and themes. The contest for legitimacy was largely fought over common ground, shaped by perceptions of the public audience being addressed. Beetham also argues, however, that

It is in the sense of the public actions of the subordinate, expressive of consent, that we can properly talk about the ‘legitimation’ of power not the propaganda or public relations campaigns, the ‘legitimations’ generated by the powerful themselves.

The legitimations of the powerful are designed to evoke action, and how propaganda shaped behaviour is therefore of interest. Rather than study reception of propaganda at an individual level, the influence it had a broader level can be gauged through an analysis of events. Actors could legitimise their authority by deploying a number of established arguments and amongst these divine sanction was the most common and most powerful. In this respect providence was a central aspect of the discourse, and the interpretation of events of utmost importance. However, actors could also appeal to practical interests to establish their authority. English propaganda spoke to needs, primarily peace, security and other practical concerns, and in this sense did not attempt to fundamentally reconfigure opinion and belief. On the other hand, propaganda produced by the Kirk and the Committee of Estates arguably responded to conflicting needs, and was therefore not as persuasive. Beetham argues that legitimacy can derive from both external sources, such as divine command and natural law, and internal sources, such as tradition and the people. In both cases, however, interpreters play a crucial role, whether they be priests, cultural leaders or representatives. In this period popular print offered multiple explanations of events and the texts studied in this thesis were intended in large part by to control and shape

93 M. G. Smith 1960, p. 21.
95 Ibid., p. 45.
96 Ibid., p. 19.
97 Ibid., pp. 70-76.
interpretation. Legitimacy is eminently contestable, within established societal frameworks, and propaganda was used to challenge the basis of authority and suggest alternative readings.

Methodology and sources
Jenkins argues that ‘identity is produced and reproduced both in discourse—narrative, rhetoric and representation—and in the practical, often very material, consequences of identification’.\(^98\) Legitimacy is a similarly multifaceted concept which finds expression in texts and in practice. Writing, as Adam Fox argues, ‘is both a symbol and an agent of authority’.\(^99\) The analysis of the sources used in this study involves an examination of context, authorial intent and reception. Any study of legitimacy and identity during the Cromwellian conquest of Scotland must engage with two main perspectives: an English one and a Scottish one, and the interplay between the two. This thesis is therefore a study of texts, events, actors and audiences. It necessarily adopts a chronological approach and examines how specific actors attempted to legitimise their authority and actions: on the one hand the Commonwealth army, led by Cromwell, and backed by the English Parliament; on the other a divided Scottish polity primarily comprising Charles II and the Kirk, and to a lesser extent the Committee of Estates. Public print culture was the arena in which identity was in part formed and legitimacy was contested for and the focus here is on the content of this sphere, rather than attempt to analyse its structure.\(^100\) The texts examined are situated within a broader discursive and historical context, following the methodology of the Cambridge school.\(^101\) Though authorial intent does not fully determine meaning it remains of interest, particularly given that the actors studied here were attempting to legitimise their power and authority. The meaning of texts is, as Jason Peacey argues, ‘highly dependent upon readership and reception’, but due to a limited source base it is difficult to adequately reconstruct both who read texts and how they interpreted them.\(^102\) More emphasis, therefore, is put on how various actors conceived of the audiences of their texts, and how this shaped the messages they sought to convey. The actors involved believed that texts could shape popular opinion and justify their actions or undermine their enemies’ cause, and therefore if we are to understand how and why authority is legitimised we must analyse these sources.

Legitimacy has many bases and authority can be justified in many ways. Beetham argues that ‘power has to be derived from a valid source of authority’, ‘the rules must provide that those who come to hold power have the qualities appropriate to its exercise’ and ‘the structure of power must be seen to serve a recognisably general interest, rather than simply the interests of the powerful’.\(^103\) In his study of

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\(^{98}\) Jenkins 2008, p. 201.
\(^{99}\) Fox 1996, p. 89.
\(^{100}\) Peacey 2004, p. 331.
\(^{101}\) Skinner 1969.
\(^{102}\) Peacey 2004, p. 16.
\(^{103}\) Beetham 1991, p. 17
identity in sixteenth-century Scandinavia, Gustafsson argues that it is not enough to ask if terms such as ‘Danish’, ‘Swedish’, ‘Norwegian’ and so on were used, and therefore he instead looks for ‘arguments for action’. He identifies such eight arguments and concludes that ‘belonging to a people and a realm was only one group of arguments among others that could be used to legitimate action’. Provenance, law, the desire for peace, material interests, group honour, Christian obligations and societal rights and duties were all utilised to legitimise or delegitimise action. Similarly, the actors involved in the contest for legitimacy during the Cromwellian conquest of Scotland framed their arguments in a number of ways, not simply by invoking the interests of specific communities. Providence was a central element of this process, and its interpretation could grant authority to actions and actors. This ‘often seems near to a belief in justification by results’, G. E. Aylmer argues, and in practice ‘it led different Puritans to draw very different conclusions, and so to act in contrary ways’. This was a widespread belief which had the potential to divide more than it unified, and for many contemporaries ‘it was perhaps an idiom of speech and thought, rather than a specific political concept’. As a language of legitimation, providence played a central role in the justification and denunciation of the conquest.

There were, however, other important bases for legitimacy, including the nebulous idea of the public good, repeatedly invoked by Cromwell and the Kirk to impel action or encourage passivity, and appeals to practical interest. These different bases were often used in combination, a concoction of justifications which reflected the multilayered allegiances of Scots. If the seventeenth century is understood as a struggle for stability which was ‘centred on the location of authority’, then the varied bases of legitimacy are symptomatic of a crisis reaching its height. Wayne te Brake’s tripartite delineation of composite states between local rulers, national claimants to power and ordinary political subjects does not neatly fit the context of military conquest, but is useful nonetheless. As he argues, the ‘constitutional layering of authority’ entails more levels than ‘local’ and ‘national’, and the fragmentation of the Scottish polity resulted in an increase in the number of those claiming authority. In these circumstances, the number of possible combinations of strategic allegiances between various actors was large, and appeals to ordinary people were therefore of vital importance. The Covenanter Revolution, at least in its early stages, can be characterised as an effective alliance between local rulers and popular political actors against the national claimant to power, Charles I, but in the 1650s an alliance of interests against the English invasion was difficult to form and sustain. The English, however, quickly realised that there is a difference between the accumulation of power and the consolidation of power, and attempted to secure their rule by first aligning themselves with ordinary

104 Gustafsson 2002, pp. 95; 96-109; 110.  
105 Aylmer 1972, p. 12.  
107 Rabb 1975, p. 33.  
Scots, before resorting to an alliance with Scotland’s traditional rulers. The instability of identities contributed to shifting patterns of allegiance and political alignments.

This thesis focuses upon three sets of novel and underused primary sources. Each group of sources corresponds to a particular stage, moving from invasion to occupation and conquest and finally to the negotiations for union. First, the propaganda war occasioned by England’s invasion of Scotland in 1650. These pamphlets and declarations have been analysed from a religious perspective by Spurlock, but were largely ignored by Dow and Grainger. Both sides sought to mobilise public support in their favour, setting Commonwealth principles against Covenanter ones. They firmly believed that their propaganda would have a real effect on public opinion. For the Commonwealth army this was a struggle not just between nation-states but between religious and political ideologies. Both nations, Spurlock argues, ‘believed themselves to be in a special relationship with God’ and therefore it was vital that they were able ‘to convince the general public of the divine right and blessing upon their religious preferences, political establishments and military campaigns’. Texts, and the polemical dialogue between them, were central to the contest for legitimacy, but the English army’s conduct also played an important role in the justification of the invasion. The fracturing of the Scottish polity, particularly after Dunbar, is also evidenced in the many pamphlets and declarations produced in this period. By examining the texts produced by various actors it is possible to reconstruct the strategies and assumptions at work, and demonstrate how identity played a central role in the contest for authority and legitimacy.

Second, Mercurius Scoticus, the first multi-issue newsbook published in Scotland, which ran from July 1651 to January 1652, spanning occupation and eventual conquest. Though the existence of this newsbook has been noted by several scholars, few have engaged thoroughly with its actual content. Though its editor is unknown, we can be fairly confident that it was printed by Evan Tyler and published primarily in the interests of the occupying army. However, the English commissioners sent to settle the affairs of Scotland gave orders for the periodical to be suppressed in January 1652, concluding its short run. Mercurius Scoticus, I argue, represents a continuation of the propaganda campaign begun in 1650. However, it was a more subtle vehicle for the legitimation of power and sought to impose a providential interpretation on the events it narrated. At the same time the newsbook documents English attempts to provide a compelling alternative government to the divided Scottish political nation. This chapter will also examine a fascinating manuscript, A Declaration and Vindication of the Poore Opprest Commons of Scotland. This analysis will bring into question David 

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111 Ibid., p. 15.
112 Couper 1908, pp. 166-167.
113 Spurlock 2011, p. 200.
114 NLS, Wodrow MSS. A transcription of the manuscript is provided by Stevenson 2005.
Stevenson’s dating of the work and suggest that it is better understood in the context of the union debates which followed England’s conquest of Scotland. Nevertheless, it provides an alternative perspective on the experience of occupation and conquest, supplying evidence of the impact of the ruptures in Scottish society on ordinary Scots.

The issue of union is the focus of the final chapter which will begin with an analysis of the Tender of Union and associated constitutional documents before studying the minutes and notes of the deputies summoned to Westminster to negotiate an Act of Union. Robert Landrum used these sources in his doctoral thesis, but otherwise the ‘attitudes and expectations of these deputies or of the representatives who selected them have never been studied’. Landrum has transcribed these and a number of related sources for the Scottish History Society, and generously gave me access to the prepublication drafts. The process by which Scottish constituencies assented, or dissented, to the Cromwellian union has been well documented, largely because the attendant sources were made easily accessible in Charles Stanford Terry’s The Cromwellian Union. However, Terry’s volume stops at August 1652, when the twenty-one deputies departed for London, and therefore says little about the actual negotiations for union. Dow’s narrative of this period relies entirely upon the Calendar of State Papers, the English committee minute-book held at the National Archives and the documents gathered by Terry, offering only a limited perspective. The papers transcribed by Landrum, which will be studied here, are preserved as a part of the Laing manuscript held by Edinburgh University. These sources begin where Terry’s volume ends, with the experience of the deputies in England and the negotiations to produce a parliamentary union. Also included are meeting minutes of the committee established by the English parliament to meet with the deputies, which have so far never been published in full. I argue that the decision to incorporate Scotland into a British Commonwealth must be understood in the context of almost three years of English propaganda, and cannot therefore be seen as a wholly unexpected and inexplicable turn of events. By studying the concerns of the Scottish deputies, and those relayed to them by petitioners, it is possible to consider the union negotiations as part of the continuous attempt to legitimise English rule. The negotiations also brought unionism and its complicated relation to Scottish, English and British identities to the fore, and it is in such an arena that the complicated relationships between the countries of the Atlantic archipelago can be explored.

I am interested in how power and authority were legitimised primarily through a study of texts used to justify actions and policies. Kevin Sharpe observes that the relationship between writing and authority has not been examined in great detail. This is problematic because, he argues, the 1640s

117 Dow 1979, pp. 35-51.
118 Edinburgh University Library, Special Collections, Laing MSS, Division II, volume 89, items 2-85
witnessed more than simply conflict between Parliamentarians and Royalists: ‘The word and the sword, legitimisation and conquest, were in contention for the validation of authority’. Victory in the theatre of war did not necessarily result in the possession of authority, and in the tumult caused by the collapse of censorship and the contestation for public opinion the text lost its definitive meaning. As Nigel Smith observes, the very nature of textual exchange ‘undermined received notions of authorship by taking control of the text away from the author’. The rapid expansion of the means and forms of communication produced ‘a sense of living in a kind of public confusion’. The labyrinth of troubles Scots found themselves can be understood in this sense as well, for authority had become detached from its familiar manifestations and institutions. The diarist John Nicoll wrote in 1650 that ‘the names of Protestant and Papist were not now in use’ and in their place had arisen a multitude of competing, overlapping and nebulus identifications: ‘Covenanters, Anti-Covenanters, Cross-Covenanters, Puritans ... Round-heads ... Malignants, Sectaries, Royalists, Quakers, Anabaptists’. David Underdown argues that the appearance and persistence of new epithets in England during the civil wars is evidence of ‘a more explicitly political language of abuse’ which ‘reflected and may well have strengthened people’s perceptions that their communities were politically divided’. A consequence of the widespread use of propaganda could be disillusionment and inaction, and the dialogic nature of textual exchanges could undermine rather than bolster community solidarity.

A distinction must be made between implied and actual audiences or publics. Although it can be problematic to reconstruct implied audiences, often authors and editors addressed their audiences directly. This was both an attempt to communicate with a particular audience and to create a receptive public. Sarah Waurechen argues that the Covenanters had employed a similar tactic during the Bishops’ Wars of 1638-40. Then, however, they ‘awoke many publics, ranging from those rationally seeking debate to those founded on venom and spleen, blindly lashing out at authority’ and the appeal to public opinion ‘was not a tool which was so easily controlled, so unitary, or so focused as envisaged’. Seventeenth-century writers quickly realised, as Sarah Achinstein puts it, that the emergence of a relatively free press meant ‘a free press for propaganda’. This lead to authors such as John Milton attempting to create ‘revolutionary readers’, that is ‘those who would be able to read and understand the coercive nature of many printed opinions’, and writers appealed to readers ‘as those who were free to make political choices based on a critical practice of reading and decoding enemy propaganda’. On

120 Sharpe 2000, pp. 30-31.
121 N. Smith 1997, p. 42.
122 Ibid., p. 25.
125 Poynzt 2009, pp. 59-70.
128 Ibid., pp. 225; 24.
the other hand, as Jerome de Groot argues, Royalist writers ‘would prefer their audience not to have the option of reading seditious or revolutionary works for fear they might be tempted’.\textsuperscript{129} How audiences were conceived, centred on perceived identities, played an important role in the communication of legitimacy.

At this point it is useful to consider what is meant by the term ‘propaganda’. Joad Raymond has cautioned against the uncritical use of the term ‘propaganda’ when discussing seventeenth-century newsbooks. He argues that ‘in early modern Britain there was no notion directly equivalent to the modern concept of propaganda’ and that it should not be understood ‘as something apart from political argument, something that presents only images that sway the emotions, as something that controls rather than persuades’.\textsuperscript{130} If we assume that material was produced to deliberately mislead, rather than to rhetorically persuade, we risk attempting to separate the appearance message from the content when in fact the ‘complex rhetorical forms and imaginative or “literary” devices’ which we encounter in early modern news media were not ‘optional devices, added to a pre-existing message by the writer, but part of the fabric of political discourse’.\textsuperscript{131} Similarly, Ethan Shagan has shown that the pamphlets produced in the context of the Irish Rebellion of 1641 ‘were not propaganda in any simple sense’ but rather ‘incorporated entirely conventional modes of analysis in order to avail themselves of a wider audience’.\textsuperscript{132} They were products of a polarised context rather than causes of it, and drew upon tropes familiar to and comprehensible by their audiences. This is analogous to Jacques Ellul’s conception of ‘sub-propaganda’, that is propaganda which serves to create conditional reflexes and myths.\textsuperscript{133}

It is in this broader and less pejorative sense that the term ‘propaganda’ is used in this thesis. Rhetoric and polemic were important features of seventeenth century print culture, but we cannot assume that the publics who consumed print media were uncritical and easily swayed. As Fillipo de Vivo observes, ‘the analysis of communication in terms of propaganda exaggerates the extent of top-down impositions’.\textsuperscript{134} However, Jason Peacey contends that ‘To the extent that the aim was to control the terms of debate, propaganda was to censorship as the velvet glove is to the iron fist’.\textsuperscript{135} Though it is difficult to gauge the response of ordinary people to propaganda during this period, other research has demonstrated that people’s response to propaganda is largely dependent upon their existing ideological predispositions.\textsuperscript{136} As de Vivo argues, propagandistic works such as pamphlets and newsbooks ‘are meant to prompt reactions’ but ‘as partisan statements made in polarised contexts, they are on the

\begin{itemize}
\item De Groot 2004, p. 89.
\item Raymond 2006, pp. 2; 10.
\item \textit{Ibid.}, pp. 10-11.
\item Shagan 1997, p. 33.
\item Ellul 1973, p. 31.
\item De Vivo 2007 pp. 15-16.
\item Peacey 2004, p. 332.
\item Harris 1999b, p. 282.
\end{itemize}
whole unlikely to convince unsympathetic readers'. This argument is problematic, as Ellul shows. The belief that ‘propaganda against established opinion is effective would be right’, he argues, ‘if man were a simple being, having only one opinion with fixed limits’. Individuals, however, have multiple beliefs, ideas and identities, and propaganda need only undermine certain opinions and assumptions, not the totality. With allegiances in flux, the Scottish population was arguably more open to persuasion than ever before.

It is possible to ascertain the actual audiences of pamphlets and newsbooks to a limited degree. Spurlock describes the tracts produced during the invasion of Scotland as a ‘polemical dialogue between the Kirk and Cromwell’s troops’, and as such these texts explicitly referenced each other. We also know, for example, that Mercurius Scoticus had a fairly wide readership, and Wariston, Nicoll and James Balfour all referenced it in their writings. In general, however, it is difficult to determine precisely the actual audiences of newsbooks, pamphlets and other forms of popular print in this period, but we can partially reconstruct possible audiences. Participation in public debate was clearly limited as it was dependent on ‘unequally distributed literary and economic resources’. It is difficult to estimate how many people in the early modern period were literate: signatures have been used to give a rough projection, but this excludes the many who were semiliterate, that is those who could read but not write. The ability to read, fostered by a Protestant emphasis on Bible study, was undoubtedly more widespread than the ability to write, whilst increasing popular interest in religious and political debates may even have promoted literacy. R. A. Houston estimates a figure of 75 per cent illiteracy in the Scottish Lowlands in the mid-seventeenth century, based primarily upon subscriptions to the National Covenant, though illiteracy varied significantly between rural and town populations. Margo Todd, however, argues that 50 per cent of the Scottish population could read by the late 1630s, although this fell as low as 10 per cent in the countryside. Whatever the exact figure, reading was often a social activity and some types of printed material were accessible to the illiterate with only minimal assistance. As Houston observes, those ‘living in close physical proximity to anyone who would read had access to literacy’. Further, tracts produced by the Kirk in Scotland were often, by order of the General Assembly, read out loud in every parish church across the country.

137 De Vivo 2007, p. 229.
138 Ellul 1973, p. 35.
139 Ibid., pp. 35-36.
142 Zaret 2000, p. 33.
143 Miller 1995, p. 361.
144 Zaret 2000, pp. 151, 174; Houston 1985, p. 86.
145 Houston 1985, pp. 90, 104.
147 Miller 1995, p. 361.
149 Spurlock 2007, p. 17.
This thesis is not a history of reading and it is not written from the perspective of an ideal implied reader.\textsuperscript{150} Rather, it is an examination of generally partisan sources in an attempt to explore how power was justified and authority legitimised, and the relationship this process had with identity. It is a history of propaganda and action, of how behaviours can be explained. Context is central, and this analysis is bound up with a narrative of the period 1650-1653. Studying these sources together, I argue, is vital if we are to unlock some of their meanings and intentions. In combination with an array of other sources, primary and secondary, a partial reconstruction of their reception is possible, both through studying texts and events. The social reality of the publics addressed is debatable, but as a strategy to legitimise or delegitimise actions the invoking of popular opinion shaped both English and Scottish texts profoundly. Conquest was a demonstration of power, but it did not grant the English Commonwealth authority in Scotland. Legitimising rule required something more than military might, and in this contest words were vitally important. It is only by analysing both English and Scottish perspectives and attempting to reconstruct authorial intent, context and reception that the legitimation of power and authority during the Cromwellian conquest can be understood. By examining a variety of textual mediums this thesis explores the various strategies employed by the actors involved to legitimise themselves and delegitimise their opponents. These strategies involved conceptions of the audiences addressed and attempts to exploit the political implications of identities.

\footnote{Raymond 2003b, p. 189.}
Invasion, Resistance and Propaganda

‘Religion Kirk King Kingdom Covenant lives liberties and fortunes are lying at the stake.’

‘Can a country be born in a day
or a nation be brought forth in a moment?’
—Isaiah 66:8.

The army of the Commonwealth of England, led by Oliver Cromwell, invaded Scotland on 22 July 1650. From the moment Cromwell’s army entered Scotland until its remarkable victory at Dunbar on 3 September 1650, the English were an invading force, unable to entrench themselves or secure a permanent foothold. After Dunbar, however, the English ‘ceased to be simply an invading army and became an occupying force, capable of pursuing their desired objectives’. Dunbar was a hugely significant moment, exacerbating and exposing the divisions which racked the Church of Scotland and the Scottish body politic. On 3 August Cromwell had published a famous address to the Assembly of the Kirk in which he beseeched the ministers, ‘in the bowels of Christ, think it possible you may be mistaken’ and urged them to not bring upon themselves ‘the blood of innocent men, deceived with pretences of king and Covenant’. This was not, as Arthur Williamson points out, simply an indictment of the narrow-mindedness and fanaticism of the Scots, but rather ‘left open the possibility, after all, that Cromwell was the one mistaken—it sowed doubt, yet also spoke self-doubt’ and therefore ‘the vindication at Dunbar ... became an event of the greatest magnitude’.

As Cromwell had marched on Scotland in the summer of 1650 a mordacious propaganda war raged between the Scottish Kirk, which had assumed the responsibility of speaking on behalf of the nation, and the English parliamentarian army. This was a contest for authority, focused around both internal and external sources of legitimacy, and invoking various identities. Scottish propaganda was fundamentally an attempt to rouse men to action—ultimately armed resistance—whilst English propaganda encouraged inaction, hoping that Scots would remain in their homes and not participate in the conflict or resist the English army. Jacques Ellul contends that this is the primary function of propaganda: not ‘to modify ideas, but to provoke action’. It aims at participation, which may be active or passive, the former ‘if propaganda has been able to mobilise the individual for action’, the latter ‘if

1 Extracts Edin. Recs., p. 245.
3 Letters and Speeches, vol. 2, p. 79.
5 Ellul 1973, p. 25.
the individual does not act directly but psychologically supports that action'.

6 This is particularly true

in the context of open conflict. Following Beetham’s definition of legitimacy, the English invasion was illegitimate in that it constituted ‘a clear and indisputable negation of the first condition of legitimacy, which is legality’. Therefore, the English had to provide ‘special justification by reference to extra-legal norms that are widely acknowledged, and an exigency sufficiently compelling to warrant such action’. Propaganda was central to this contest for public support.

Justifying invasion

The English, however, began this contest with a severe disadvantage. Not only did the Kirk actively attempt to limit access to the tracts and declarations produced by the Commonwealth army, the English also had to attempt to generate popular support and convince a naturally hostile audience of their intentions. My analysis will focus on three aspects of their strategy. First, they had to persuade Scots that the invasion was just and necessary and that it was not simply an imperialistic conquest. This involved ‘undeceiving’ an audience which they believed to be under the sway of the ministry. The regicide also had to be explained and justified if the English were ever to hope to overcome the accusation that they were usurpers, bent upon upturning the established political order and unleashing anarchy. Second, given that the Kirk was able to effectively communicate its message to the Scottish population and suppress English attempts to do the same, the conduct of the Commonwealth army became in itself an important tool of propaganda. Third, Cromwell addressed a godly public notionally calling into being a unifying identity separate from the reflexive patriotism provoked by the invasion.

The guiding principle of English propaganda was that, as Cromwell expressed it, in Scotland ‘God hath a people here fearing His name, though deceived’. The English therefore saw it as their role to ‘undeceive’ the Scottish public, attempting to provide readers with the critical faculties required to challenge the propaganda produced by the Kirk and the Committee of Estates. In 1647 Cromwell had ordered that printing presses be used to ‘undeceive the people’, an aim shared by *Mercurius Politicus*, 'the dominant organ of propaganda for the Commonwealth and Protectorate', which began to be reprinted at Leith from June 1653. Cromwell recognised the importance of good press and the intention to undeceive the people can be seen as a common motif running through the differing forms of English propaganda. The rhetoric of the English Revolution, Achinstein argues, ‘constituted its audience as subjects who were equipped with reading skills, able to make political decisions and to

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8 Ibid., p. 206.
decide among possibly conflicting interpretations or “deceptions”.\textsuperscript{13} It was widely held that Scots were under the malignant influence of their ministers, and that they needed to be liberated, both physically and mentally, from their slavish condition. With this in mind, the initial aim of the English declarations was to present the English invasion as just, in the words of \textit{A Declaration of the Parliament of England, Upon the marching of the Armie into Scotland}, to emphasise that ‘Domination, Revenge, or worldly Gain are not the Motives of our Engagement’ and to reassure the people of Scotland that ‘we shall much rejoice if it may be attained without blood’.\textsuperscript{14} Cromwell had 800 copies of this declaration printed, aiming to bypass Scotland’s ecclesiastical and political leadership and appeal directly to ordinary Scots.\textsuperscript{15} These themes were continued and expanded upon in \textit{A Declaration of the Army of the Commonwealth of England to the People of Scotland}, a deliberate attempt to counteract the slew of propaganda emanating from the Kirk which presented the English army as a monstrous horde. Charles II and those promoting an alliance with him were presented as the provocations which had made the invasion of Scotland an ‘unavoidable necessity’.\textsuperscript{16} It encouraged those uninvolved in the political controversy to remain in their homes and further ‘not to suffer themselves to be mislead by the craft and subtlety of any, into that which must needs prove their inevitable Loss and Ruin, and great hazard to their Country’.\textsuperscript{17} Interpretation was therefore vitally important, and readers or listeners were encouraged to consume texts critically, rather than assuming their veracity. The English believed that the Kirk had mislead the ordinary Scots, but if its malign influence were checked then the people would come to their senses and accept the invasion as an unfortunate necessity.

Cromwell invited the Scottish church to ‘Send as many of your papers as you please’ to the English army, declaring that ‘they have a free passage’ as that which was of God in them would ‘be embraced and received’.\textsuperscript{18} The Kirk, on the other hand, actively sought to limit access to English pamphlets and tracts, whilst the Committee of Estates warned ‘all the people of the Land to beware that they be not deceived and ensnared with the fair offers and smooth pretences of the Sectaries, whose words are soft as butter and oil’.\textsuperscript{19} This allusion to Psalm 55:21 made it clear that they believed the English army’s reassurances were hollow.\textsuperscript{20} This evidences a real fear that English propaganda would sway an uncritical public, whilst conversely the English strategy was in part founded on the belief that argument would persuade rational readers. It can be argued that Scottish leaders believed that censorship was required because it perceived audiences as ‘passive recipients of ideas’ and without such restrictions ‘the audience

\textsuperscript{13} Achinstein 1994, p. 155.
\textsuperscript{14} \textit{A Declaration of the Parliament of England, Upon the marching of the Armie into Scotland} (London, 1650), p. 9.
\textsuperscript{15} Spurlock 2007, p. 22.
\textsuperscript{16} \textit{A Declaration of the Army of the Commonwealth of England to the People of Scotland} (London, 1650), p. 6.
\textsuperscript{17} \textit{Ibid.}, p. 7-8.
\textsuperscript{18} \textit{Letters and Speeches}, vol. 2, p. 78.
\textsuperscript{19} \textit{A Declaration of the Committee of Estates of the Parliament of Scotland} (Edinburgh, 1650), p. 40.
\textsuperscript{20} ‘The words of his mouth were smoother than butter, but war was in his heart: his words were softer than oil, yet were they drawn swords’.
would have no protection from pernicious writers'.

English propaganda hoped that its audience would be able to critically engage with texts and reach measured conclusions; Scottish propaganda, on the other hand, feared that readers could be infected with error and that therefore isolation was the best remedy.

The Church of Scotland warned ‘all the Members of the Kirk’ that ‘so many and so monstrous blasphemies and strange opinions in Religion have been broached and are vented in England and Cromwell and his allies had ‘subverted Monarchy it self, and turned the Foundations upside down’. The English had, therefore, not only to justify their invasion of Scotland, but also had to legitimate their own authority, for they were guilty of beheading Charles I and abolishing the House of Lords. Providence was central to this effort, as it was to the entire polemical dialogue of the 1650s. Both sides, Spurlock argues, ‘set out to paint a partisan picture of God’s divine will and to defend the religious validity of their positions’. However, the Kirk had a restrictive conception of providence, based upon a static interpretation of God’s will as enshrined in the National Covenant. The Commonwealth, on the other hand, had ‘a much more dynamic conception of God’s workings in the world’; providence was being perpetually revealed and therefore required continuous reinterpretation. The successes of the English Parliament in the Civil War were, a Commonwealth tract declared, ‘not as the work of the policy or strength of man, but as the eminent actings of the Providence and Power of God’. The Kirk admitted that, for the sake of the Covenant, the Lord did clothe the Parliamentarians in power ‘for a time’, but warned that they would ‘stumble and fall, and be broken in pieces’ if they invaded Scotland. The Commonwealth army attempted, therefore, to justify both the invasion of Scotland and the revolution which had upended England’s traditional constitution.

The attack on the House of Stuart, and in particular Charles I and his son Charles II, was part of this effort and was centred on an interpretation of God’s will. Scots were challenged to contemplate who and what they were fighting for, and to think upon who had their best interest at heart. In A Declaration of the Army of England upon their March into Scotland, Charles I was described as ‘a man guilty of more Innocent Blood in England, Ireland and Scotland, even of those he ought to have preserved, as a Father to his Children’. One of the familiar metaphors of kingship, that of the sovereign as a father, was used to emphasise the wickedness of Charles and the severity of his wrongdoing which, significantly, is attributed to him alone, rather than blamed on wicked advisors. The king and his family were discredited, the intentions of the leaders of Scotland were questioned, and

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22 A Seasonable and Necessary Warning (Edinburgh, 1650), p. 4.
23 A Declaration of the Generall Assembly of the Kirk of Scotland (Edinburgh, 1650), pp. 9-10.
26 A Declaration of the Army of England upon their March into Scotland (Newcastle, 1650), p. 11.
28 A Declaration of the Army of England upon their March into Scotland (Newcastle, 1650), pp. 5-6.
the issue of the public good was raised. *A Declaration of the English Army now in Scotland* was addressed directly ‘To the People of Scotland’, circumventing the traditional arbiters of public opinion, and contained an uncompromising attack on the character of the king. This time Charles I and his monarchy were identified as ‘one of the ten horns of the Beast’ spoken of in *Revelation* and ‘being witness to so much of the innocent blood of the Saints that he had shed in supporting the Beast’ the army was ‘carried forth to desire Justice upon the King, that man of Blood’. As Patricia Crawford has explained, a ‘man of blood’ was ‘one who had shed innocent blood, and with whom the Lord would have no peace’, a conclusion the army in England had reached following the intractability of Charles I as Parliament had sought to negotiate the terms by which he might continue to rule and peace might be achieved.

The concept of blood guilt was a powerful idea which counteracted the divinity of the king and played an important role in the eventual decision to execute Charles I. By using the concept English propaganda undermined the king’s authority and invoked providence to justify their actions. The most serious association of the king with blood guilt during the first civil war had in fact come from the General Assembly of the Kirk, which had accused Charles I of ‘being guilty of shedding of the Blood of many Thousands of your Majesty’s best Subjects’ and warned him that ‘the Guilt which cleaveth fast to your Throne is such, as ... if not timely repented, cannot but involve your self and your Posterity under the Wrath of the Everliving God’. English propaganda therefore drew upon familiar images and arguments, rather than crafting a foreign rhetoric of persuasion. As Ellul argues, in the use of propaganda ‘existing opinion is not to be contradicted, but utilised’. The idea of blood guilt was known to Scots, having been used by their own ecclesiastical leaders, and brought both Charles II’s character and the trustworthiness of the Kirk into disrepute. Scots were asked to consider ‘how improbable it is, That the course taken by those in Authority with you, will produce the things you desire’, concluding: ‘let your own experiences a little mind you’.

The act of interpretation was thus thrust upon the reader, guided by the insistent questioning of English propaganda. Readers were required ‘to work to construct meaning’, though authors sought to limit the range of possible interpretations. English propaganda drew upon familiar arguments, framed in such a way as to lead the reader towards a particular interpretation. It provided Scots with alternative interpretations of events, envisioning a critical audience which, if properly equipped, could

29 *A Declaration of the English Army now in Scotland* (London, 1650).
31 Crawford, 1977, p. 41.
32 Ibid., p. 46.
34 Ellul 1973, p. 35.
35 *A Declaration of the Army of England upon their March into Scotland* (Newcastle, 1650), p. 12.
37 Ellul 1973, pp. 56-57.
challenge the arguments deployed by the Kirk. As David Zaret argues, ‘the imposition of dialogic order on political conflict supplied readers with reasons and textual evidence for adjudicating rival political claims’.38 The very form of the debate, therefore, empowered readers and undermined authority by presenting arguments as contestable and uncertain. However, whilst Scots may have been increasingly uncertain about their own leaders, they did not simply transfer their loyalties to the English army. An invading army inevitably posed a threat to the lives and property of ordinary Scots, and this lived experience mitigated against the positive reception of English texts.

The conduct of the New Model Army was therefore an important element of the overall propaganda campaign, and its deeds complimented and amplified its words. Cromwell enforced strict discipline in his ranks and sought to avoid imposing too great a burden upon the local population, reassuring them through tracts and proclamations that they would not be harmed nor their property despoiled. The officers and soldiers of the English army were prohibited from straggling more than half a mile from their quarters without leave on pain of death and were commanded ‘not to offer any manner of violence or injury to the person or goods of any in Scotland not in arms’.39 Shortly after his victory at Dunbar Cromwell occupied Edinburgh and promised protection of persons and property, and freedom for the local inhabitants to sell their wares and hold markets in the capital and in and Leith.40 However, even these efforts seemed to have only limited success. An English soldier in Scotland reported that ‘the generality of people ... do idolise and set up their Ministers’ believing everything they are told and ‘though our fair usage of the country gives lie to that they are told in their pulpits’ nevertheless ‘not any of them will return to their homes’.41

Scottish and English sources give somewhat contradictory accounts of the behaviour of the Commonwealth army, but it is clear that whether good or bad, ordinary Scots were afraid of having any contact with the troops for fear of being branded traitors.42 The New Model Army met only a handful of Scots in the Borders, the majority having withdrawn to Edinburgh with their possessions, under orders from the Committee of Estates who declared that those who remained would be considered enemies.43 Similarly, in December 1650 the General Assembly of the Kirk declared that all those who had or shall ‘join in Arms or Counsel’ with the English, ‘shall be excommunicate’, whilst others who complied with the enemy would be censured ‘according to the degrees of their compliance’.44 This indicates that English propaganda failed to have significant affect the Scottish populace, whilst Scotland’s leaders continued to exert authority over most of the realm. According to the chronicler

42 Row, Life of Blair, p. 233; Nicoll, Diary, p. 31.
44 Perth Decemb. 14. 1650. The commission of the Generall Assembly considering how grievous a sin against God and scandall to religion if it were for any of this Kirke and kingdom to joine or comply with any of the sectarian enemy, ... (Scotland? 1650).
John Nicoll, when Cromwell advanced to Glasgow in October 1650 the inhabitants fled, ‘not so much for fear of the enemy, for their carriage was indifferently good’ but rather because ‘they feared to be branded with the name of compliers and sectaries’.\textsuperscript{45} The threats of punishment the Kirk issued against those collaborating with the English and a widespread distrust of the invading army presented a frustrating dilemma for Cromwell as both words and deeds failed to engender popular support or even mere compliance. The English were unable to secure actions expressive of consent, and their moral justifications for the invasion reached only a few.

Reassuring words, conciliatory deeds and challenges to the legitimacy of the king did not endear the English to the Scots during the initial invasion. A further theme of their tracts and declarations was that they fought \textit{for} the godly, and not only \textit{against} the king and Kirk. The elect, as Krishnan Kumar puts it, ‘exist in relation to the damned on a universal plane’, a fact which can separate them from the damned within their own nation or ‘link them with other members of the elect in other nations’.\textsuperscript{46} In this theology, ‘there is no special significance in the nation itself’.\textsuperscript{47} According to Levack, Scottish apocalyptic thought ‘placed Scotland within the context of a united British elect nation or a European Protestant movement’, and therefore Cromwell’s strategy was potentially an effective one.\textsuperscript{48} It was not, however, merely a propagandistic ploy, but rather stemmed from deeply held religious beliefs. Cromwell, like many Englishmen, believed the Scots, or at least a great number of them, to be a godly people who might be persuaded of the righteousness of the Commonwealth’s cause.\textsuperscript{49} In the first of three tracts issued during the initial invasion of Scotland, the English army stated that it was their aim to ‘persuade the Hearts and Consciences of those that are godly in Scotland’.\textsuperscript{50} This tactic can be compared with the Covenants’ propaganda during the Bishops’ Wars in 1639 and 1640 when the Scots invaded England, and hoped to stir up a godly public in favour of their cause. The Covenants then had argued that ‘those making the correct choice formed a group complementary to their own’ and hoped that this combination of interests could be used to force a change of policy.\textsuperscript{51} Similarly, the English army sought to provoke the godly in Scotland to think about who might represent their best interests, hoping to provoke questioning rather than simply presenting answers or slandering their opponents. The English army declared that they ‘undertake this business in the fear of God, with bowels full of love, yea, full of pity to the inhabitants of the Country’ and ‘beseech the Lord ... to give you the like Christian and Brotherly affection towards us, which we by Gods grace bear towards you’.\textsuperscript{52}

\textsuperscript{45} Nicoll, \textit{Diary}, pp. 30, 31.
\textsuperscript{46} Kumar 2003, p. 112.
\textsuperscript{47} Ibid.
\textsuperscript{48} Levack 1987, p. 176
\textsuperscript{49} Williamson 1995, p. 308.
\textsuperscript{50} \textit{A Declaration of the Army of England upon their March into Scotland} (Newcastle, 1650), p. 4.
\textsuperscript{51} Waurechen, 2009, p. 67.
\textsuperscript{52} \textit{A Declaration of the Army of England upon their March into Scotland} (Newcastle, 1650), pp. 16, 17.
Central to this argument is the construction of a godly public, a unifying identity which blurred the line between ‘Scottish’ and ‘English’ and sought to establish a prerogative above kingdom or king. Jenkins argues that ‘groups are real if people think they are: they then behave in ways that assume that groups are real and, in so doing, construct that reality’, and in this sense the godly were a collectivity, not simply a rhetorical construct. The Scottish Committee of Estates attacked this strategy, condemning the Declaration of the Army of England for being addressed ‘To all that are Saints and partakers of the Faith of GODS Elect in Scotland’, ‘as if there be none in Authority, whom they apprehend as Saints, it is directed to none of them’. This, they declared, was a recipe for anarchy, an attempt ‘to draw away the hearts of the people from their obedience to Authority’. The construction of a godly public also provided the invasion with a veneer of legitimacy, presenting military action as a necessary defensive move whilst at the same time identifying a royalist and malignant minority as the real target. In this sense the war could be portrayed as between the godly and the ungodly rather than between England and Scotland, a tactic which might impede the patriotic reflex provoked by invasion. The English declared that they ‘desire of God that the precious in Scotland, may be separated from the vile’, rhetorically crafting a real sense of separation between the peaceable godly and the warmongering royalists. In the same way in which petitions and declarations traditionally ascribed wicked counsellors as the root of the king’s mistakes, so ministers in Scotland were portrayed as misleading an innocent populace. Another tract spoke to the Scots as ‘our Brethren’, repeating the imagery of familial unity which had been voiced since the union of 1603, and argued that the English sought ‘to make a distinction and separation of’ the godly from ‘the rest’, who have been deceived by ‘the cunning practices of some wicked and designing men’. The Declaration of the English Army now in Scotland sought to highlight the hypocrisy of the Kirk and again foster a sense of unity between the godly of both countries, this time in the most explicit of terms. The army declared that it desired ‘above any thing in the world ... the Union of the two Nations’ and prayed daily that ‘those that fear the Lord in England and Scotland may become one in the hand of the Lord’. This rhetoric of unity forced the reader to consider his or her allegiances and from this perspective re-evaluate the actions and pronouncements of Scotland’s temporal and ecclesiastical leaders.

A common enemy and a common cause?
The Scotland that Cromwell invaded was a kingdom divided, its people torn between conflicting loyalties. As Nicoll described it, the ‘intestine division’ among the Scots and the ‘force, policy, and

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54 A Declaration of the Committee of Estates of the Parliament of Scotland (Edinburgh, 1650), p. 22.
55 Ibid., p. 22.
56 A Declaration of the Army of England upon their March into Scotland (Newcastle, 1650), p. 12.
57 Ibid., p. 3-4.
strength’ of the English had brought ‘this pure land ... to open confusion and shame’ resulting in the English army ‘ramping through the kingdom without opposition’.59 War had ‘detected, and made known, and revealed’ the ‘fire of hatred and division and treacheries’.60 The English army, though able to make use of this division for propaganda purposes, found it hard to assuage the fears of ordinary Scots, and was unable to firmly establish English rule as an entirely legitimate or feasible alternative to the factional Scottish polity. By the time of the English invasion a rift had developed between the king on one hand, supported by many nobles, and the Kirk and its covenants on the other. The following analysis makes two claims: first, during the invasion of Scotland a ‘common enemy’ could not be easily conceived. Second, the establishment of a common cause was even more problematic. Charles offered a focal point for Scottish identity but his legitimacy was continually contested and the skirmishes between king, Kirk and country provided no solid base for the emergence of a coherent national identity.

The Kirk attempted to unify the country by presenting the invading English army as the common enemy, a vicious sectarian host who threatened Scotland’s reformation. The New Model Army was a unique fighting force, largely composed of committed and evangelical radicals and in this sense posed a threat to the Kirk’s vision of religious conformity. The General Assembly portrayed Scotland as innocent and pure, a country where ‘a Sectary is ... so rare a thing ... that we think few, or almost none, can be named in all the land’, and as a ‘Virgin forced in the fields crying against the ravisher’.61 The danger posed by the English army was presented as both spiritual and temporal, with congregations being instructed to pray ‘That wee may neither infected by their errors, nor harmed by their violence’.62 The Kirk feared that ‘the Gangrene of their errors may take hold upon men of ignorant and unstable minds’.63 The imagery of the kingdom as a body, with the king as a head, was familiar, and the invocation of the metaphor of a gangrenous disease suggests amputation or destruction are required to prevent the community of the realm becoming contaminated. The propaganda war escalated once the English army had entered Scotland, and the Kirk and the Committee of Estates both expressed alarm that ordinary Scots might be seduced by the sectaries.64 Responding to the Declaration of the Army of the Commonwealth of England to the People of Scotland the Committee of Estates accused Cromwell and his forces of trying ‘to steal away the hearts of the People from their necessary duties’ and labouring ‘to divide them from their King, from the nobility, from the Ministry’.65

59 Nicoll, Diary, pp. 48-49.
60 Ibid., p. 39.
61 A Declaration of the Generall Assembly of the Kirk of Scotland (Edinburgh, 1650), p. 4; An Answere from the Committee of Estates (Edinburgh, 1650), p. 6.
62 Causes of a Publick and Solemn Humiliation (Edinburgh, 21 June 1650).
63 A Seasonable and Necessary Warning (Edinburgh, 1650), p. 5.
64 A Declaration of the Committee of Estates (Edinburgh, 1650), p. 40.
65 An Answere from the Committee of Estates (Edinburgh, 1650), pp. 3; 7.
The Commonwealth army was portrayed as a foreign infestation, overthrowing the known form of government and allowing untrammelled toleration and consequently the spread of heresy. Whilst Cromwell had sought to align himself with his godly ‘brethren’ in Scotland, the Kirk argued that its brethren in England were being persecuted and true religion was being overwhelmed by fallacy. In its declarations the Kirk sought to prepare the people for the propaganda to come, warning them to ‘be careful to discern of dangers and avoid snares’, and ‘to watch and pray that in nothing they be deceived’.66 Scots were to ready their minds and expect deception, fostering a critical attitude towards the entreaties made by the English army. The common enemy presented in Scottish texts is, however, a problematic construct. The enemy was not England itself, for the Commonwealth had usurped power and could not be acknowledged as the supreme authority in England; in this sense it was seen as an enemy common to all the peoples of Britain.67 This construction retained the hope of an alliance of the godly across Britain and the commitment to ecclesiastical unity which the Covenanters had fostered for years. It also confused the appeal to a patriotic sentiment which occurred mainly after Dunbar by identifying the enemy as the sectarian army, not the kingdom of England. The English, as a whole, were not an unknown ‘other’ against whom Scottish national identity could be constructed in opposition, but had themselves been overwhelmed by a sectarian adversary. The common enemy was Cromwell’s sectarian army and it was the heretical beliefs of that army, not their Englishness, which the Kirk found threatening and alien.

It was not enough, however, to construct a common enemy; a common cause must also be defended. The cause advocated by Kirk in *A Seasonable and Necessary Warning* in June 1650 was presented as unchanged since the National Covenant, and congregations were warned ‘to beware of changing the state of our Cause’ either ‘by laying aside of GODS interest and taking up of mans’ or ‘by preferring mans interest unto GODS’.68 The Kirk declared that it did not ‘intend to stir up unto, or approve of an invasion of the Kingdom of England, or an engagement in war against the same’, reiterating that it advocated only defence of Scotland against invasion.69 Immediately, therefore, there existed a tension between the objectives of the Kirk and the ambitions of the Charles II, who saw Scotland as a staging ground for the re-conquest of England. The Kirk requested that congregations prayed ‘that the Kings Majesty may really and wholly abandon all Malignant principles and Counsels and join in the Covenant and Cause of God’.70 The church was, Keith Brown contends, ‘the only truly national institution, with personnel representing it in every parish of the kingdom’, and the significance of this questioning of the king’s person and legitimacy cannot be ignored.71 Further, as Clark argues,
individuals were ‘tied to the polity by allegiance, and Christianity was the ideology that interpreted that tie’.\(^{72}\) If Charles were to rally Scots to his cause and convince them that another invasion of England was in their best interests he would have to enlist the support of the Kirk. However, the king was presented as not yet a part of the common cause, and his commitment to the Covenant equivocal at best, and therefore he remained a figure of questionable legitimacy, at least from the perspective of the Kirk. The Kirk was afraid that the popularity of the king amongst the people would eclipse their own power and influence, and the attempt to secure the pre-eminence of ‘God’s interest’, which they defined, was in part a reaction to this threat. It was also, however, a recognition of the multilayered allegiances of a conflicted Scottish populace, and an effort to impose a hierarchy on these loyalties.

Throughout the English invasion Charles II could not fully embody a patriotic cause. Charles had only reluctantly agreed to the Covenanters’ demands after he was unable to muster support from any allies in Europe, and he had initially favoured staging an invasion of England from Ireland.\(^{73}\) Throughout, the king’s eye remained fixed on the real prize: the reclamation of his English throne. He was a shrewd operator, not reticent to challenge the authority of the Kirk and seek to own the symbolism of kingdom and cause. The designs for the regimental standards for the officers of the king’s Life Guard all included at Charles’s behest the motto ‘Covenant; for Religion, King and Kingdoms’.\(^{74}\) Whitelocke confirms this detail, noting that the slogan was the same as was used when Scotland invaded England in 1648; to English eyes it was therefore an almost imperial motto of the ‘Presbyterian international’ which would never be content to constrain its ecclesiastical ambition to Scotland alone.\(^{75}\) For the ever-cynical Hewison this was proof that Charles ‘was fast developing into a polished dissimulator’.\(^ {76}\) It can clearly be seen as an attempt to reapportion legitimacy away from the Kirk and back to the king who, now covenanted, could claim to best represent the kingdom and the cause in the face of invasion. Charles II stated that he was willing to ‘to hazard our life (nay to lay it down) with you for God, the covenant, and the honour and freedom of this hitherto unconquered kingdom’.\(^ {77}\) This was a clever attempt to unify the often discordant strands of identity in his person and office, legitimising his position and encouraging resistance to a sectarian foe. Charles undoubtedly saw his audience primarily as subjects who owed him unquestioning loyalty. As the rightful heir to three thrones, his subjects were not only Scottish, but Irish and English as well, and he fought not against England, but against Cromwell and Parliament. In this sense Charles did not believe that he had to legitimise his authority, but he recognised that securing the support of the Kirk was vital if he were to exercise power in Scotland. Charles II was, however, never a truly Scottish monarch and never a godly

\(^{72}\) Clark 2000, p. 272.
\(^{73}\) Siochrú 2008, p. 66.
\(^{74}\) Balfour, *Historical Works*, vol. 4, pp. 84-85.
\(^{75}\) Whitelocke, *Memorials*, p. 239; Lynch, 1992, p. 266.
\(^{76}\) Hewison, vol. 2, 1913, p. 3.
\(^{77}\) TSP, vol. 1, pp. 154-164.
one either, meaning he could not fully embody either identity. This tension, and the inability to clearly articulate either a common cause or define a common enemy came to a climax in the aftermath of the defeat at Dunbar on 3 September 1650.

Religion, king and country after Dunbar

The defeat at Dunbar was, as one contemporary observer noted, ‘to the most part unexpected’ and provoked intense soul-searching in Scotland.\(^{78}\) Kohn argues that within the differing kinds of group-consciousness there is generally one which individuals recognise as the supreme and most important, to which, in the case of conflict of group-loyalties, is owed supreme loyalty.\(^{79}\) Similarly, Rainer M. Lepsius argues that unlike other ‘solidarity associations’, such as religious confessions, families or classes, the idea of the order of the nation ‘includes the claim to a higher rank and a more general significance’ leading inevitably to conflict with the other identifications.\(^{80}\) After Dunbar, debates about which identity commanded ultimate loyalty reached a climax, and whilst patriotism appeared to rise above religious and political differences, Scotland remained a divided country. Overall the Presbyterian interpretation of the defeat, both in Scotland and England, was that ‘like Israel before them, God’s chosen people were suffering for their hidden sins’ but ‘they had not lost their favoured status ensured by the covenants’.\(^{81}\) The cataclysmic defeat at Dunbar inflicted a severe military and psychological wound on the kingdom. It was, Grainger argues, a ‘hammer blow’ which ‘exposed the cracks in the polity of the Scottish nation’ and broke the country into multiple ‘ideological-cum-geographical fragments’.\(^{82}\)

The divisions which split the Church of Scotland for several subsequent generations had their origins in the political upheaval which followed Dunbar. On the one side were the Remonstrants, also later known as the Protesters, a small group of hard-liners, led by the western ministers. They took their name from the Western Remonstrance issued in the autumn of 1650 which denounced Charles II and renounced his cause, arguing that it was ‘manifest’ that the king was ‘not prosecuting the cause of God, not walking in any subordination to God’.\(^{83}\) The army of the Remonstrants, known as the Western Association, was defeated by English forces on 1 December and consequently the south-west of Scotland fell to the Commonwealth. The Remonstrants, however, remained an active and vocal group and led the protests against the decision to allow royalists, malignants and other so-called backsliders to fight for the realm against Cromwell.

On the other side were the Resolutioners, the majority party led by the Edinburgh clergy, who advocated leniency towards former royalists in order to unite nation against Cromwell. Prominent

\(^{78}\) Row, *Life of Blair*, p. 238.
\(^{79}\) Kohn 2005, p. 11.
\(^{80}\) Lepsius 2004, p. 482.
\(^{81}\) Spurlock 2007, p. 35.
\(^{82}\) Grainger 1997, pp. 55; 66.
\(^{83}\) Balfour, *Historical Works*, vol. 4, p. 136.
Scots such as Robert Douglas, Robert Baillie and David Dick contested that ‘in the war against invading strangers, our former strictness had been unadvised and unjust’. The Scottish parliament which met at Perth at the beginning of December was faced with the immediate question of how ‘to lay down a course for defence and security of the kingdom against the common enemy’ an enemy who ‘not only intended, but professed an absolute conquest’. The parliament asked the Kirk, ‘What persons are to be admitted to rise in arms, and to join with the forces of this kingdom, and in what capacity, for defence, thereof?’. On 14 December the Kirk responded in what became known as the Public Resolutions, from whence the Resolutioners received their name. In a situation of ‘so great and evident necessity’ the Kirk answered, ‘we cannot be against the raising of all sensible persons in the land, and permitting them to fight against this enemy, for defence of the kingdom’, although some qualifications were to be retained regarding who might hold positions of power and trust. The Act of Classes, which had prevented royalists, malignants and those involved in the 1648 invasion of England from holding political or military positions, was eventually rescinded in June 1651 and the Western Remonstrance condemned. It has been argued that this was evidence of a shift away from the covenanting cause, represented by the Kirk, towards a national cause, embodied now by the king, but Charles II remained a problematic symbol of national unity and resistance. The institutional unity of Protestantism in Scotland never fully recovered after the schism between the Protesters / Remonstrants and the Resolutioners and, Stevenson argues, the covenants ‘came to stress the disunity, not the unity, of Scotsmen’.

Landrum has argued that Public Resolutions mark the moment that Scotland ‘became a modern nation, a self-defined community that claimed ultimate loyalty from all within its bounds’. It is, however, ill-advised to identify precise moments as the genesis of any idea or identity. The Public Resolutions, important though they were in stressing defence of the realm above religious imperatives, did not change Scots’ perceptions of themselves overnight. Though Landrum’s treatment of Scottish nationalism is generally nuanced, he goes too far in suggesting that the Public Resolutions ‘represent the last step of independent Scotland to modern nationhood’ forming the basis of ‘the new community, the secular nation-state of Scotland’. A nascent and inchoate Scottish identity certainly existed, but it was not born one day in December 1650; it was a symbolic moment, and one amenable to being retrospectively imbued with new meaning, but it would be anachronistic to over-interpret the Public Resolutions. As Armstrong argues, ‘the key to the significance of phenomena of ethnic identification is

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85 Row, Life of Blair, p. 250.
87 Ibid.
88 Dow 1979, p. 8.
89 Stevenson 1977, pp. 226; 231.
90 Landrum 1999, pp. 4-5.
91 Ibid., p. 283.
persistence rather than genesis of particular patterns’. The common enemy remained the same, but the cause was no longer so clearly defined. Defence of country was embodied by a malignan king whose commitment to the covenants was questionable at best, raising the possibility that true religion was not best served by pledging allegiance to Charles II. The Public Resolutions and the eventual rescinding of the Act of Classes were driven by expediency, and in the hurried attempt to forge a unified resistance to the English out of a fractured polity, they did not create Scottish nationalism. Rather, by extending the boundaries of the community of the realm, they arguably weakened Scotland’s sense of common mission and national distinctiveness. As Kumar has asked, ‘What kind of nationalising force is it that fragments, rather than unites, the nation?’.

Some have found in both Scotland and Ireland evidence of a ‘civic nationalism’, that is an inclusive nationalism which is not founded on ethnic distinctiveness but welcomes all who choose to identify with the traditions, institutions and culture of the state. Civic nationalism is an identified trend in current Scottish society, and this has led some to attempt to trace its historical roots. There are parallels with Ireland during the same period. Micheál Ó Siochru, for example, has argued that ‘the confederate leadership actively espoused an inclusive form of national identity’, drawing a contrast with ‘the bigoted outpourings of the London news-sheets’. He cites a striking argument made by the confederate delegation in 1644 which held that anyone born in Ireland who converted to Christianity, ‘is an Irishman as fully as if his ancestors were born here for thousands of years’ even if ‘his parents and all his ancestors were aliens, nay if his parents are Indians and Turks’. Jason Peacey, however, argues that ‘too much interpretative weight’ may be have been placed upon such comments, warning that it ‘sounds very much like a rhetorical flourish emanating from an attempt to build a political coalition’. Siochru, Peacey argues, forgets the multilayered allegiances of Irishmen at this time, a people who were professing loyalty to both the Stuart monarchy and to Rome. Separating rhetoric from belief during a time of crisis and exigency is an important, though not always easy, task of the historian.

When the Act of Classes was rescinded in June 1651 Wariston complained that ‘All were now taken in, but only the Remonstrators; all Jews, Turks, all Rome, but not Protestants’. This is an exaggeration, of course, but represents a problem for the establishment of a Scottish national identity conceived broadly to include malignants, the uncovenanted, foreign mercenaries, and possibly papists. Mark Stoyle argues that during the early stages of the Civil Wars, the English Parliament’s reliance on

93 Kumar 2003, p. 112.
94 Kiely et al. 2001, pp. 33-34.
96 Siochru 2008, p. 33.
97 Ibid.
98 Peacey 2013.
99 Ibid.
100 Wariston, Diary, pp. 62-63.
foreign supporters, including Scottish ones, the perception of the conflict as a national struggle ‘became increasingly hard to sustain’. The same argument can be applied to Scotland in the 1650s, and the rupture in Scottish church and society caused by the Public Resolutions and the revocation of the Act of Classes evidences a deep uneasiness about the king, driven in part by his reliance on hotchpotch of supporters. There were, for example, a number of foreign mercenaries in Scotland, perhaps most notably the Dutchman Captain Augustine Hoffmann who mounted a spectacular attempt to relieve Edinburgh Castle in December. Mercenaries were seen by ordinary people as ‘warfare incarnate’, unconstrained by loyalty to country and kin, and the English soldiery felt the need to declare ‘we are not Soldiers of Fortune’, distancing themselves from Charles’ II motley army. Jenkins argues that ‘similarity and difference are the dynamic principles of identification, and are at the heart of the human world’, and for some time the basis of Scottish similarity had been religion, epitomised in the National Covenant. The Public Resolutions and repeal Act of Classes were in part a repudiation of this legacy, and made necessary a re-conception of the bounds of similarity and difference.

The war against the English could not be conceived of as a simple national struggle because many Scots, and their king, remained committed to the ideal of some form of unity with their southern neighbour, whether in monarchical, religious or federal form. As both Edward Cowan and Jane Dawson argue, royalism meant commitment to a British identity. Many Scots covenanters believed that the Solemn League and Covenant of 1643 was ‘binding in perpetuity’, whilst the decision to proclaim Charles King of Great Britain, France and Ireland in 1649 spoke to an ‘intense Scottish commitment to a British ideal’. Balfour recorded that at the beginning of July 1650 the Scottish Estates had sought to discover whether there were ‘any faithful Englishmen in this country’ so that it might appear ‘that this country, goes only on in their own defence, without a national interest against any but the sectarian and popish parties’. Royalists such as Balfour were conscious that their cause was a British one, and that they fought for a British king, not simply a Scottish one. The sources examined here are representative of elite groups and it is hard to discern how these arguments were received among ordinary Scots. Gustafsson calls collective identity ‘the eighth argument’ to highlight the fact that it was one among many arguments legitimising action. In Scotland in 1650s we might well speak of a ninth argument, for whilst collective identities were clearly invoked to compel action, and an exclusionary rhetoric existed, for many Scottish elites the line between ‘us and them’ was blurry at best. In their portrayal of Parliamentary army Scottish tracts emphasised that it was a sectarian,

101 Stoyle 2005, p. 117.
102 Grainger 1997, p. 74.
104 Jenkins 2008, pp. 16-27.
heretical horde; they did not specifically attack its Englishness. Stevenson argues that ‘the war had become for most Scots primarily a national one, for king and country against English invaders, not a religious one’ and most moderate ministers believed that permitting malignants to fight ‘seemed a lesser evil than allowing the English to conquer the country’. I would contend that it cannot be so simply conceived. The king was a British figure, and the war was against both his enemies and the enemies of godliness, not primarily against England itself.

Conclusions

English propaganda envisioned a critical and receptive public, an audience of readers who could be taught how to critically consume texts and offered competing interpretations. A godly public was perceived as potentially supportive group whose interests aligned to a significant degree with those of the English Republic. This godly public, however, was largely imaginary. Even the Scottish Kirk lamented the fact that most Scots were far from pious and God-fearing. The godly were a minority, albeit an influential one, and there is evidence that English propaganda did at least confuse the allegiance of some members of this group. Particularly after Dunbar the more extreme Covenanters, who became known as the Remonstrants, wavered in their support for the king and argued about what constituted the best defence of the realm.

The justification of the English invasion rested primarily upon an attack on the person of the king. As a ‘man of blood’, Charles II was presented as a betrayer of the cause of the saints and a duplicitous warmonger who cared little for the interests of his subjects. God had manifestly rejected him and his family and therefore he could not command any authority. Allegiance to him meant further bloodshed and turmoil, whilst if the Scottish populace passively allowed the English commonwealth to neutralise this threat peace and relative normalcy could return. This tactic was ambitious, for the king was a powerful symbol in Scotland and to overturn Scots’ natural allegiance to him was a difficult task.

From a Scottish perspective, however, particularly that of the Kirk, English propaganda represented a mortal danger. The Kirk’s exercise of censorship since the Covenant revolution suggested that they believed their audience to be susceptible to rhetoric and therefore could not be trusted to reach the right interpretation. The response to English propaganda was twofold: to limit its availability, and stoke latent fears about Cromwell and his army. This induced almost mass hysteria, with Scots fleeing from their homes with their possessions rather than risk coming into contact with what was described as a rapacious and sectarian horde. These smear tactics worked at a base level, overriding critical and rational thought. However, the very fact of engaging in a polemical dialogue with the English army encouraged readers to adopt a critical approach to the messages being conveyed.

Scotland was a kingdom divided before Cromwell invaded; it remained a divided country once his army marched over the border and became even more so after Dunbar. The arguments deployed by the English against Charles II struck a chord with some, and reflected the concerns about his suitability to rule which had been articulated previously by many prominent ministers. Dunbar was seen as a judgement from God, but exactly what that judgement meant remained a matter of interpretation. It confirmed the belief of the English army that God had signally declared against Charles II, but Scots were divided when it came to discerning the meaning of this national catastrophe. Allowing royalists, malignants and even foreigners to fight for king and country challenged the centrality of the Covenant to Scottish identity and arguably undermined the cause of national resistance. Co-ordinating resistance was problematic because both king and Kirk harboured British visions, and therefore they had to identify their foe as sectarian rather than simply as English. As a gangrenous infection, Cromwell's forces were a localised problem could be removed from the political body without destroying its overall integrity.

Throughout this intense period of polemic and rhetoric, identification played a significant role. Scots' multilayered allegiances were addressed by both Scottish and English propaganda. Many arguments were deployed to appeal to the varied interests and loyalties of Scots, and in this labyrinth of troubles no coherent Scottish identity could be found. A godly minority were troubled by Charles II's reticence to adhere to the Covenanter cause and his commitment to recapturing his English throne made him a problematic symbol of national resistance. Scotland was a kingdom divided between competing identities, and though English propaganda encouraged these divisions it could not use them to its own advantage decisively. It had to support its words with deeds to persuade the Scottish public that passivity was in its best interests, and Kirk propaganda remained a formidable obstacle to this end. In Beetham's terms, both the English army and Scotland's leaders had a 'legitimacy deficit', and were unable to fully justify themselves within the accepted framework of beliefs and values.109 As invasion turned to occupation, however, new opportunities to win the support of Scots presented themselves.

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The Politics of Occupation and Conquest

‘It’s very observable how the Lord hath carried on his own work in this Nation.’
—Mercurius Scoticus (29 July-5 August 1651).

‘This Kingdom, both Kirk and State, being always divided both in judgement and opinion, and one pulpit speaking against another, the enemy thereupon took advantage, and got many opportunities of victory.’
—John Nicoll (August 1651).

The year 1650 ended with a symbolic and practical loss: the surrender of Edinburgh castle, a brooding presence in the heart of Scotland’s capital, and one of the most powerful fortresses in northern Europe. The English army had occupied Edinburgh since shortly after Dunbar, and in the following weeks Cromwell had engaged in a passionate exchange of letters with the Scottish ministers who had taken shelter in the castle. Once they had taken Edinburgh and its port, Leith, the English soldiers could not be restrained from looting and plundering, and were subsequently quartered upon the city’s inhabitants, meaning, according to one contemporary observer, ‘it was hard to tell whether they that fled or remained were in harder condition’. The Commission of the General Assembly sent a consolatory letter to Edinburgh, entreating its residents to ‘to avoid all familiar conversing’ with the English ‘seducers’ and in particular ‘to avoid none more than these miserable apostates of our own nation’. The castle had been bombarded since December 13 but the ministers ensconced inside refused to yield. However, the Governor of Edinburgh castle, Walter Dundas, was of a less sure conviction than the ministers, and eventually agreed to surrender on 24 December. Dundas was to return to live in Edinburgh, joining Colonel Strachan of the vanquished Western Association, both men undoubtedly ‘miserable apostates’ in the eyes of the church.

The year 1651 opened with another moment of powerful symbolism: the coronation of Charles II. According to Nicoll the king was crowned on 1 January ‘so peaceably and magnificently as if no enemy had been among us’. It was a gesture of defiance and an avowal of unity in the face of a common enemy. The king, Grainger argues, ‘was no longer a harried victim, but a source of power in his own right’. The sermon preached by Robert Douglas during the ceremony defended the crowning of Charles at a time of crisis, drawing parallels with the coronation of Jehoiada as described in 2 Kings 11.

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1 Mercurius Scoticus (29 July-5 August 1651), p. 1.
2 Nicoll, Diary, p. 56.
3 Blair, Life, p. 238.
4 Baillie, Letters and Journals, p. 130.
5 Ibid., p. 128; Lamont, Diary, pp. 26-27.
6 Grainger 1997, p. 76.
Then, Douglas asserted, the Israelites had crowned their young king in order ‘to endear the peoples affections to their own native Prince’ and ‘to alienate their hearts from her that had usurped the kingdom’. The coronation was recognised as a ritual infused with patriotism and which exhorted continued resistance, an ardent piece of propaganda which was designed to unite a nation and draw it together around a centre. John Morrill, however, contends that ‘Charles was being crowned as head of a faction, not a nation’ and no-one could ‘delude themselves that the nation was united behind the imposition of the Covenants on this manifestly unworthy and unbelieving king’, whilst those who imposed the Covenants upon him ‘no longer believed that this was or could be simply a Scottish monarch’. The surrender of Edinburgh castle and the coronation of Charles II were significant moments, and both were memorialised in print, emphasising the importance attributed to public opinion. On the one hand readers were encouraged to interpret the fall of Edinburgh castle as a providential sign, evidence of the strength of Cromwell’s arguments and the fallibility of the Kirk. On the other, they were presented with the supposed affirmation of Charles II’s status as a covenanted king, a contradictory reassertion of Scottish autonomy and the ideal of British congruity. Both were attempts to claim divine sanction for their respective causes, compelling Scots to judge where authority lay.

News and authority

For the people of Edinburgh occupation was a reality and English power was manifest. However, even in late September 1650 Cromwell reported that some former inhabitants had returned to Edinburgh and, indeed, ‘repent their departure’. There is a sense of relative normality resuming after only a short time, or at least the hope of its return: shops opened, provisions were brought to the market and by January 1651 arrangements were being made for the cleaning of the city’s streets. It had been Cromwell’s consistent policy to engender an atmosphere of conciliation, offering reassurance to the Scots who found themselves under occupation, hoping that the army’s deeds would confirm the claims it had made in print. Spurlock argues that English propaganda at this time had three main objectives: ‘first, befriend Scotland’s poor; second, vilify the king; and most importantly, third, undermine the Kirk’. This was a familiar strategy, but now a novel medium was used to communicate with the people and circumvent the influence of Scotland’s vociferous ministry.

This novel medium was Mercurius Scoticus, Scotland’s first multi-issue newsbook. The author of Mercurius Scoticus cannot be established, but it is important to remember, as Joad Raymond observes, newsbooks ‘had a collective, social identity’ and had an existence independent of those who wrote

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7 The Forme and Order of the Coronation of Charles the Second (Aberdeen, 1651), p. 4.
8 Morrill 1990, p. 21.
11 Spurlock 2007, p. 75.
them. However, *Mercurius Scoticus* was to be short-lived as the English commissioners sent to settle the affairs of Scotland gave orders for the newsbook to be suppressed in January 1652. It has been incorrectly identified as a royalist journal, perhaps due to confusion with a pamphlet of the same name published in Rotterdam in 1650. An earlier publication, *Ane Information of the Publict Proceedings of the Kingdom of Scotland, and their Armies*, published on 16 August 1648, can lay claim to being Scotland’s first newsbook. However, the fact that its intended audience, the Scottish army, was routed at the Battle of Preston immediately following its publication meant its first issue was also its last. The following analysis is an attempt to reconstruct both authorial intent and reception. Though we do not know who edited *Mercurius Scoticus*, it is nevertheless important to understand how it was used to justify English power and authority, recognising that its audience was composed of both Scots and Englishmen. I argue that this produced a tension in the newsbook, a dualism which meant that it cannot be understood as a straightforward vehicle for propaganda. How *Mercurius Scoticus* was received is harder to gauge but diaries and journals provide limited evidence how specific individuals engaged with the newsbook.

The fact that *Mercurius Scoticus* was suppressed by the English commissioners suggests that it was not officially sanctioned and arose to meet demand rather than functioning as a purely propagandistic tool. Its frequently strident editorials give the impression that it was designed to bolster the morale of an army far from home, but also to continue the print campaign begun when England had invaded Scotland in 1650. Much of the rhetoric is familiar, swinging between triumphalism, magnanimity and hostility towards an ungrateful Scottish populace. Its tone is consistent with the more cautious, reliable and less scurrilous journalism which was ushered in by the Licensing Act of 1649. Newsbooks, Raymond argues, much like modern newspapers, ‘participated in constructing the world around them’, and did so ‘not only by means of polemical invention and political propaganda, but by arranging recent, unrecorded events in a narrative’. They ‘influenced perceptions of contemporary events’ and ‘sought to influence as well as inform their readers’. It was in this more subtle and less pugnacious way that *Mercurius Scoticus* could legitimise English rule and the occupation and eventual conquest of Scotland.

The main purpose of *Mercurius Scoticus* was proclaimed in its first issue, which opened with a summation of the justness of England’s invasion and continued presence in Scotland, repeating themes first aired in the propaganda war of 1650. ‘Peace only was sought for’, it declared, fulminating against ‘Those of this Nation’ who ‘entertained into their Bosom our grand enemy, under a formal pretence of

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13 Spurlock 2011, p. 200.
14 Mann 2000, p. 174; *Mercurius scoticus* (Rotterdam, 1650); Williamson 1908, p. 142.
15 Stevenson 1997, p. 332.
16 Raymond 1996, p. 78.
17 Raymond 1993, p. 20.
Religion’. This phrasing is highly reminiscent of *A Declaration of the Army upon their March into Scotland*, which had accused the Scots of ‘taking our grand Enemy into your bosoms’. ‘It’s very observable’, *Mercurius Scoticus*’s editorial continued, ‘how the Lord hath carried on his own work in this Nation’. This is the raison d’être of *Mercurius Scoticus*: to narrate the continuing evidence of God’s favour towards England and his judgement against the Scots. The editor clearly believed, like Cromwell and the rest of the English army, that the victory at Dunbar and continued military success were clear signs of providence which bestowed their cause with divine sanction, and represented a damning indictment of the Scots’ continued resistance. This evidence of God’s favour was an important aspect of the republican regime’s legitimacy, both within Britain and for a wider European audience, and the editor of *Mercurius Scoticus* believed that the narrative contained in his newsbook’s pages would justify the Commonwealth in the eyes of hostile and suspicious national and international audiences.

Providence was central to the English army’s justifications of its own actions as much as it was to the effort to convince Scots of the righteousness of the English cause. In this respect, *Mercurius Scoticus* was a morale-bolstering tool, confirming and amplifying the vindication represented by Dunbar. However, because providence was so entwined with military victory, it was not a message which translated well into propaganda designed to enlist the support of Scots. Recounting military successes in *Mercurius Scoticus* confirmed English self-perceptions, but arguably had a more equivocal effect on Scottish readers. If it sought to engender support from Scots the decision to include lists of prisoners taken by the English in almost every issue is an unusual one. The first issue of *Mercurius Scoticus*, for example, begins with a list of the number of prisoners taken and ends with a list of the names of the Scottish officers detained at Leith. These lists, though appearing less frequently after Worcester, sometimes spanned several pages and the cumulative effect is to give the English conquest an air of inevitability. Any Scots readers of *Mercurius Scoticus* must have noted with despair and mounting disillusionment the increasing numbers of their nation’s officers who were now captives. The question of whether resistance is legitimate becomes academic when it is no longer feasible.

*Mercurius Scoticus* was focused on the legitimation of English rule and did not attempt to shape identities or foster new Commonwealth allegiances. It was predicated on the assumption that godly Scots would recognise that the English army’s continuing military success was a providential sign. The

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20 *A Declaration of the Army of England upon their March into Scotland* (Newcastle, 1650), p. 11.
21 *Mercurius Scoticus* (29 July-5 August 1651), p. 1
22 Ibid.
23 Ibid.
24 Ibid., pp. 2; 8.
minority Protester party believed that the English were a punishment from God, meted on the Scots for their unholy alliance with a malignant king. However, the Resolutioners, along with the majority of Scots, rejected this perspective and rallied around Charles II as a symbol of unity in the face of an old enemy. Both parties, however, agreed that Scotland was being punished for its sins, though they disagreed on the nature of the country’s shortcomings. *Mercurius Scoticus* hoped to engage in this debate, following the logic of divide and conquer, and the arranging of events into a providential narrative was at the heart of the newsbook’s propagandistic efforts, rather than the deployment of specific arguments or the construction new identities. It sought to refashion Scots’ perceptions of the English, rather than engender a Commonwealth identity; it was essentially a newsbook from Scotland, not a newsbook for Scotland. *After Mercurius Scoticus* was shut down in January 1652 its market was quickly assumed by reprinted London-based newspapers, arguably to help foster a sense of unity within the new British Commonwealth. Its content was more akin to dispatches from the war front than propaganda aimed to facilitate the manufacture of a novel identities. Jenkins argues that ‘the minimal reality of a group is that its members know it exists and that they belong to it’ and ‘invocations of similarity are intimately entangled with the conjuring up of difference’. It is hard to imagine that Scottish readers of *Mercurius Scoticus* would have perceived themselves to be part of a new collectivity, and the newsbook may indeed have confirmed a sense of separateness and distinctiveness.

The treatment of prisoners of war, as reported in *Mercurius Scoticus*, provides evidence of English self-perception and the continued emphasis on deeds to convert an instinctively hostile Scottish populace. After Dundee was taken, a committee was established by Monck and tasked to release those prisoners who were not soldiers or foreigners and who engaged not to take up arms against the parliament of England. The reasoning behind this counterintuitive decision is ‘that we use all means possible both by love and force to win and reduce these people to conformity (if not affection)’. Similarly, ‘upon due consideration of their miserable condition’, prisoners held in Leith were released, and again it was hoped that such ‘wondrous Acts of Christian Love and Mercy, must needs win upon a People’. This was a clear continuation of the policy of winning Scots over through deeds and not merely words, this time given amplification by public dissemination in a newsbook. Beetham argues that military regimes are weak because they ‘cannot be justified in terms of a recognisably valid source of authority’. However, this is not entirely true when events could be providentially interpreted and therefore supply causes and policies with divine sanction. Nevertheless, the triumphalism implicit in the lengthy reports on English military successes suggests that *Mercurius Scoticus* was not primarily

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26 Spurlock 2007, p. 83.
29 *Mercurius Scoticus* (30 September-8 October 1651), p. 78.
intended for a Scottish audience. The cumulative effect of the English interpretation of providence was to emphasise God's judgement upon Scotland, and present the Commonwealth army as its executors. This was a message unlikely to engender affection or enthusiastic support.

Mercurius Scoticus also sought to supplant the authority of the Kirk and its privileged position of arbiter of news. Matthew Shurmer argues that the English army 'altered the nature of authority itself', primarily as a result of the collapse of the moral and civil authority of the church.31 The prestige of the church had been badly damaged both by the defeat at Dunbar and by the abandonment of Edinburgh, and Scotland's capital experienced a power vacuum. Regular preaching 'in all wards had ceased for over a year, in some parishes for several years' and occupied Edinburgh 'proved a haven for cynical, apathetic or disaffected persons' with a 'new attitude of indifference' and disregard for Kirk authority spreading through the population.32 The pulpit served throughout this period as a means of news distribution, particularly for the illiterate, but with the authority and influence of the Kirk waning in Edinburgh Mercurius Scoticus represented a compelling alternative.33 Whilst the propaganda campaign of 1650 had been dialogic in nature, Mercurius Scoticus was a monopolistic medium, imposing an interpretation of events rather than negotiating a narrative. Nevertheless, Edinburgh was exceptional and many Scots would have remained reliant on ministers for both news and its providential meaning. The interpretation of events provided by Mercurius Scoticus was not accepted uncritically by a gullible audience and news continued to be mediated by those hostile to the Commonwealth.

The clergy still railed 'against the Parliament, and preach up the Kings interest to the People', attacked the gentlemen who complied with Commonwealth rule as malignants and continued to condemn the English as invaders.34 Scottish ministers, therefore, constituted a major obstacle to the settlement of the country, particularly given the privileged position afforded them to affect public opinion by their pulpits and the sway they held over their flocks. The significance of news as propaganda becomes apparent in this context. M. G. Smith argues that 'the popular consensus' which sanctions government monopoly of force 'rests on doubts about the capacities of other methods or institutions to maintain social equilibrium'.35 Mercurius Scoticus can be understood as a means to undermine the authority of rival groups and institutions and by so doing justify the English regime. It did not simply recount events in the hope of persuading Scots that their punishment from God was warranted but rather actively tried to foster division and encourage cynicism. In March 1651 the Commission of the General Assembly had declared that 'He that is not with us, is against us, and he that gathereth not with us, scattereth'.36 For the English, however, those who were not against them

32 Ibid., pp. 72-77.
33 Raymond 1996, p. 190.
34 Mercurius Scoticus (11-18 November 1651), pp. 130, 135.
35 M. G Smith 1960, p. 32.
were for them, and this more limited ambition meant that propaganda only had to encourage passivity, division and disillusionment.

The publishing of tracts and pamphlets likely to promote sectarian infighting was part of this strategy. For example, in December 1651 *Mercurius Scoticus* reported that 'a godly Scot' had presented a paper entitled *Some causes of the Lords Controversie with the Land* to the General Assembly and provides a copy for its readers’ benefit.\(^37\) Balfour describes the tract as a ‘famous paper’, suggesting that it was well known, perhaps due to its publication in *Mercurius Scoticus*.\(^38\) It is a tract with clear propagandistic value, listing twelve reasons why Scotland has fallen out of God’s favour. Some of these clearly align with Protester reasoning. For example the ‘concluding a Treaty with the King, putting him in the actual exercise of power, and owning his Interest’ is condemned as Charles II ‘did palpably evidence his disaffection to the Covenant’ and as a result ‘the quarrel which the Lord did formerly plead against the King, seemeth now to tabled at the door of Church and State’.\(^39\) Other named causes, however, attack ‘Ministers meddling with civil affairs’ and ‘Preaching upon our form of Presbyterial-Government as the uttermost attainable perfection of Reformation’, a criticism which could be levelled at Protesters and Resolutioners alike.\(^40\) By publishing *Some causes of the Lords Controversie with the Land* in *Mercurius Scoticus*, and other similar tracts, the newsbook’s editor ensured that it reached a wider audience, fuelling debate about why Scotland had been conquered and who was to blame. By turning the focus onto Scotland’s political and religious leaders, an already much divided polity was fractured further, and the English conquest legitimised as righteous punishment from God, a chastisement to be endured rather than resisted. The arguments deployed in *Mercurius Scoticus* must have been familiar to the English soldiery, who participated in the drafting of the declarations and tracts sent north in 1650. It is arguable, then, that now that the army occupied Edinburgh it sought to make use of its position to disseminate arguments which might previously have been suppressed by the Scottish clergy. The Scottish Kirk had issued several declarations denouncing any who read English tracts or engaged in conversation or debate with Cromwell’s soldiers, but given that *Mercurius Scoticus* contained vital news it was a far more appealing and more subtle vehicle for propaganda. However, *Mercurius Scoticus* was an equivocal medium of propaganda at best, often seeming to be aimed primarily at Englishmen rather than Scots. Beetham argues that the power of ideas ‘cannot be measured in terms of the *means* of power available to those who control their dissemination, but rather in terms of their credibility to the recipient’.\(^41\) *Mercurius Scoticus*, therefore, could not simply impose meaning on events, though it


\(^40\) Ibid., p. 156.

\(^41\) Beetham 1991, p. 106.
shaped a discursive narrative, but had to comprehend and adjust its message to suit its audience. How, then, did Scottish readers respond to this novel source of news?

The first observation to make is that *Mercurius Scoticus* seems to have a relatively widespread and diverse readership. Wariston observed that *Mercurius Scoticus* reminded him of *Ane Information of the Publicit Proceedings of the Kingdom of Scotland, and their Armies*, as it was first published not long before the Cromwell marched into England in pursuit of Charles II and his army, much as the earlier newsbook was issued shortly before the Engagers invaded England. John Nicoll mentions *Mercurius Scoticus*, though not by name, several times in his *Diary of Public Transactions*, observing that ‘the English Diurnal’, as he calls it, was ‘seen and read by many’. James Balfour also displays a familiarity with the content of *Mercurius Scoticus* and implies that he believed it to be the work of Lieutenant-General Monck. This view is partially supported by the inclusion in one issue of a poem, allegedly penned by a Scottish Presbyterian, which though not openly praising Monck was certainly not unflattering. Wariston was a Protester, Nicoll a chronicler ‘always anxious to conform to the interpretations of those in power’, and Balfour a staunch Presbyterian and Royalist. All three, however, clearly relied upon *Mercurius Scoticus* as a source of news, even though it was produced in the interests of the Commonwealth. As with other newsbooks, allegiance did not determine readership. The royalist journal *Mercurius Aulicus*, for example, was apparently favoured by both Royalists and Parliamentarians, likely because it was regarded as accurate. In this respect *Mercurius Scoticus* can be seen as a success for the English, as it allowed them to mediate and shape the message being conveyed. Nevertheless, although it was the only newsbook in Scotland, it was not the only sources of news. In the aftermath of Worcester, for example, rumours reached the south west of Scotland that Charles II had been victorious, resulting in much rejoicing, the lighting of bonfires and the firing of cannon. This implies that other news networks were in operation, but they were most likely unable to rival *Mercurius Scoticus*’s reliability and accessibility.

John Nicoll made several references to *Mercurius Scoticus* throughout his diary, though these only occur after Worcester, suggesting that access to the newsbook may have been limited before then. He frequently qualified the information he derived from *Mercurius Scoticus*, however, for example by writing that ‘the English Diurnal buir [alleged; purported]’ or ‘as the Diurnal beiris [alleges; purports]’. Nicoll was sceptical of the information provided in *Mercurius Scoticus*, regarding the

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43 Nicoll, *Diary*, pp. 67-68.
49 Nicoll, *Diary*, p. 67.
reports that Charles II was to marry the Duke of Orléans daughter and convert to Catholicism with suspicion. ‘Whether these be true or not, be doubtful’, he wrote, ‘yet I thought it good to insert it hear as passage of the English Diurnal, seen and read by many’. Based on a study of marginalia Raymond has argued that some readers of newsbooks ‘were far from the gullible, passive victims guided by their appetites described by some of their proud contemporaries and a few later historians’. Nicoll appears to have used *Mercurius Scoticus* as a source of news without necessarily accepting its reports uncritically. His diary is littered with qualifications such as ‘says the Diurnal’ and ‘It is said in this Diurnal’, making it clear that he did not necessarily accept the news at face value, though he believed it to be worth recording. For example, in December 1651 *Mercurius Scoticus* reported on the meeting of the Commission of the General Assembly in Edinburgh. This was noted by Nicoll and Balfour, and the former took issue with the actions of the moderator of the Assembly, James Guthrie. ‘I thought it good to insert what opinion the Diurnal does speak of him’, he wrote, ‘that is ... in his old Presbyterian zeal, he would proceed in nothing’ before he knew ‘whether any were present who were accessories to the shedding of the blood of the saints’. Nicoll judged this to be hypocrisy of the highest order, given that Guthrie, in his opinion, was ‘most instrumental in drawing an engagement at Dunbar’. In this regard, the news reported by *Mercurius Scoticus* can be seen as an extension of the English policy of fermenting division, particularly in the Scottish Kirk. Even the simple recounting of events could have a propagandistic value, provoking debate and stoking fear and controversy. Nicoll did not consume news uncritically, but even so his engagement with it resulted in the reopening of old wounds.

Studying the responses to *Mercurius Scoticus* in the diaries and journals of Nicoll, Wariston and Balfour confirms Beetham’s argument that ‘people are never merely the passive recipients of ideas or messages to which they are exposed’ and ‘they tend to be selective, assessing ideas and information in the light of their existing assumptions, and against their lived experience’. Tim Harris similarly argues that ‘people’s response to propaganda is largely dependent upon their existing ideological predispositions’. News could even have the opposite effect from that desired. For example, when *Mercurius Scoticus* reported that Christopher Love, a Welsh Presbyterian, was to be executed by the English Parliament for corresponding with the exiled Stuart court, Wariston wrote that he believed that ‘the Lord might readily use the Scots army’, which had recently marched into England, ‘to the dashing

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50 Nicoll, *Diary*, p. 67.
52 Nicoll, *Diary*, p. 72.
58 Harris 1990b, p. 282.
the pride of the English sect'. News did not appear to persuade informed readers such as Wariston, Nicoll and Balfour, who interpreted events according to their own understanding of providence. In January 1660 Wariston admitted in his diary that 'whereas I thought I was following the call of God's providence … the truth is I followed the call of providence when it agreed with my humour … and seemed to tend to honour and advantage'. This startling confession reflects the subjective nature of providence, a fact which made news a problematic form of propaganda. Providence, as Raymond argues, 'gave form and meaning to the news', but Scottish readers of *Mercurius Scoticus* did not necessarily accept its interpretation of events. They could glean valuable information from its pages without accepting English justifications of their power. If *Mercurius Scoticus* was an effective medium of propaganda it was perhaps only insofar as it subtly influenced perceptions of events, and whilst it may have had some influence on political opinion it is important to remember, as Richard Cust argues, that 'the precise effects of news are often barely discernibly or recoverable amid the various influences shaping political opinion'. News confirmed the common belief that Scotland was enduring punishment from God, but the explanation for this judgement and how it might ameliorated remained vigorously disputed.

**The occupied and the conquered**

The attitudes of the occupied and the conquered centre around three main themes: war-weariness and disillusionment; a pragmatic patriotism; and the hope for settled government. A fascinating manuscript, *A Declaration and Vindication of the Poore Opprest Commons of Scotland*, may offer the chance to hear 'an authentic shout of anguish from conquered Scotland'. That this was not English propaganda is suggested by the fact that it was not alluded to in any issue of *Mercurius Scoticus* although it contains material obviously suitable for that purpose. David Stevenson, who has transcribed the document, argues that it was written after the July 1651 General Assembly but most likely before the Battle of Worcester, as this culminating defeat is not referred to. However, Whitelocke makes note of a letter published with the title *vindication of the poor oppressed commons of Scotland* in January 1652, bringing into question both Stevenson's characterisation of the pamphlet as 'a genuine, unedited, Scottish voice' and his dating of it. Whitelocke's summary of the contents of the pamphlet make it apparent that it was indeed *A Declaration and Vindication of the Poore Opprest Commons of Scotland* he referred to, raising the possibility that the English may have had a hand in its production or at least

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59 Wariston, *Diary*, p. 119.
60 Quoted in Hill 1970, p. 248.
61 Raymond 2003, p. 203.
62 Cust 1986, p. 90.
63 Stevenson, 2005, p. 265. NLS, Wodrow MSS. All references are taken from Stevenson's transcription.
64 Stevenson 2005, p. 263.
dissemination. Stevenson acknowledges that his judgement is a subjective one and that ‘the pamphlet’s conclusion would have made good propaganda for the English’, but argues that the fact ‘that it would have made good propaganda does not mean that this is what it was’. However, the central premise of his argument is that ‘it was not published or used for’ propagandistic purposes, an assertion which is undermined by the evidence from Whitelocke’s records. A Declaration and Vindication of the Poore Opprest Commons was, it seems, either printed or at least in public circulation in London at the end of January 1652, placing it in the context of the union debate. However, its contents suggest that it may have been composed before Worcester, as Stevenson argues. The phrase ‘oppressed commons’ appears to be Leveller-inspired, having been used in works by John Lilburne and Richard Overton, confirming Stevenson’s belief that the pamphlet was probably inspired by English propaganda, if not directed by an English ‘editor’. The inconsistencies in spelling, ‘far beyond those which were commonplace at the time’ and ‘frequent incoherence’ suggest that the author’s formal education was limited, and we can be sure that he was most probably a Presbyterian.

Bearing these qualifications in mind, A Declaration and Vindication of the Poore Opprest Commons contains themes common to other sources and reflects the feeling of despair and war-weariness that pervaded the country after Worcester. David Underdown argues that regular exposure to newsbooks ‘may have solidified the loyalties of one side or the other, but it made others totally cynical’. News, though a useful propagandistic tool, arguably contributed to this cynicism rather than winning Scots over to the English through persuasion. Disaffection was common, evidenced in tracts such as Some causes of the Lords Controversie with the Land, which attacked the ‘great neglect, and cruel oppression of the Commons, and poor people of the land’ despite the obligations and ties inferred by the Covenant. That the covenants impelled mutual aid, extending to social assistance and not merely a unified defence of religion, is an interesting interpretation and indicates the sense of betrayal felt by ordinary Scots. Much blood had been spilled in the cause of religion, king and country, and now the country was on the verge of famine with a significant proportion of its adult male population killed or held captive, and all had seemingly been in vain.

In his study of the state in early modern England Steven Hindle argues that ordinary people ‘were less preoccupied with common ideals of charity, harmony and reconciliation than with their own security and self-interest’. Such entirely justifiable self-interest was much in evidence in Scotland in the 1650s. Recruitment, levying of money and the quartering of soldiers had vexed the country since

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67 Ibid.
68 Stevenson, David, email message to author, 6 February 2013.
69 Stevenson 2005, p. 265 n.14; Stevenson, David, email message to author, 6 February 2013.
70 Stevenson 2005, p. 265.
72 Mercurius Scoticus (2-9 December 1651), p. 156.
the English invasion in 1650, accompanied by the persistent threat of famine. The armies, both English and Scottish, which troubled the country destroyed or consumed huge amounts of crops, and much was also lost due to poor weather. By 1651 there was ‘great scarcity, dearth, and penury being within the land’ and Scotland was in large part reliant on seizing English supplies in order to feed itself. It is not surprising therefore that Wariston observed that the people were ‘so weary of all wars as to be loath again to engage in any’.

It is in this context of quiet desperation that the themes found in tracts such as A Declaration and Vindication of the Poore Opprest Commons ring true, despite questions about authorship and intent. The tract began by bemoaning the condition of Scotland, and declared that a study of scripture and history has led the author, or authors, to conclude that there has never ‘been a people to oppressed, born down, and tyrannised over as we have these many years past by our fellow subjects’. Grainger has argued that the main cause of tensions between occupied and occupier was ‘national feeling’, though ‘it often emerged as religious difference’. However, it is apparent that national feeling was not so unifying and dominant a sentiment as to obscure real differences between and amongst Scots themselves. In the aftermath of Worcester, a defeat which had exposed the hollowness of the king and the Kirk’s assurances, many in Scotland saw fit to blame their own ecclesiastical and civil leaders, rather than the English, for their misfortune. The Declaration argued that those ‘clothed with power as officers of state, Church, and Army’ have, through their ‘new tyrannical inventions ... squeezed the very livelihood from us and our children’. Whatever national sentiment had been aroused by the English invasion was now sorely tested, for allegiance to king and Kirk had brought only ruin.

‘Neither should we have grieved’, the Declaration and Vindication continued, if the trials endured resulted in the army ‘saving us from the dishonour of being a subdued people’. The blame for these troubles was laid squarely at the feet of those who ‘sold and perfidiously rendered up’ the people of Scotland by bringing home the king ‘and consequently the English army’. This attribution of guilt clearly owes something to English propaganda which, from the outset, had justified invasion by undermining the person of the king and identifying him as the reason for their intervention. The grounds on which the author of A Declaration and Vindication of the Poore Opprest Commons accused Scotland’s leaders of incompetence and treachery appear both reasonable and justified. The ‘ridiculous purging’ of the army before Dunbar and the ‘abominable dividing of the land’ caused by the Western

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74 Baillie, Letters and Journals, pp. 127; 129.
75 Nicoll, Diary, pp. 23; 31-32.
76 Ibid., p. 55.
77 Wariston, Diary, p. 53.
79 Grainger 1997, p. 68.
81 Ibid., p. 261.
82 Ibid.
Remonstrance and the Protestation were criticised, suggesting that the author inclined towards a Resolutioner stance.\textsuperscript{83} Indeed, the author of the Declaration\textsuperscript{84} might well be classified as a patriot, albeit a pragmatic one: it is not the defensive war against the English that he took issue with, but rather its course and consequences. Grainger accuses men like Strachan and Dundas of putting ideology before patriotism, but by the autumn of 1651 it became questionable what really constituted patriotism.\textsuperscript{84} Were those who had led the country to ruin patriots? Was continued resistance to the English patriotic or foolhardy?

Given that conquest and continued occupation now seemed inevitable, perhaps even a welcome alternative to continued war, Scots began to concern themselves with the future of their country. There remained room for hope, despite the humiliation of defeat. The author of A Declaration and Vindication of the Poore Opprest Commons cursed the Protesters for giving ‘the last and most destructary [...] wound to the Covenant, religion, king and kingdom’ and acknowledged the parliament of England as ‘worthy to reign over them whom they have so powerfully and so providentially purchased’.\textsuperscript{85} Here at least we find evidence that English propaganda’s emphasis on providence had penetrated the thinking of some Scots. However, though the English had almost conquered the whole land, they have not yet obtained the ‘love and affection of the poor Commonality’.\textsuperscript{86} The author of the Declaration argued that this can be accomplished by ‘granting to two simple, just, humble and necessary demands’.\textsuperscript{87} First, ‘that you would be pleased to press nothing upon us which may molest our wake [weak] Consciences or imply perjury’.\textsuperscript{88} Second, and more controversially from a Scottish perspective, ‘that your honours may be pleased to keep the government of us in the power of persons of your own nation’.\textsuperscript{89} This echoed a sentiment aired after the battle of Worcester, when Scots reportedly appealed to the English ‘to free the poor Commoners, and to make as little use as can be either of the Great Men or Clergy’.\textsuperscript{90} The author of the Declaration was adamant that none who ‘has been accessory to the progress of our own ruin’ be put in any places of power or trust.\textsuperscript{91} If these two requests are met, the author averred, ‘your honours may expect a free voluntary loving and respective submission of the whole commons to long as it shall please the Lord to continue us under your power’.\textsuperscript{92} Thus we have a Scottish patriot, or patriots, likely Presbyterian and Resolutioner, consenting to English rule in the hope of settlement and peace.\textsuperscript{93} This confirms Spurlock’s argument that there existed a third interpretation of Worcester which cannot be

\begin{footnotesize}
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\item \textsuperscript{83} Stevenson 2005, p. 262.
\item \textsuperscript{84} Grainger 1999, p. 75.
\item \textsuperscript{85} Stevenson 2005, p. 264.
\item \textsuperscript{86} Ibid.
\item \textsuperscript{87} Ibid.
\item \textsuperscript{88} Ibid.
\item \textsuperscript{89} Ibid.
\item \textsuperscript{90} Firth, S and C, p. 339.
\item \textsuperscript{91} Stevenson 2005, p. 264.
\item \textsuperscript{92} Ibid.
\item \textsuperscript{93} Ibid.
\end{itemize}
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characterised as either Protester or Resolutioner, and which argued that the Kirk had ‘unjustifiably interfered in politics under the guise of the covenants’ and by so doing had led the nation to ruin.\textsuperscript{94}

With disillusionment rife, the English occupier had to do more than simply denigrate the Kirk and encourage division. The English recognised that to claim legitimacy they had to offer the prospect of better governance. Hindle argues that the legitimacy of the state was ‘reinforced by the frequency with which its institutions were employed for the resolution of social conflict’, and historians should not place overdue emphasis on ‘the coercive exercise of military or political power’ given ‘the widespread appeal of (and, indeed, to) judicial authority’.\textsuperscript{95} The void left by the removal of Kirk authority, and therefore the courts of the Kirk sessions, required that the English establish their own civil law courts and in so doing they justified their authority.\textsuperscript{96} As Beetham argues, though original usurpations cannot be legitimate, ‘the resulting power relations typically become consolidated and perpetuated through the establishment of rules which underpin and give legal form to the original usurpation’.\textsuperscript{97} Ellul contends that participation as a result of propaganda ‘makes propaganda’s effect irreversible’ as individuals are ‘obliged to believe in that propaganda’ as a result of their actions.\textsuperscript{98} In this sense, participation and collaboration are cumulative, and as increasing numbers of Scots were drawn under English governance it became harder for them to withdraw from it. The English were able to offer something that the Scottish state could not, and by so doing they both undermined their rivals’ authority and justified their own.

English innovations in the legal system of Scotland were welcomed by many, based on the fact that courts were more impartial and sat more frequently, offering at last a settled system of justice.\textsuperscript{99} Mercurius Scoticus reported that the erection of a civil judicatory following the English model, ‘for the relief of this oppressed Nation’ would be likely to ‘win the hearts and longing expectations of most in the Land’.\textsuperscript{100} Justice must be done and it must be seen to be done, and in this sense Mercurius Scoticus represented a public assertion of the efficacy of the English legal system. When established, English justice reportedly caused much rejoicing amongst the people, finding ‘far more respect and justice from their supposed Enemies, than ever they did from their own Country-men’.\textsuperscript{101} Nicoll reports that in Edinburgh petitions and complaints were addressed to the captain of Edinburgh Castle and governor of Leith, who ‘proceeded more equitably and conscientiously in justice nor our own Scottish magistrates’.\textsuperscript{102} However, as Dow observes, thought the English judges had ‘won no little favour among

\begin{thebibliography}{99}
\bibitem{Spurlock2007} Spurlock 2007, p. 106.
\bibitem{Hindle2000} Hindle 2000, pp. 232; 236.
\bibitem{Shurmer1998} Shurmer 1998, pp. 82-83.
\bibitem{Beetham1991} Beetham 1991, p. 57.
\bibitem{Ellul1973} Ellul 1973, p. 29.
\bibitem{Stevenson1990} Stevenson 1990, p. 176.
\bibitem{MercuriusScoticus1651a} Mercurius Scoticus (2-9 December 1651), p. 153.
\bibitem{MercuriusScoticus1651b} Mercurius Scoticus (16-23 December 1651), p. 171; (23-30 December 1651), p. 178.
\bibitem{NicollDiary} Nicoll, Diary, p. 65.
\end{thebibliography}
the common people by their firmness and impartiality’ their strict interpretation of the law pushed many impoverished gentry into rebellion in 1653 to escape their creditors.\textsuperscript{103} Nevertheless, by participating in the English legal system, Scots were contributing to the legitimacy of the regime, tacitly acknowledging its authority and, following Beetham’s argument, introducing a moral component into the relationship and creating a normative commitment.\textsuperscript{104} The English were also not wanting when it came to checking their own, hanging a solider for robbing and disciplining another for swearing.\textsuperscript{105} This better justice legitimised English rule for Scots, who could see that it might be beneficial to conform without sacrificing their allegiances to religion and country and provided the grounds for eventual political union. However, though a pragmatic Scottish patriotism could find accommodation with English rule, the regime could never engender affection or loyalty because ‘the majority of Scots were far more conscious of their poverty than of any new liberty’.\textsuperscript{106}

**Conclusions**

The year 1651 had begun with an act of defiance, the coronation of Charles II, but by its end Scotland was subdued and the difficult process of coming to terms with ruin had begun. Scottish identity, for so long bound up in king and Kirk, was shaken. Charles had led his army to destruction and fled to France; the Kirk was schismatic and seemingly ignorant of Scottish people’s plight; the state was broken and ineffectual. *Mercurius Scoticus* was an important tool for the English, allowing them to present the unfolding of God’s judgement against Scotland, and offer reassurance about what submitting to Commonwealth rule might mean. It was calibrated to continue the propaganda campaign which had begun in the summer of 1650 and separate the people of Scotland from their king and their Kirk. However, because its audience was diffuse, incorporating Scots and Englishmen, it did not and could not construct an appealing counter-identity to supplant Scottish allegiances. Increasing cynicism and disillusionment were evidenced in the many pamphlets and tracts published or advertised in *Mercurius Scoticus*, but the newsbook was itself a cause of such scepticism. Nevertheless, as the most reliable single source of news in occupied Scotland, *Mercurius Scoticus* shaped the interpretation of events, publicising the Commonwealth’s good deeds and providing a providential commentary which undermined the Kirk’s interpretation of events. The self-proclaimed mission of the English army was to win the affection or conformity of the Scottish people ‘by love and force’, and the tension between these strategies was evident in the pages of *Mercurius Scoticus*.

\textsuperscript{103} Dow 1979, p. 176.
\textsuperscript{104} Beetham 1991, p. 18.
\textsuperscript{105} Nicoll, *Diary*, pp. 66-67.
\textsuperscript{106} D. L. Smith 1999, p. 179.
The people, glimpsed through sources such as *A Declaration and Vindication of the Poore Opprest Commons*, were exhausted by a war which had immiserated and starved the nation. Their very real suffering tempered any patriotic impulse, and, seeking settlement and peace, were conciliated with an English system of justice which, whilst not engendering love, offered the hope of a better future. King and Kirk could no longer be viewed unquestioningly as legitimate, and a pragmatic patriotism encouraged many to believe that only the English could now offer functioning government and the resumption of relative normality. English propaganda was arguably most effective when delegitimising the rivals to the regime’s authority rather than establishing its own, presenting the least worst alternative rather than that which would truly win affection. Nevertheless, there is evidence in *A Declaration and Vindication* that the continued successes of the English army, and the collapse of Scottish resistance, were interpreted as providential signs.

On the question of national identity, it is obvious that patriotism was invoked to legitimise and unify Scottish resistance to the English conquest. However, it was invoked alongside other identities, communities of loyalty, or group-consciousnesses. In the 1650s Scots’ identities were a patchwork of any number of combinations of allegiances, and religion, king and country did not always neatly align. Further, as Colley has observed, ‘patriotism had many roots and was as much a rational as it was an irrational response’. The patriotism evident during England’s occupation of Scotland was in some respects a decision, a pragmatic choice to accept English rule and even participate in its functioning. In his study of Scottish society during the Cromwellian occupation Shurmer concludes that ‘Cooperation with the forces of occupation ... provided substantial economic and social opportunities’ whereas ‘mere coexistence ... perpetuated stagnation and decline’. To some cooperation might be seen as cynical or even traitorous, but to it is difficult and undesirable for historians to make such moral judgements. This analysis reinforces the view that patriotism is subjective, and the political implications of various identities are not precisely defined.

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An Enforced Union

‘So that there can be little life of action expected from the Body, which is so far from its Head, except what must flow from the Conjunction of the Two Nations in One, which is like to prove a greater mercy to this Nation, than ever it expected, and which Providence would force them to participate of, and they as yet not convinced, till they find the sweetness thereof.’¹
—Mercurius Scoticus (November 1651).

‘As for the embodying of Scotland with England ... it will be as when the poor bird is embodied into the hawk that hath eaten it up.’²
—Robert Blair (January 1652).

The Commonwealth of England, Scotland and Ireland was the first full union between the three nations, a curious and unforeseen consequence of England’s conquests of its neighbours. Preparations to annex Scotland began shortly after Worcester, and ‘an Act asserting the Title of England to Scotland’ was read for the first time before the English parliament in late September. At the beginning of October, however, the scheme of annexation was suddenly abandoned in favour of a more moderate form of union, possibly as a result of Cromwell’s personal intervention.³ Annexation and union were not the only options being considered, however. As Holfelder demonstrates, some Protesters were secretly dealing with the English and supported the policy of establishing an independent Scottish commonwealth, but these negotiations ultimately proved fruitless.⁴ The decision to incorporate Scotland into one commonwealth with England and Ireland has been explained from a number of perspectives. Landrum has emphasised the centrality of Cromwell in the formation of the Commonwealth’s new policy towards Scotland, and his reasoning is convincing.⁵ Hirst has shown that the decision can be understood in terms of financial economy, as an act of self-affirming English benevolence, and as compelled by ‘a powerful religious imperative’.⁶ Williamson rightly contextualises the Cromwellian union by placing it within a wider political discourse.⁷ Many historical accounts, however, have not sought to explain the rationale behind the resolution to incorporate Scotland into the Commonwealth in great detail. For example, Dow devotes only a short descriptive chapter to the topic, whilst other more general histories lack an interpretive angle.⁸ Colin Kidd’s book on ‘union and

¹ Mercurius Scoticus (18-25 November 1651), p. 139.
² Blair, Life, pp. 291-292.
⁵ Landrum 1999, pp. 87-106.
⁶ Hirst 1994, pp. 460-466.
unionisms’ in Scottish political thought contents itself with the observation that Cromwell’s conquests of Ireland and Scotland ‘further complicated the idea of Britain’.9

Whilst the arguments advanced by Hirst, Williamson, Landrum and others are convincing, it is important to consider the decision to unite the nations in the context of almost two years of propaganda and debate. I believe that the impetus for union came from the experience of occupation, and was driven by a consistent desire on the part of the English to persuade the Scots that their conquest was just and necessary. Union was the culmination of the propagandistic campaign which had begun in 1650, not a dramatic change of policy. In the winter of 1651-52 English inspired or approved pamphlets emphasised the plight of Scotland’s people: conquered, impoverished and disillusioned. Early successes in providing a better, or at least more efficient, justice had demonstrated that practical improvements could win a measure of grudging support for English rule and endow it with a degree of legitimacy. For Scots the achievement of these ends offered, in the words of Hirst, ‘hope despite the horror of conquest’.10 The intention to unite Scotland, and Ireland, with England into one Commonwealth went further though, by attempting to consolidate support for the regime by enacting radical reforms which would benefit virtually all except the upper classes.11

Gordon Donaldson notes that ‘one outstanding fact’ of this period ‘was that a union with England was not in itself unpleasing to the Scots’.12 Unionism had played a significant role in Scottish political thought even before 1603, developing, Kidd argues, as ‘a counterweight to English imperialism’ and ‘an alternative to claims of English dominance over Britain’.13 The covenanters had sought federal union to provide security for the constitutional and religious revolutions they had achieved in Scotland, manifested in the Solemn League and Covenant.14 On the other hand, Hirst argues, incorporation was perceived by the English as the ‘free conferring of liberty upon a conquered people’, and in this sense ‘affirmed the English sense of themselves, and in particular of their generosity’ because they were, as Stevenson puts it, ‘pressing on the Scots the inestimable gift of being treated as Englishmen’.15 For Stevenson, the conscious evasion of the term ‘Great Britain’ arguably ‘denoted not only a chauvinistic disregard for traditional Scottish defences against English overlordship’, but also ‘an emphatic rejection of both the Stuart vision of empire’ and ‘the confederal conception of a kingdom united by covenanting’.16

Union meant different things for Scots and Englishmen and it was not inherently distasteful to either, but Scottish claims to political and cultural parity were rudely checked by the shame and horror

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9 Kidd 2008, p. 64.
12 Donaldson 1965, p. 356-357.
13 Kidd 2008, p. 39
14 Stevenson 1987, pp. 176-177.
of a conquest which made English claims of superiority manifest. Williamson argues that the ‘symbolic effort to achieve popular consent’ is a significant gauge ‘of the values to which the republican government sought to subscribe’, but it was a hollow symbolism for assent to incorporation was only granted under duress and the form of the union was dictated rather than negotiated.\textsuperscript{17} Despite the presence of an English army not all the Scottish burghs and shires assented to the Tender of Union. Hostility to the proposed union was widespread, with clergy voicing the greatest dissent, though the merger did attract support in the Protesting west and south-west of the country.\textsuperscript{18} Glasgow notably rejected the Tender, and was consequently made an example of: nine companies of horse and foot were quartered on the town, all sitting magistrates were deposed and a new, positive response was demanded.\textsuperscript{19} In general, however, the English simply ignored any objections and went ahead with the plan for union.\textsuperscript{20} By April 1652 agreement had been obtained in this manner from the Scots, and between October 1652 and April 1653 the twenty-one Scottish deputies sent to London to negotiate the details of this union met with a committee appointed for this purpose by the English parliament. The dissolution of the Long Parliament put an end to these negotiations, but the union was eventually announced on 16 December 1653 when the Council of State proclaimed the Protectorate under the title of ‘the Commonwealth of England, Scotland and Ireland’.\textsuperscript{21} It was not given legislative sanction, however, until an ordinance of 12 April 1654. None of the Scots involved in this convoluted process had been able to exert any real influence, and the deputies returned to Scotland, according to the diarist John Lamont, ‘having done little or nothing’.\textsuperscript{22}

**Union declared and explained**

The following analysis will adopt a chronological approach due to the nature of the documents studied. *A Declaration of the Parliament of the Commonwealth of England, concerning the Settlement of Scotland*, known as the Tender of Union, the associated *Instructions to the Commissioners Sent to Scotland*, and the *Explanation of the Foresaid Declaration*, must be studied together and in sequence if they are to be properly comprehended. Having said this, Landrum’s observation that these documents heralded a ‘triple revolution’—social, political and religious—acts as the backbone of this narrative.\textsuperscript{23} The Tender of Union was drafted in October 1651 and published by proclamation in Edinburgh on 12 February 1652. It was a statement of the English Commonwealth’s intentions regarding the recently conquered Scotland, a scheme to legitimise English rule and to settle the country. What it did not, and could

\textsuperscript{17} Williamson 1995, p. 310.
\textsuperscript{19} Landrum, forthcoming.
\textsuperscript{21} Dow 1979, p. 51.
\textsuperscript{22} Lamont, *Diary*, p. 46.
\textsuperscript{23} Landrum 1999, pp. 101-102.
not, do was attempt to subsume Scottish identity within a new British framework. The English had to tread a careful path between reform of Scotland’s institutions, laws and customs in the interests of the Commonwealth and attempting to accommodate Scottish distinctiveness. The unsympathetic imposition of English customs, if not conferring substantial benefits on the people of Scotland, was likely to be greeted with indifference at best or hostility at worst. This dilemma highlights the entanglement of identity and legitimacy, a problem which the English did not fully recognise in part because of a deep-seated chauvinism. As Mark Stoyle points out, Scots were ‘commonly perceived by their neighbours as “beggarly”, mean and grasping’, and despite the union of the crowns ‘English dislike of the Scots remained extremely strong during the seventeenth century’.24

The Parliament of the Commonwealth of England declared that the settlement of Scotland as outlined in the Tender was to be carried out ‘for the advancement of the glory of God and the good and welfare of the whole island’.25 What constituted ‘the glory of God’ was, of course, a matter of contention, and the Tender committed only to the promotion of the gospel and advancing true religion and holiness. Toleration was effectively imposed, however, and ‘for the first time religious toleration became the official policy of the Scottish government’.26 It was a policy abhorred by most of the country’s clergy, and an early indication that the settlement was to be dictated rather than negotiated. The Tender of Union’s other provisions were, however, only marginally less radical. Being incorporated into one Commonwealth with England was a political revolution, meaning monarchy was abolished and rule by the estates abandoned.27 The third clause of the Tender announced the forfeiture of all royal property and revenues, excluding those who deserted Charles II after the battle of Dunbar and those who had shown a favourable disposition towards the Commonwealth.28 Throughout the Interregnum Cromwell struggled to balance the demand for punishment of royalists with his desire for reconciliation and settlement, and numerous exemptions meant that retribution was not evenly or consistently meted out. The final part of the Tender declared a social revolution in Scotland. Those who ‘have kept themselves free of the guilt of those things which have compelled this war’ and who now ‘upon the discovery of their own true interest, be disposed to concur with, and promote the ends formerly and now declared by the Parliament’ were to be offered protection and liberty ‘as the other free people of the common-wealth of England’.29 However, the Tender went further by announcing that it was the belief of the Parliament that the nobles and gentry were ‘the chief actors in these invasions and wars against England’ and that therefore the people of Scotland who put themselves under the protection of Parliament and conformed to rule by that government

24 Stoyle 2005, pp. 3; 73.
26 Spurlock 2007, p. 2.
28 Ibid., pp. 6-7.
29 Ibid., pp. 7-8.
shall not only be pardoned for acts past, but be set free from their former dependencies and bondage-services, and shall be admitted as tenants, free-holders, and heritors to farm, hold, inherit and enjoy from and under this common-wealth, proportions of the said confiscated and forfeited lands, under such easy rents and reasonable conditions as may enable them, their heirs and posterity, to live with a more comfortable subsistence than formerly and, like a free people, delivered (through God’s goodness) from their former slaveries, vassalage and oppressions.  

In essence, as Dow argues, the Tender ‘sought to extend the hand of friendship to those absolved from “war guilt” through an appeal to their material interests’.  

Freedom and slavery had been common tropes in English propaganda since 1650, and the Tender can therefore be seen as a culmination of the effort to legitimise the invasion, both to the English themselves—for now they were enacting material and religious liberation—and to the Scottish audience they had addressed, an audience they hoped would be receptive to the generous settlement being offered. The English Commonwealth was, in Hugh Trevor-Roper’s words, intent on establishing ‘a gentry-republic’ in Scotland by abolishing feudalism, destroying the patronage of the nobility and breaking the hold of the Kirk over the laity.  

It was also an attempt to secure the favour of ‘brethren’ in Scotland, the godly party who had been the target of English propaganda since 1650. The settlement devised for Scotland, Landrum argues, thus ‘struck at both the Kirk and the royalists while succouring this imaginary godly majority’.  

However, according to Holfelder, both Resolutioners and Protesters ‘began to wage all-out war on the parliament’s proposals’, fearing the Erastian subordination of the Kirk to an ungodly magistracy.  

Differing conceptions of who constituted the godly, and the fact that they were a disliked minority at any rate, meant that this strategy was always problematic.

The Instructions to the Commissioners Sent to Scotland expanded upon the Tender, making it clear that Scotland was to be refashioned in the interests of the Commonwealth. The commissioners were instructed to provide maintenance ‘to such ministers and persons of pious life and conversation, and well affected to the parliament of this Commonwealth’, to ‘visit and reform the several universities, colleges and schools of learning in Scotland’ and to ‘alter or abolish such statutes, orders, or customs in [any] of them’ which were judged to be ‘not agreeable to the good of this Island or inconsistent with the government of this Commonwealth’.  

Those in these places of learning or other positions of authority who were found to be scandalous or refused to submit to the Commonwealth were to be replaced.  

Those who opposed the authority of the English parliament ‘or be anyways dangerous to this
Com[monwealth]’ were to be imprisoned. The programme outlined in the Instructions is far-reaching and designed to subjugate almost all aspects of Scotland’s political, social and religious life to the imperatives of the Commonwealth. The Tender of Union and Instructions highlight a twofold approach to the issue of legitimacy in Scotland, one negative and one positive. On one hand, those who thought that the Commonwealth’s was illegitimate were to be removed from positions of influence and replaced by men who accepted its rule. This did not directly contribute to the legitimacy of the English regime, and may indeed have undermined it, but it did reduce visible and vocal opposition to the new government.

On the other hand, the Commonwealth sought to create new relationships, systems and structures which would legitimise its governance, for example through land reform and the establishment of a judicial system. The commissioners were instructed to ‘endeavour by the best ways and means you can to preserve the peace’ and ensure that ‘the people there may have [right and] justice duly administered unto them’. However, it was ‘the laws of England’ which were to be put into execution in Scotland and a New Court of Judicature was established in Edinburgh in May 1652. Nevertheless, as Austin Woolrych points out, although the English council’s instructions were to assimilate legal procedures in Scotland to those of English law ‘as far as the rules of the court will permit’, Scottish law and its processes ‘proved toughly resistant, and gradually won an impressive degree of acceptance from Westminster’. Whilst it was the initial policy of the English to affect a ‘perfect union’, at least concerning law reform, this aim proved hard to achieve, both as a result of what Michael Braddick has termed the ‘internal resistance of its own circuits’ and English ignorance of the Scottish legal system.

Law was a part of what it meant to be Scottish and overthrowing such an ingrained institution would have challenged Scottish identity in a profound way. As Reynolds argues, kingdoms were never perceived as simply territorial units ruled by kings, but as comprising and corresponding to a ‘people’, which was assumed to be ‘a natural, inherited community of tradition, custom, law, and descent’. Imposing English laws and customs, even if it had been practically possible, would have meant unentangling an important aspect of Scottishness from its constituent elements, and potentially unravelling it entirely.

Fear of lawlessness and anarchy haunted the early modern mind, and the ability to maintain order was the sine qua non of governmental authority. The emphasis on justice, beginning before the Tender of Union, is therefore explicable, but by insisting on the superiority of the English legal system, the Commonwealth’s desire to restore functioning government clashed with a Scottish identity partially

37 Firth, S and P, pp. 395-396.
38 Ibid., p. 395.
39 Ibid.
42 Reynolds 1997, p. 250.
rooted in institutional distinctiveness. Richard Jenkins argues that institutions are important for understanding how and why individual and collective identities coincide.  They allow people ‘to think about, to imagine the patterns and regularities of everyday life’ and ‘are as much emergent products of what people do, as they are constitutive of what people do’. Institutions familiarise and shape social life. David Hume made a similar observation when he wrote that that moral causes, for example, ‘the nature of the government, the revolutions of public affairs, the plenty or penury in which the people live, the situation of the nation with regard to its neighbours’ are instrumental in the formation of national character. Institutions, whether civil, religious or cultural, are of significance to national character, and the attempt to impose an English legal system on Scotland, though ultimately futile, evidences an ambivalence towards identity. Reforming traditional institutions and customs might offer material benefits to Scots, but the very same process disrupted social life and disoriented individuals’ sense of their place and identity.

On the other hand, creating British institutions could offer a vessel for collective identity in the absence of the unifying figure of the king. Kidd argues that the existence of ‘concentric loyalties’, comprising of ‘yearnings for mixed constitutionalism ... the triumph of the broader protestant movement over the forces of the Counter Reformation’ and ‘the quashing of Bourbon aspirations to universal monarchy’ forged a ‘minimalist Britishness which transcended the frequent collisions of national shibboleths’. Such a minimalist Britishness is hard to detect in Cromwellian Scotland, for the English regime represented the overthrow of mixed constitutionalism and the further fragmentation rather than consolidation of Protestantism. It has been argued that Cromwell’s priority from 1647 onwards, despite appearances to the contrary, was peacemaking. Davis argues that Cromwell had little faith that formal institutional or constitutional structures could achieve genuine peace and reconciliation, and an emphasis on toleration and consensus mitigated against revolutionary upheaval. J. H. Elliot is therefore wrong to argue that Cromwell was ‘anxious to efface’ Scottish and Irish identities because his vision was of tolerant diversity rather than national uniformity.

The Explanation of the Foresaid Declaration, published by proclamation on 15 February 1652, illuminated some of the reasoning behind the Tender of Union. It clarified that though limited religious toleration was to be introduced the Scottish church would be protected. Scandalous ministers would be removed and replaced, but those ‘whose conscience oblige them’ to continue to adhere to the Kirk ‘shall receive protection and encouragement from all in authority in their peaceable and inoffensive

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44 Ibid., p. 158.
45 Hume 2008, pp. 113-114.
48 Davis 2010, pp. 170-180.
49 Elliot 1992, p. 64.
exercise of the same’.\footnote{Nicoll, \textit{Diary}, p. 84.} Having abolished monarchy, redistributed land and introduced toleration, the \textit{Explanation} sought to reassure Scotland’s still influential and always vocal ministry that the Kirk was not going to be overthrown. The \textit{Explanation} was in part designed to counter the charges of sectarianism that had been levelled at the English army since 1650, and to insist that Commonwealth rule was godly and, though allowing for a degree of toleration, would not abide heresy or blasphemy. In a world turned upside down some constants had to remain; the landscape had to be recognisable, even if it were not entirely comprehensible.

It is when considered in the context of the union debate, pamphlets such as \textit{A Declaration of the Poor Opprest Commons} become more intelligible. The \textit{Declaration} had pleaded for ‘that you would be pleased to press nothing upon us which may molest our wake [weak] Consciences or imply perjury’.\footnote{Stevenson 2005, p. 264.} The English were keen to impose an English justice system, but content to leave their most vociferous opponent, the Kirk, relatively undisturbed, a fact which, as Michael Hechter points out, granted Scotland ‘far more cultural autonomy than either Wales or Ireland’.\footnote{Hechter 1975, p. 78.} Given the centrality of the Kirk to Scottish identity, this can either been viewed as a pragmatic acceptance of the church’s influence, or, from a long-term perspective, a failure to engage in the messy business of nation-building. Conformity and uniformity were recognised as central elements of stability and the coherence of the British state: if a British national identity were ever to emerge then the anomaly of two state churches could not persist.\footnote{Levack 1987, p. 105.} Cromwell, however, did not try to engender ecclesiastical union beyond invoking the unity of a godly public. As Spurlock argues, Cromwell did not desire ‘a uniform pattern of church government, liturgy and practice, because he was an anti-formalist’ or even ‘a simple toleration for all Protestants’ but rather ‘unity among all Christians’.\footnote{Spurlock 2007, p. 199} However, this godly public did not possess a corporeal identity beyond the realm of rhetoric, and lacking an institutional embodiment it could not provide an alternative to the Calvinist consensus which had such deep roots in Scotland.\footnote{Hill 1974, p. 101.} Protestantism was to form an essential part of British identity in the eighteenth century and after; indeed, it was, according to Linda Colley, ‘the foundation that made the invention of Great Britain possible’.\footnote{Colley 1996, p. 58.} In the mid-seventeenth century, however, it divided rather than united the kingdoms of the British Isles. As David Armitage puts it, the clash between an Erastian English church and a Presbyterian Scottish Kirk ‘obviated the emergence of a pan-British ecclesiology and exacerbated the denominational diversity of the British Atlantic world’.\footnote{Armitage 2000, p. 9.} The Kirk, a central element of Scottish identity, felt threatened by toleration and by union, and its clergy fulminated against both.

\begin{footnotes}
\item[50] Nicoll, \textit{Diary}, p. 84.
\item[51] Stevenson 2005, p. 264.
\item[52] Hechter 1975, p. 78.
\item[53] Levack 1987, p. 105.
\item[54] Spurlock 2007, p. 199
\item[56] Colley 1996, p. 58.
\item[57] Armitage 2000, p. 9.
\end{footnotes}
Negotiating a union of unequals
The English having offered union and delineated its form, it remained for Scots to participate in one more charade of consent. The deputies who were ostensibly to negotiate the terms of union were to be drawn from those who had already declared their consent to the union and who were willing to affirm that consent in three separate written oaths. They assembled in Edinburgh on 12 August 1652 where those eager to go to London quickly asserted themselves in debates and by chairing subcommittees. It is difficult to establish precisely who all the deputies eventually present at the negotiations for union were or what interests they represented, but those we can identify suggest that they were not representative of Scotland as a whole and many profited from their involvement with the English regime. Sir John Swinton, for example, was a religious independent, sat on the Scottish council of state in from 1655 and secured a portion of the earl of Lauderdale’s forfeited estate in 1656. John Home of Renton was to secure a seat in the 1656 Protectorate parliament, whilst William Lockhart of Lee, another independent, married Cromwell’s niece in 1654. Representatives from the Kirk were conspicuously absent. The deputies were, on the whole, an elite group whose self-interests clearly played a role in their consenting to union. They should not, however, be simplistically portrayed as quislings, for, as Elliot argues, loyalty to the home community ‘was not inherently incompatible with the extension of loyalty to a wider community’ insofar as the advantages of political union ‘could be considered, at least by influential groups in society, as outweighing the drawbacks’.

The following analysis of the deputies’ minutes, associated documents and English committee minutes confirms and amplifies previous research on the place of unionism in British history. Though negotiating from a position of weakness, the Scottish deputies sought to create something new: a British state with common institutions, though allowing for legal and religious divergence. The English, however, perceived the union in terms of assimilation, seeking to impose English forms on Scotland, and they were reluctant to contemplate nation-building and the restructuring of both the Scottish and the English polities which that would entail. Arthur H. Williamson contends that the Commonwealth could never create ‘Britain’; in reality it never sought to, and explicitly rejected the Scottish deputies’ attempts to do so. Mark Stoyle argues that it was a ‘deep-rooted English chauvinism that had proved the most powerful barrier to James I’s and Charles I’s attempts to foster a truly British sense of identity’, and that the Civil War had only strengthened this ‘frank dislike which many Englishmen and women of all ranks had long felt for their nearest neighbours’. This argument finds further support in my

60 Elliot 1992, p. 58.
analysis which also demonstrates that Scottish commitment to the idea of Britain, at least amongst some sections of society, remained intact despite the Cromwellian conquest.

Before they departed for London the Scottish deputies drafted a petition to the Parliamentary commissioners. This document reflects the deputies' initial, and primary, concern with practical matters and their hope of the resumption of a more normal state of affairs, in particular a reduction in the burden placed on country by the occupation. The deputies requested that 'a considerable part of the forces may be retired' and 'a proportion of the assess diminished for an ease of the unsupportable burden on this country'. 63 They asked that 'all prisoners of war of the Scottish nation may be released upon their taking the engagement and embracing the tender of the union of the two nations'. 64 The response from the commissioners was curt: regarding the reduction of soldiers they stated that 'It will be taken into consideration in due time' and they declare that the issue of Scottish prisoners is one for parliament to consider as they 'have no cognisance thereof'. 65 This somewhat dismissive attitude was to be a hallmark of Anglo-Scottish relations during the negotiations for union, and reinforces the perception that, despite the rhetoric of the Tender of Union, the Instructions and the Explanation, the deputies were called to London to grant a preordained settlement a veneer of legitimacy. Through the deputies the people of Scotland would be mute participants in the constitutional refiguring of their country; witnesses, rather than contributors, to a settlement driven primarily by English interests.

Many ordinary Scots were, however, largely unaware of the role assigned to them in the process of unification, believing the deputies to be fully fledged representatives, and the negotiations were punctuated throughout with petitions conveying their concerns. One of the earliest of these, a petition from the shire of Cupar dated 3 August 1653, repeated the deputies' own appeals regarding the release of prisoners, the reduction in the number of soldiers in Scotland and the level of the financial assessment, known as the cess, which 'the Country is not able to bear'. 66 David Zaret argues that petitions were ideally conceived of as 'a spontaneous message, a neutral conveyance of information', and though claim of poverty was a common trope in petitionary rhetoric there it little reason to suspect that these claims were unfounded. 67 The petition also argued that Scotland's customs and laws should be observed and that only men of good repute should hold office. Perhaps naively, or perhaps reflecting a sense of hope despite the horror of conquest, it was assumed that the negotiators began on an equal footing. A reduction of the military presence in Scotland was always unlikely given that the country was not yet entirely subdued; indeed, Charles II was to appoint a new Lieutenant-General, John

63 Laing II, 89/10.
64 Ibid. The Engagement was a controversial oath extended to all men over the age of 18 in England in January 1650, of the form: 'I do declare and promise, that I will be true and faithful to the Commonwealth of England, as it is now established, without a King or House of Lords'.
65 Laing II, 89/11.
66 Ibid. 89/23.
67 Zaret 2000, p. 92.
Middleton, in June 1652. Similarly, it can hardly have been expected that Scottish prisoners were to be released en masse and continued occupation required taxation, a severe burden on an impoverished nation which contributed to resentment towards the occupier.

Of particular concern to the deputies was the issue of sequestrations. They argued in August 1652 against the proposed sequestrations, and advocated instead that the people of Scotland should be ‘free of any consequence of prejudice as to what is past’ and that ‘putting them in a position to enjoy their freedom and liberties to behave peaceably under this government’ would conduce to ‘the good and happiness of the people of this island’, which they pointedly noted, was what ‘this commonwealth and their armies have intended in all their deportments in reference to Scotland’.68 Throughout the negotiations the English Parliament was considering the scope of an Act of Oblivion, and the committee believed that its main purpose should be pardon, ‘that the lands to be confiscated should be inserted therein as an exception’.69 The English Parliament, Stevenson remarks, was driven by expediency and recognised that ‘generosity to the defeated would help to reconcile them to the new order’.70 What it did not recognise was that something more than generosity was essential in order to begin the task of securing loyalty.

In January 1653 the deputies repeated their opposition to all sequestrations, explicitly linking the problem to the issue of legitimacy. They argued that the Engagers, who had invaded England in 1648, did so in obedience to ‘the supreme authority then in being’ and that therefore should the English parliament now punish them for this it ‘will much lessen their sense of the greatness of that favour held forth by the Parliament to the people of Scotland’.71 Granting this mercy, they continue, ‘will speak to all the world’ that ‘it was nothing but the good and happiness of the people of that island’ which the ‘commonwealth and their army have intended in all their deportation towards Scotland’.72 Again it is made apparent that the Commonwealth’s propaganda campaign forms an essential backdrop to the union negotiations. The deputies were in effect trying to hold the English Parliament to its word, requesting nothing more than what they perceive to has been proffered in its army’s many declarations and tracts from 1650 onwards. To maintain legitimacy, rather than appear capricious, the deputies impelled the English parliament to offer amnesty to all Scots, offering a clean slate.73

This strategy, aimed at establishing the foundations of a new British state was a consistent effort on the part of the deputies, and stands in marked contrast to English reticence. The preliminary instructions to the deputies before they left for London represented an opening negotiating position and proposed that when the bill of union was drafted,

68 Laing II 89/2.
69 NA SP 25/138, p. 46.
70 Stevenson 1990, pp. 163-164.
71 Laing II 89/53.
72 Ibid.
73 NA SP 25/138, pp. 57-58.
a general name be thought upon common to both nations. That so being both one to be called. They may also be comprehended under one name and have joint arms in all seals and printing, in which both nations may have their [components].

This is the first and last reference to such a scheme to create a British Commonwealth, rather than the Commonwealth of England, Scotland and Ireland. Michael Lynch observes that despite being a practical and administrative reality, the eventual union ‘lacked the essential ingredient of a nation state —symbols through which consent could be expressed’. When Scotland was formally united with England by an ordinance of the parliament in 1654 it was declared,

... that this Union may take its more full effect and intent ... the Arms of Scotland, viz. a Cross, commonly called Saint Andrews Cross, be received into, and born from henceforth in the Arms of this Commonwealth, as a Badge of this Union; and that all the Public Seals, Seals of Office, and Seals of Bodies Civil or Corporate, in Scotland, which heretofore carried the Arms of the Kings of Scotland, shall from henceforth in stead thereof, carry the Arms of this Commonwealth.

It is striking that it was the Scottish deputies who showed the most enthusiasm for constructing such symbols in 1652, at a time when many Englishmen still considered Scotland an independent country, unlike the re-conquered Ireland which had long been considered a dependency. They were seeking, in part, to salvage something out of the ruins of conquest, and exhibited a genuine, rather than merely opportunistic, desire to contribute to the creation of a new, legitimate British state. The insistence, or hope, that any new institutions would be British or Anglo-Scottish, rather than simply old English ones, was a demand repeated, and ostensibly consented to, in 1707. Mercurius Scoticus had engaged with the imagery of this new state when it argued that ‘there can be little life of action expected from the Body, which is so far from its Head, except what must flow from the Conjunction of the Two Nations in One’. This language, whether intentionally or not, was reminiscent of that used by James VI and I in a speech to the English Parliament in 1604, before he was forced to abandon his vision of a truly united kingdom. ‘I am the head and it is my body’, he said of his three kingdoms, and therefore he hoped that none should think ‘that I being the head should have a divided or monstrous body’. This language of unity, however, was not to find coherent constitutional or symbolic expression under the Commonwealth and the task of fashioning a British identity remained in its infancy. As Elliot argues, ‘It was easier to generate a sense of loyalty to a transcendent monarch than to a wider community created by political union, although it no doubt helped if the wider community was

74 Laing II, 89/29.
76 Acts and Ordinances, pp. 871-875.
Lacking both an acceptable name and a figurehead, the Cromwellian Union struggled to muster popular support or approval. It was, Jenny Wormald stresses, ‘imposed as part of a wholly novel crisis in government’, a crisis which was to remain unresolved so long as the constitutional conundrum posed by the abolition of monarchy remained unresolved. The desire to present Cromwell as a heroic military figure as a result of his triumphs in Ireland and Scotland clearly mitigated against a unifying British rhetoric; Cromwell as conqueror was an ambiguous figurehead for a British state. Laura Knoppers argues that the ‘republican heroic’ image of Cromwell ‘culminated in the public celebrations, panegyrics, and poems’ that followed his victory at Worcester on 3 September 1651.

Such discordant symbolism continued under the Protectorate. The effigy on the prow of the Protectoral warship the *Naseby*, for example, ‘depicted Cromwell trampling Scottish, Irish, Dutch, Spanish and English victims under his horse’s feet’, hardly an image of unity or parity. Coming so close on the heels of English triumph, the Scottish deputies’ desire to bestow the union with institutional and symbolic Britishness was perhaps too much for the English committee. The eventual union would bear some of the trappings of nationhood, but the constituent countries of the Commonwealth remained rhetorically and symbolically separate.

After the Long Parliament was dissolved by Cromwell on 20 April 1653, and the bill of union was in effect abandoned, the deputies wrote to the Council of State affirming that they had come to London ‘with good intentions to close the union’ and had sought ‘to effect every thing necessary for affecting the same for the great happiness, security and strength which will surely redound to the united island’. They had hoped ‘to establish this union in so effectual a way as the same may be transmitted to succeeding generations’ and continued to desire that ‘some fitting course may be thought upon for prosecuting this union so formerly as may prevent all shadow of disassembly to the nation and prejudice’ towards the deputies from the people of Scotland. The deputies, it seems, recognised that if the union was to be successful it would have to be well established and be able to carry with it the loyalties of the people of Scotland. As it was, the Commonwealth faced a crisis of legitimacy. To whom were the people of Scotland to pledge loyalty, without a communal British authority? To Cromwell, their conqueror, whose rule was only made possible through the support of the army? To the English Parliament, which had ordered the pre-emptive invasion of Scotland? All the while Charles II existed as an absent but still potent symbol of autonomy and resistance, and a reminder of a more equitable and popular union. This was as much a problem of identity as legitimacy. Union was not a policy opposed in principle by some Scots, but they did not seek the effacement of the kingdoms of the British Isles.

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79 Elliot 1992, p. 57.
80 Wormald 1993, p. 192.
81 Knoppers 2000, p. 57.
82 Armitage 2000, p. 120.
83 Laing II 89/80.
84 Ibid.
and their subsumption into a new multinational state. Rather, they hoped that Scotland could enjoy the benefits of union without surrendering its identity or being overwhelmed by a domineering English parliament.

The members of the Parliamentary committee do not seem to have given great thought to such issues. The creation of a British state and a British parliament would have meant the dissolution of the English Parliament, in name at least, and would have amounted to the imposition of a settlement on the core by the peripheries. Throughout the negotiations the committee referred to the Parliament of England, implying that they perceived the union less as a merger and more as an assimilation. Much debate centred around the issue of representation and proportionality, but the terms of this discussion made it clear that any Scottish representative would sit in the Parliament of England, not a new British legislature. Mark Stoyle argues that the English Parliament had for centuries ‘been a potent symbol of English nationhood’ and that Parliamentarian pamphleteers made repeated references to ‘England’s Parliament’ and ‘the Parliament of England’ in order ‘to underline the symbiotic relationship that existed between the two’. This explains why the English were opposed to either the refashioning of Parliament as a truly British institution or its dilution by an influx of Scottish representatives. In a sense Parliament was England and to threaten its integrity was to threaten England’s integrity. That the Scottish deputies did not recognise this represents a fundamental disjoint between the political cultures of both nations, a barrier which was not easily surmounted.

The deputies were particularly concerned to ensure that the number of members chosen to represent Scotland be fixed in the bill of union, and the timing of their election be settled upon. This was an important plank of their overall ambition to secure a place for Scotland within the new constitutional settlement: too few representatives would mean that Scottish interests were likely to be ignored. The idea of a common name had been swiftly dropped, and it was now accepted that these new Scottish representatives would sit in the Parliament of England, making the issue of how many there would be even more vital. A British parliament would, at least in name, imply a sense of parity, but Scottish representatives in the English Parliament would be aware of their separateness and relative insignificance. The deputies argued that the proportion of members elected to sit in the Parliament for Scotland should not be based on the assess, ‘in regard of the inability of the people of Scotland’. Rather, they proposed that Scotland should be valued at one-twentieth of the cess and, further, that a new valuation of both nations was desirable. Considering the position Scotland was in at this time the deputies’ negotiating position was certainly audacious, perhaps even brash. They contended that England had gained from the union ‘both by the number and strength of men’ in Scotland, which they

85 NA SP 25/138, p. 36; 40-42; 43-45.
87 NA SP 25/138, p. 31.
88 Ibid., pp. 37-38.
estimated to be around either one-sixth or one-tenth of the number in England, and even raised the
issue of the loans Scotland had given England in 1641 and the military assistance it had given
Parliament in 1643.\textsuperscript{90} Their final offer was that Scotland should have sixty representatives in the
Parliament of England, out of an assumed total of four hundred members. The Parliament, however,
ignored these representations and decided on the figure of thirty representatives.\textsuperscript{91}

The deputies seem to have entered the negotiations with high hopes of establishing a mutually
beneficial union of equals, which would have contributed towards the formation of a new British state.
By the end, however, they argued that Scotland should be governed according to its own laws and
customs. This can be partially explained by English indifference and intransigence, no doubt stemming
from the position of power afforded the Parliament by its conquest of the British isles. Landrum argues
that the deputies ‘failed to play the fraudulent role scripted for them’ and so ‘the façade of Scottish
consent was exposed’.\textsuperscript{92} However, their very participation in the negotiations conferred legitimacy on
the English regime. As Beetham points out, a contract ‘confers moral authority through the promise
that is made and the commitment that is undertaken for the future’ and the reasons why the promise is
made are immaterial.\textsuperscript{93} The English, for the most part, controlled access to resources, social activities
and skills, and some sort of reciprocal relationship was required if Scots were to survive or even benefit
from English governance.

\textbf{Conclusions}

For most Englishmen, Britain, if it was envisaged, was England writ large. The Scottish deputies
identified this issue as one of the major problems of legitimacy which confronted the new British
republic, alongside its reliance upon the military and the consequent high levels of taxation. The
British Republic represented a repudiation of monarchical union, but it could not offer a substitute to
the rich symbolism of kingship. The offer of the crown to Cromwell in 1657 was in part an attempt to
resolve this dilemma, but his rejection of this proposal continued to hamper the constitutional stability
and legitimacy of the regime. During the union negotiations, the deputies essentially wanted Scotland
not to be treated as a conquered country, a proposition which was objectionable to an English
Parliament which had spent much blood and money subduing their northern neighbour. They realised
that generosity would help reconcile the Scots to their new government, but were unwilling to
fundamentally alter the dynamic of power between the two nations.

Cromwell’s personal intervention was probably a major factor in the decision to drop the plans for
annexation and instead propose union between England and Scotland. However, many in England

\textsuperscript{90} NA SP 25/138, pp. 40-42; \textit{Laing II}, 89/49.
\textsuperscript{91} NA SP 25/138, pp. 55-57.
\textsuperscript{92} Landrum 1998, p. 138.
\textsuperscript{93} Beetham 1991, pp. 94-95.
must have been perturbed by this change of policy, having been fed ‘diatribes against the barren, inhospitable land to the north and against the brutality, bestiality, and hypocrisy’ of the Scots from the moment Cromwell crossed the border. In this context, the deputies’ demands were likely perceived as presumptuous at best. John D. Grainger rather luridly mischaracterises the union when he describes it as ‘unsuccesful’ and ‘prematurely born’ and argues that it did and could not endure ‘because of the violence of its origins, a child of rape’. In reality the Scottish deputies evinced a genuine desire to overlook the violent origins of this latest attempt at union. That it did not survive speaks more to the failure of the English to think beyond their ingrained constitutional prejudices than to the circumstances of its inception.

The deputies had opposed sequestrations, sought a reduction in the military and financial burden on Scotland, and tried to obtain what they considered to be adequate Scottish representation in the English Parliament. They failed to achieve any of these objectives, but, as Levack argues, it is difficult to claim that Scotland’s interests were regularly subordinated to those of England. My analysis confirms previous research on the issue of union in Scottish history, emphasising that it was not an objectionable concept in principle for many. The problem of Britain, which Hirst asserts ‘brought down the republic as surely as it did the early Stuart monarchy’, was one which the deputies engaged, though ultimately their contribution to a solution was neutered by English indifference. Levack argues that the Cromwellian Union was the product of ‘a state building-mentality’, whilst Kidd believes that it ‘had been an experiment in expansionist English republicanism’; they both agree that it was not a serious attempt at nation-building. To engender true unity meant uniformity, and in reality this meant the subjugation of Scottish institutions and customs to English ones, an endeavour which would only have provoked greater hostility amongst the people of Scotland. That the deputies sought to salvage a Scottish vision of union from the wreckage of war and revolution indicates that it was an enduring and malleable idea. The Cromwellian Union illustrates the complex relationship between legitimacy and identity. The construction of a legitimate regime was hindered by institutional resistance to assimilation and Cromwell’s vision of religious unity rather than ecclesiastical uniformity. Religion and law are important elements of collective identity and reform of both might have given the British Republic a more enduring foundation. It was no easy task, however, to so fundamentally alter theses bases of both legitimacy and identity.

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95 Grainger 1997, p. 3.
96 Levack 1987, p. 219.
97 Hirst 1994, p. 486.
Conclusion

‘... we sail in one ship together, being in one island, under one king; and now, by the mercy of God, have sworn one covenant, and so must stand or fall together.’

‘Consider, I beseech you, how many thousands have lost their lives in the field, most whereof by a mis-guided zeal, or implicit adherence to a Party, were induced to believe that therein consisted their duty to God and their Country, *Tantum potuit Religio suadere malorum.*’
—*A letter containing An humble and serious advice to some in Scotland* (1661).

Scotland was an occupied country for almost ten years, although the English regime maintained an effective administration for only three of those years at most. A rebellion, known as Glencairn’s uprising, broke out in Scotland shortly after the deputies had returned from their ineffectual sojourn in London. The Protesters condemned the rebellion whilst the Resolutions prayed publicly for Charles II throughout, a reflection of the chronic divisions disrupting Scottish society. However, without military support from overseas and lacking the unifying figure of the king the uprising never posed an existential threat to the English regime. According to Hewison, the Commonwealth’s representatives in Scotland regarded it as ‘a trivial outbreak’ and, in Holfelder’s words, it amounted to ‘little more than a guerrilla insurgency’. The leader of the abortive revolt, the Earl of Glencairn, surrendered to Monck in September 1654 partly, if Nicoll is to be believed, because of ‘the great division, hatred, and contention, amongst the chief men and commanders in the Scottish army’. Order was re-established and for a few years the country settled into submission, accompanied by a gradual reduction of English soldiers and the erection of a civilian Council of State. Conferring liberty on the people of Scotland had not won their allegiance and the regime came to rely on the authority of Scotland’s traditional elites.

Scotland sent representatives to the first British parliaments, though half of the seats went to English army officers, and the Scots were alternately ‘patronised and despised’ and largely ignored save for attempts by English members to have them excluded. The Protectorate did not long survive the death of Oliver Cromwell, and on 1 January 1660 Monck began his march from Coldstream in the Scottish

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1 *Lex, Rex*, p. 189.
2 *A letter containing An humble and serious advice to some in Scotland in reference to their late troubles and calamities. By a person of that nation* (Edinburgh, 1661), p. 7.
4 Dow 1979, pp. 74-75.
7 Nicoll, *Diary*, p. 136.
8 Stevenson 1990, p. 170.
borders to London, setting in motion the events which would lead to the Restoration. When Monck was on the brink of departing for England he was petitioned by commissioners of shires and burghs to maintain the union, though with protections for the Scottish economy and Scots law.\textsuperscript{10} However, the incorporating union between England and Scotland dissolved when Charles II was restored, and he was to rule his separate kingdoms in relative isolation. The proclamation of the king in Edinburgh on 14 May 1660 was accompanied by ringing bells and roaring cannons, whilst people danced around bonfires.\textsuperscript{11} The last English troops left Scottish soil in May 1662 and the two countries grew further apart over the following decades, marked by legal and religious divergence and a rancorous commercial rivalry between their governments.\textsuperscript{12}

England’s invasion and conquest of Scotland was justified by appeals to the public good, the invocation of a godly public and by besmirching the king and the Kirk. However, whilst the initial invasion could be justified, it could not be legitimised, and this meant that the English regime had an insecure foundation.\textsuperscript{13} Scots failed to unify behind a common cause against a common enemy because neither could be satisfactorily or conclusively defined. The multilayered allegiances of Scots were rarely united in the person of the king and therefore his authority was never stable. Further, the ‘other’ was not simply the English but rather Cromwell’s heretical New Model Army and an illegitimate English Parliament which had usurped power from the king. Throughout the Cromwellian conquest identities and loyalties frequently pulled in different directions. Such tensions did not negate the possibility of a national identity emerging or existing but if a national identity did exist in mid-seventeenth century Scotland it was an inchoate, nebulous and nascent identity. It was not securely fixed and delineated by constitutional documents such the National Covenant or the Public Resolutions, and its very nature was contested and eminently contestable. Landrum’s assertion that Scotland became ‘a modern nation’, a ‘secular nation-state’ in the winter of 1650 is unwarranted.\textsuperscript{14} By 1660 Scotland was if anything a more divided country than the one which Cromwell and his army had marched into in 1650.\textsuperscript{15} This was no modern, secular nation-state, but a kingdom struggling to rediscover its purpose and vision.

As invasion turned to occupation, the English sought to undermine the position of the Kirk and bestow their regime with providential sanction. *Mercurius Scoticus* was part of this attempt, but it was an ambiguous vehicle for propaganda and it was not uncritically consumed by Scottish readers. It was during the Cromwellian occupation that Scotland’s print culture began to develop, freed from censorious and theocratic Covenanter rule, and the emerging reading public was not a gullible audience

\begin{footnotesize}
\begin{enumerate}
\item Donaldson 1965, p. 357.
\item Nicoll, *Diary*, pp. 283-284; Wariston, *Diary*, vol. 3, p. 183.
\item Levack 1987, p. 10.
\item M. G. Smith 1960, p. 26; Beetham 1991, p. 57.
\item Landrum 1999, pp. 4-5; 283.
\end{enumerate}
\end{footnotesize}
for partisan interpretations of providence. More important for legitimising English rule therefore was the tangible offer of peace, the return of law and the prospect of reconciliation. With Charles II abroad, the Kirk divided and the Scottish polity broken, only the English could provide settled government, and a pragmatic patriotism could bear the humiliation of English rule. Indeed, some Scots may even have welcomed it, blaming years of tumult and the immiseration of their kingdom on their fellow compatriots. Nevertheless, the Commonwealth was a regime to be endured rather than adored, and the benefits of English governance did not extinguish hope of its end and the return of Charles II. The strategy of winning Scot’s allegiance or at least compliance ‘by love and force’, as averred in *Mercurius Scoticus*, is a pithy encapsulation of the tension between conciliation and coercion and the difference between power and authority.

I believe that the decision to incorporate Scotland into a British republic was not an entirely unexpected development when properly considered in the discursive context of two years of propaganda. Other historians have failed to situate the shift from simple annexation to political union in this broader frame of reference. Unity had been an important element of English rhetoric during the invasion of Scotland, and, faced with an unprecedented constitutional crisis, rhetoric became reality. Cromwell had consistently longed for ‘union and right understanding between the godly people (Scots, English, Jews, Gentiles, Presbyterians, Anabaptists, and all)’, though his lack of confidence in the ability of institutions and constitutions to effect this end was justified. However, though union did not entail the refiguring of identity, it did act to legitimise the regime’s authority by drawing Scots into the processes and machinery of government and offering hope despite the horror of conquest. However, the short-lived union was never endowed with the symbolism of a new Britishness and Cromwell and the English Parliament could not supplant loyalty to king and country, whilst Scottish institutions preserved a sense of distinctiveness. The ‘union of love’ desired by both James VI and I and Cromwell was not a consequence of constitutional change; in the terminology of today’s debate on the subject, political union could not establish a social union.

The significance of the Cromwellian Union is a contested subject. Ronald Hutton asserts that Cromwell’s army had ‘ensured that henceforth England would be clearly dominant over the other two realms’, and in this sense ‘the permanent Union of 1707 had been presaged from the moment that the battle of Worcester was won’. Levack, however, argues that whilst there are similarities between the union programme of the 1650s and that of the eighteenth century, ‘Nothing can be more dangerously ahistorical than to view Oliver Cromwell as a prophet of 1707’. Samuel Rawson Gardiner, on the other hand, observed that whilst the representation of the three nations in one parliament was

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16 Spurlock 2011.
18 Hutton 2000, p. 135.
unprecedented, ‘neither Scotland nor Ireland, any more than England, had been asked whether they wished to be so represented or not’, concluding, ‘In no real sense was there a Union at all.’ I maintain, however, that the real significance of the Cromwellian Union lies not in what it did achieve, but in what it failed to accomplish. Scotland was a conquered country meaning that annexation and assimilation was possible, and England could, in principle, have subsumed it within a British unitary state following the English model. In the end, however, the union did not represent ‘the Conjunction of Two Nations in One’, nor was the embodying of Scotland into England ‘as when the poor bird is embodied into the hawk that hath eaten it up’. Cromwell lacked both the will and the means to create a truly unitary British state, shorn of its pluralistic features, and his failure to do so meant that such a state was unlikely ever to be established. Nevertheless, the conquest did alter the tenor of Anglo-Scottish relations. In 1644, not long after the signing of the Solemn League and Covenant, Samuel Rutherford wrote ‘we sail in one ship together, being in one island, under one king ... and so must stand or fall together’. One of the most significant legacies of the Cromwellian conquest was the recognition that though the peoples of Britain sailed in one ship, England was at the helm.

Although the Cromwellian conquest does not cast a long shadow over Anglo-Scottish relations and despite the impermanence of the union of the 1650s this was not an insignificant era. As I have demonstrated, the Cromwellian conquest provides useful evidence of the complicated relationships between England and Scotland, between constitutional change and identity, and between legitimacy and multilayered allegiances. Scotland is an unusual and interesting case because of the instability of identities and legitimacies, particularly evident during a period of intense upheaval, and a deep and pervasive uncertainty about the location of authority. Troubled church-state relations and arguments over the form of ecclesiastical government were further complicated by the intrusion of a radical English army, and resulted in complex alignments and realignments between various political actors. I have argued that individuals could have many identities and many loyalties, some overlapping, some more tightly intertwined and some existing in continual conflict. Identities and allegiances could, and did, shift, and could be consciously adopted or rejected; they were often as much pragmatic as emotional; and this instability was both cause and consequence of Scotland’s troubles.

By critically examining the concepts of legitimacy and identity, and testing them using neglected sources, I have both challenged and enlarged upon previous research, contributing to a growing body of work on Scotland during the Interregnum. A more nuanced approach to these problematic ideas counters portrayals of the Cromwellian occupation as either overwhelmingly negative, as Stevenson suggests, or as a generally positive and civilising experience, as Trevor-Roper and Woolrych arguably characterise it. Further, simplistic categorisations of Scots as collaborators, traitors or patriots, such as

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20 Gardiner 1903, p. 283.
21 Brown 1992, p. 3.
are found in Grainger and, to a lesser extent, Macinnes, should be either avoided or more robustly justified.\textsuperscript{23} It is important to remember, as Morrill argues, that ‘the historian’s task is sometimes to acknowledge the incoherence of the past and not to impose order upon it’.\textsuperscript{24} Finally, it is important to confront the problem of Britain and do so by examining moments of crisis and conflict.\textsuperscript{25} For Elliot, ‘competing aspirations towards unity and diversity’ have been a constant of European history, whilst for Braddick the problem of how ‘to reconcile groups with conflicting transcendent visions within a single political community is a question which has not lost its edge’.\textsuperscript{26} The problem of Britain is a current as well as historical conundrum and the history of unionism remains apposite.

The seventeenth century has been characterised as a search for stability, whilst the Interregnum has been described as a quest for settlement.\textsuperscript{27} This raises an important question, and one which few historians of the Wars of the Three Kingdoms have engaged with: can national identities be born or consolidated in a country divided against itself? Perhaps only in hindsight. In the 1640s and 1650s writers of pamphlets and newsbooks frequently observed with some alarm that they were living in unprecedented times, and the sense of difference from the past was acute. Contemporaries were also painfully aware of the many divisions which were cause and consequence of the internecine conflicts of the mid-seventeenth century. The relationship between legitimacy and identity, as illustrated in this thesis, was a contentious one, and the attempt to impose hierarchies of loyalties or delineate the boundaries of allegiance were continuously challenged. The implications of the growth of individualism on the processes of legitimation require further study. An inchoate public print culture contributed both to the growth of national consciousness and to individualism, and how this affected the legitimation of power remains unclear. The anonymous author of \textit{A letter containing An humble and serious advice to some in Scotland} blamed religion for the subversion and misdirection of his compatriots’ loyalties. Lucretius’s famous aphorism, \textit{tantum potuit religio suadere malorum}, could well stand as the epitaph of the era.\textsuperscript{28} There were many paths out of the labyrinth of troubles that Scots found themselves in, but in this disorienting period identities were not fixed and the location of authority was never certain.

\textsuperscript{23} Grainger 1999; Macinnes 2005.
\textsuperscript{24} Morrill 1999, p. 86.
\textsuperscript{25} Wormald 1992, p. 194.
\textsuperscript{26} Elliot 1992, p. 71; Braddick 2008, p. 592.
\textsuperscript{27} Aylmer 1972; Rabb 1975.
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