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W. F. H. NICOLAISEN

B. OTHER NOTES

Book Reviews

Scotland Past and Present. By J. M. Reid. Oxford University Press. 1959. 7s. 6d.

Mr. Reid's comprehensive survey of Scotland in 200 pages is an outstanding achievement. The first chapter, "A view of Scotland," assembles the primary historical and geographical data, and it is followed by chapters on industry, agriculture and fisheries, the church, education, the law, government and "Arts and voices." The book concludes with a twelve-page chronological table and a five-page bibliography.

The facts which are so abundantly and lucidly set forth in the book make it admirably suited for the enlightenment of the English and other races furth of Scotland. To informed Scotsmen it may present no new facts, but it should stimulate their thinking, for although the author writes as one who is proud of many features in Scottish life and institutions, he is unhesitatingly critical when criticism is called for, and he expresses his opinions with candour and conviction.

Mr. Reid is properly sceptical about the modern cult of clans and tartans, and with all his evident regard for the Church of Scotland he admits that the presbyterian system facilitated schism and secession. His principal complaints, however, are directed against the changes in administration which have superseded a "practical and active local democracy" in burgh and parish by "a system of Welfare controlled from afar",

and against current educational policy, which has lost faith in the old Scottish values and is doing much to break up the life of rural communities and to increase rural depopulation. But Scottish traditions (which are so often also continental traditions, as distinct from the insular traditions of England) have been set aside also in building and town planning, while Scottish requirements in communications have been largely lost sight of with the centralisation of the railway system and the neglect of sea transport. The "drift to the south" between the two world wars had many aspects, and Mr. Reid points out especially how increased taxation drained capital from Scotland.

It may be accidental, but nearly all of Mr. Reid's strictures focus on two features in modern life—growing centralisation and the extension of governmental activity. Scottish industry, he observes, had flourished and grown under *laissez-faire*, and nationalisation has been no remedy for economic ills: the miners, he notes, have been more restive under the Coal Board than "in the last, depressed days of private ownership". But there is little enough prospect that the clock will be put back, and it is not at all clear that a separate Scottish legislature, which could hardly have a strong anti-Socialist complexion, would improve matters.

The historical information contained in the book reproduces a few—not many—of those hoary errors which the professional historians never succeed in extinguishing: the bull acknowledging the Scottish Church's independence of England is assigned to 1188; the office of superintendent is said to have been "avowedly temporary"; and the seventeenth century attempts to set up parish schools are said to have been "defeated". Mr. Reid has set one of his readers guessing with his statement that of the medieval bishops' sees "three are not towns at all": Iona and Lismore, yes, but which is the third? And Mr. Reid does not explain how the Church of Scotland's freedom to frame its own government and discipline can be a reality as long as the sovereign is pledged to maintain them as they were in 1707.

GORDON DONALDSON

The Ballad of Heer Halewijn, its forms and variations in Western Europe. By Holger Olof Nygard. The University of Tennessee Press. 1958.

"Of all ballads this has perhaps obtained the widest

circulation.” Thus Francis James Child in opening his unusually extensive discussion of *Lady Isabel and the Elf-Knight*, which is the rather unfortunate name which has adhered to the English version of the *Sir Halewyn* legend. In Scotland we know it as *May Colvin*. Why this story with its countless variations and far-reaching ramifications should have been—as it apparently has been—the best-known tale in all European folklore in itself raises curious questionings. With its optional and varying alternatives, frills and readings, it is a ballad of endless variety, in part due as in all ballad traditions to the intrusion of elements drawn from elsewhere. But the core is invariable. A sinister knight by magical song has the dangerous gift of compelling maidens to follow him. When he gets his victim into the depths of the forest, he hangs her on a tree, alongside her predecessors. In this country and in France we prefer to have them drowned. In Denmark Ulver digs a grave. Sometimes the victim is offered a choice in the manner of death. In the original stark form, seen at its best in *Sir Halewyn*, the Dutch-Flemish version, the story is concerned with the maiden who by her craft and courage turns the tables against the villain and escapes the fate prepared for her.

Mr. Holger Nygard has written a quite extraordinary book. He has not indeed wandered as far afield as Poland, but for Western Europe he has taken the *Halewyn* tale in all its innumerable variations, and has studied it, in his own words, as “an excellent laboratory sample of ballad tradition”. In an introductory chapter Mr. Nygard deals with many questions of method and of sources, and ends with the wise suggestion that “a certain scepticism is a salutary thing.” Above all it may be suggested that a measure of scepticism is a useful quality when confronted with the question of what is a variant. Anyone with a bad memory can produce a variant at a moment’s notice. We are in danger of forgetting how much of our ballad literature derives from printed material and broad-sheets, much of it of comparatively recent date; editors and compilers, not unlike the original ballad-mongers, have not unnaturally been anxious to give their readers what they regarded as a good story, and have taken liberties accordingly. With his eye on Peter Buchan, Mr. Nygard wisely speaks of the ballad as “in great part a literary text which relapses into oral tradition at every other turn.”

The number of “variants” listed by Mr. Nygard is somewhat overwhelming. Of the three main Germanic forms there are no

fewer than seventy-five (pp. 66-70). For Great Britain he records fourteen variants "on the short count"; but on what he calls "the long count," the number rises to ninety-four. After his initial chapter dealing with general questions of folklore and ballad-scholarship, Mr. Nygard's plan is to proceed by way of "linguistic areas." This means that there is a chapter on the ballad in Dutch, German and Flemish, followed by one on the ballad in Scandinavia, followed by one on its appearance in French (not forgetting French Canada), and lastly one in Great Britain. In each of these chapters Mr. Nygard subjects all his material to the most rigorous analysis; the story is taken in its successive stages, and the finest of combs is applied in order to catalogue the differences and to trace how the differences arose.

In recording astonishment that so intensive and exhaustive a comparative study should have been successfully completed, the only possible criticism (and it is perhaps rather a churlish one) is that the author has done his work too conscientiously and too thoroughly! This, quite candidly, is not a book to be read with unmixed enjoyment. There is too much of it! It is full of interesting points and suggestions, but few will be able to face up to page after page of symbols and lengthy lists setting out the results of the author's assiduous winnowings of all the relevant variants. It is all too much of a struggle! Interest revives in the last, and regrettably short, chapter dealing with the conclusions on the whole matter. Here we get a general view which explains much, and which is entirely satisfying. There can scarcely be any doubt that the Dutch-Flemish version (which gives its name to the whole tradition) is incomparably the finest of all the ballads in this enormous proliferation. But what it means is more obscure. Probably we should not be far wrong in regarding Halewyn as "the embodiment of demonic evil" (the phrase comes from Mr. Nygard in an earlier chapter); and the King's daughter who rides forth with a song in her heart and on her lips defeats this supernatural devilry by her courage and resourcefulness, and returns home a triumphant heroine, loudly blowing her trumpet at her father's gate. But thereafter as the ballad moves from country to country, degeneration sets in on both sides. The tale is rationalised by the elimination of the supernatural elements—after all a decapitated head does not talk! Halewyn becomes an unscrupulous thief and a robber, inciting his victim to steal from her father, and murdering her for her fine clothes and her

jewels. Or they become lovers of a kind, with a long courtship behind them. And there is also degeneration on the side of the woman whose heroism evaporates. In the German versions where the three cries for help play an increasingly important part, she is no longer the self-reliant heroine. When the brother does not arrive in time, she does not even triumph over evil. And when we come to Scotland and our own May Colvin or Collean, so far from returning in triumph, she is afraid to go home and meet her father! Indeed she tries to bribe the talking parrot not to give her away. This is indeed a sad falling-off!

Mr. Nygard has indeed written an amazing book, and in the course of his winnowing, sifting and tabulating this vast mass of ballad literature, he raises quite an army of interesting hares, which cannot even be glanced at here. But let the reader who would venture on this work of monumental industry be sure not merely that his French and German are in order (which is not too much to ask!); he should also brush up his Dutch and his Danish, his Norwegian and his Swedish. Even then he will probably find to his regret that he has to skim the short section which takes him to Iceland.

ALEXANDER GRAY

John Maitland of Thirlestane. By Maurice Lee, Jr. Princeton University Press. London: Oxford University Press. 1959. 314 pp. 48s.

In recent years the interest of American historians has turned increasingly towards fields other than their own, with the result that the history of Scotland has received a great deal of attention from this quarter and many valuable contributions have appeared for which the Scottish historian is duly grateful.

Dr. Maurice Lee is no newcomer to this field, having several years ago published a full length study of James Stewart, Earl of Moray. As his most recent contribution to the history of Scotland, Dr. Lee has now written a life of John Maitland of Thirlestane who from 1584 until 1595 guided the destiny of Scotland, in the first instance as Secretary, a post which he held, as had his more famous elder brother—Maitland of Lethington, until 1591, while from 1587 until his death in 1595 he ruled also as Chancellor, his acceptance of this office

being in Dr. Lee's opinion "a political mistake of the first order."

The political and religious unrest and intrigue which surrounded James VI and his Chancellor in these years is closely analysed and Thirlestane's efforts on behalf of his royal master are carefully scrutinised, the thesis being postulated throughout the work that much of the success enjoyed by James VI during this period can be attributed to Maitland's policy. Certainly by the end of his life, the Chancellor had steered the King through many dangers from both church and baronage while the creation of a reasonably effective administrative machine had done much to reduce the indispensability of the hereditary nobility. Conciliation had momentarily appeased the Church and while the King evidently looked upon this measure as a necessary evil to be remedied as soon as possible, Maitland appears to have believed that such an ecclesiastical compromise as had been effected, could endure the test of time.

The period is notable in many other respects. Steps were taken to improve the efficiency of the Court of Session while strenuous efforts were made to ensure that the course of justice was not impeded. The "erection" of temporal lordships went far to attach support to the crown, which was further strengthened by the admission to Parliament of shire representatives. In all these movements Dr. Lee sees the hand of Thirlestane leading his royal master "by the nose", and while this interpretation is open to some modification, there can be little doubt that Maitland's efforts in these directions cannot be ignored.

In the past, a general criticism levelled against similar works of scholarship, emanating from historians outwith Scotland, has been that they have relied so heavily upon secondary and printed sources that an impartial assessment of the available evidence has not always been made. No criticism can be levelled against Dr. Lee in this respect as he has made extensive use of manuscript sources from the Scottish Record Office and other repositories.

Nevertheless, it may be felt that the author has relied too heavily upon the opinions of others in his portrayal of the historical background which provides the canvas against which the achievements of Maitland must be measured. The uncritical citation of works which are in themselves not completely satisfactory does lead the author into making certain

assertions which are not completely accurate, and this in itself must leave some doubt as to the ultimate value of conclusions based upon such evidence.

More than once, Dr. Lee unhesitatingly accepts the traditional viewpoint of Andrew Lang concerning the relationship between the Church and the Earl of Morton, who is represented as a despoiler of the revenues of the Church while in fact the Regent was but pursuing a policy which had been successfully carried out for many years. A less serious assertion, but nevertheless an inaccurate one, is the acceptance of the view that religious institutions to which parish churches were annexed "made their own arrangements for the performance of the spiritual offices of the parish", although in practice such arrangements were normally controlled by vicarage settlements made with approval of the bishop.

Such judgments, although they must be borne in mind, do not however alter the essential purpose of this volume, which is to study the statecraft of Maitland of Thirlestane, and in this respect one cannot but praise the treatment accorded to this subject. Maitland's personal ambitions and political astuteness, both of which show in his attempts to strengthen the power of the crown, are all skilfully traced, although, as is the case in so many biographical studies, the reader does occasionally feel that the individual is being allowed to fill a disproportionate amount of a picture in which he played but a part.

Maitland, as Dr. Lee does appreciate, if at the same time not fully accepting, could only work within the framework of royal approval and his most enduring successes are therefore to be found where the aims of master and servant were one, this being particularly evident in the political sphere in which the Chancellor laboured, with the King's approval, to build up an official class as a counter to an over powerful nobility. It must be remembered, however, that in his pursuit of this policy Maitland was merely building upon foundations which others had already laid, and carrying towards fruition a system towards which successive Stewart monarchs had been groping for many years.

The one new factor to be considered in the second half of the sixteenth century was the attitude of the Church which in the first half of the century had been the firm ally of the established regime. The Reformation had sundered this alliance and once more the Church had become a force to be reckoned

with. Nevertheless, by the end of Maitland's life the Church had come to realise that a compromise between itself and the State must be accepted and that the ideas of Andrew Melville on ecclesiastical independence could not be tolerated. The solution adopted at the end of the sixteenth century was one in which Presbyterian government, if not ecclesiastical freedom, was tolerated and this solution appears to have been pleasing to most moderates, including Maitland, although not to James VI himself. Such a compromise obviously did not please the extreme Presbyterians either, although it is interesting to note that such a solution to the problem of Church-State relations, might well, without its Presbyterian implications, have been acceptable to Knox whose views in this matter cannot be equated, as they are by Dr. Lee, with Melville's famous dictum on the two kingdoms, since in the eyes of Knox, Church and State were one.

It is when dealing with the Church that this study tends to be slightly unsatisfactory. Knox may have felt it desirable that all the property of the old Church should pass to the new, but he never laid claim to this as such, the monastic temporalities being tacitly relinquished to the nobility. The mistaken view taken of the policy of the Regent Morton has already been noted while the repetition of the idea that the Highlands remained predominantly Catholic does not always stand up to examination. It may be superficially true in the areas controlled by the Catholic earls, but the complete failure of a possible counter-Reformation attests to the fact that if vast areas of the Highlands had not become Protestant, they were at least indifferent to both old and new faiths.

If the question of the Church was the "one major matter of domestic policy" in which James VI did alter the line laid down by his adviser, it does not necessarily follow that the King was in error in this matter. Maitland had shown that some compromise could be reached with the Church, it was James who saw in the restoration of episcopacy his only method of controlling the Church and even the State itself, and the correctness of his decision in this matter may best be judged by the partial collapse of royal power which followed the abolition of episcopacy in 1689.

It would seem therefore that from the point of view of political expediency, it was James, rather than Maitland, who showed true wisdom in this matter. Episcopacy may not have been popular but only a small minority seemed to have

ferverly opposed its reintroduction. The Act of Annexation and the Act of 1592 establishing Presbyterianism, both of which were prompted by Maitland, raised as many problems as they solved, one of the most serious being that no permanent endowment as yet existed by which the Church might be maintained, and while Dr. Lee appears to feel that James VI did not want the Church to have the teinds, it is perhaps nearer the mark to say that while the exclusion of the teinds from the Act of Annexation appears to have recognised the claim of the Church to the teinds, nothing was done to implement this because no practical solution to the problem presented itself.

On constitutional matters the policy of Maitland and that of the King was much closer, and while much of the credit in this respect may be given to the Chancellor, it should not be forgotten that this identity of interest makes it difficult to apportion credit to one or the other. On certain points of detail, minor slips do occur however. The Act of 1428 by which James I attempted to introduce shire representatives into Parliament, not only appears by a misprint as an Act of 1528, but is treated as a measure which in its provision for the election of representatives, gradually withered, while in fact it was simply inoperative, and lairds who continued to attend did so under their traditional rights. The Act of 1587, which did eventually effect this, is moreover, not very satisfactorily analysed and while, as Dr. Lee points out, Maitland was undoubtedly attempting to conciliate the Kirk at this period, it does not mean that the frequent attempts which had been made to stress the authority of King and Parliament over all other assemblies had been completely abandoned. Maitland's motives in this respect were certainly financial and the creation of a body of support amongst the lairds, but both these factors appear to be complementary to the initial design of strengthening Parliament at the expense of the General Assembly, while the regularisation of the laird's constitutional position was essential if the King was to use Parliament to further his own political ends.

Such blemishes as this book possesses are trivial, however, when compared with its merits, and more studies of this type are urgently required for a fuller understanding of the history of Scotland. While this is an admirable study, the overall reservation must, however, be made that while in this work it is the figure of Maitland which appears to dominate the

scene, the ultimate conclusion must remain that the actual creator of the "Stewart Despotism in Scotland" was in the final instance James VI himself who saw what his Chancellor failed to observe, that if all was not to be lost, the Church, as well as the nobility, must be bridled rather than conciliated.

IAN B. COWAN

Pitcastle, a Cruck-Framed House in Northern Perthshire

This building seems worth placing on record because it differs in one important respect from other examples of cruck-framed houses that have so far been noted in Scotland (cf. published material cited in Dunbar 1959). Moreover, the house is now uninhabited and is falling into decay, so that many of its more notable structural features seem likely to disappear within the next few years. The chief interest of the building, which is probably of seventeenth-century date (*infra*), lies in the fact that it was evidently erected as the residence of a small laird and therefore stands in a class apart from other cruck-framed buildings in Scotland, the surviving examples of which are invariably no more than cottages, small farms or outbuildings.

The "old laird's house", as it is sometimes called, now roofless and derelict, stands behind the farmhouse of Pitcastle about $2\frac{1}{2}$ miles S.E. of Pitlochry (NN/973554). It runs roughly north and south and measures about 53 feet by about 23 feet 9 inches over walls that vary in thickness from 3 feet 6 inches to 4 feet 1 inch, and rise to a height of two storeys. The masonry is of rubble, set in mud mortar, and the roof was thatched. The original windows were evidently unglazed and consisted of heavy, slatted, wooden frames, which were bonded into the masonry of the jambs; only one frame now remains *in situ*, the remainder being represented by socket holes only. The existing example (Pl. VII, fig. 2) has a daylight of 1 foot 5 inches by 11 inches and was originally provided with three vertical slats; subsequently it appears to have been adapted for glazing. The house has been open to the weather for some years and many of its internal fittings and minor structural features have already disappeared. In compiling the present account therefore, free use has been made of an earlier description of the building which was written by the late J. H. Dixon,