

**‘Perverst counsale’? Rebellion, Satire and the Politics of Advice in  
Fifteenth-Century Scotland\***

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James III has often been viewed as a king who was difficult to advise.<sup>1</sup> His eventful reign was punctuated by a series of political disasters, most notably two outright rebellions. The first of these occurred at Lauder Bridge in 1482.<sup>2</sup> The Scottish army had been mustered to counter an approaching English force led by the duke of Gloucester and accompanied by Alexander, duke of Albany, the king’s younger brother. Instead, King James was arrested and imprisoned

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<sup>1</sup> For his life and reign see N. Macdougall, *James III*, 2nd edn (Edinburgh, John Donald, 2009). Roland Tanner takes an even harder line, calling him ‘a bad king, no more, no less’ in ‘James III (1460-1488)’, in M. Brown and R. Tanner (eds), *Scottish Kingship, 1306-1542: Essays in Honour of Norman Macdougall* (Edinburgh, John Donald, 2008), p. 228, although cf. A. A. MacDonald, ‘James III: Kingship and Contested Reputation’, in S. Boardman and J. Goodare (eds), *Kings, Lords and Men in Scotland and Britain, 1300-1625* (Edinburgh, Edinburgh University Press, 2014), which attempts to redress the balance by examining evidence from the culture, religion and literature of the reign.

<sup>2</sup> Macdougall, *James III*, pp. 171-206.

by a group of disaffected noblemen who, according to some colourful sixteenth-century accounts, hanged a selection of the king's 'lowborn favourites' in order to underline their dissatisfaction with his style of governance.<sup>3</sup> This rebellion was ultimately unsuccessful but the second, led by James III's eldest son James, duke of Rothesay, ended with the king's death in the field at Sauchieburn on 11 June 1488.<sup>4</sup>

The explanations given for the ease with which James III appears to have been able to antagonise both his immediate family and the nobility more generally have centred around his deficiencies of personality.<sup>5</sup> Norman Macdougall has highlighted James's 'dangerously exalted' view of Stewart kingship which, he argues, manifested itself in a variety of ways.<sup>6</sup> One was the adoption by the crown of imperial ideas and iconography, as evidenced by the oft-quoted legislation of 1469 which states that the king had 'ful jurisdiccione and fre impire' in the realm.<sup>7</sup> This was followed by a coin, minted in the 1480s, upon which James

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<sup>3</sup> The most colourful by far is Robert Lindsay of Pitscottie, *Historie and Cronicles of Scotland*, ed. A. J. G. Mackay, 3 vols (Edinburgh, Scottish Text Society, 1899-1911), written in the late 1570s.

<sup>4</sup> N. Macdougall, *James IV* (East Linton, Tuckwell Press, 1997), pp. 24-44.

<sup>5</sup> Although cf. L. Macfarlane, *William Elphinstone and the Kingdom of Scotland, 1431-1514: The Struggle for Order*, 2nd edn (Aberdeen, Aberdeen University Press, 1995), who argues against this approach at pp. 154-5.

<sup>6</sup> N. Macdougall, 'Crown *Versus* Nobility: The Struggle for the Priory of Coldingham, 1472-88', in K. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, John Donald, 1985), p. 255.

<sup>7</sup> *RPS*, 1469/20. All references to *RPS* are correct as of 4 May 2015.

was depicted wearing a closed imperial crown.<sup>8</sup> From the start of his personal rule, in 1469, James also pursued an alliance with England in the face of entrenched opposition from his border magnates, including Albany, whose wealth and status derived from defending Scotland against her southern neighbour.<sup>9</sup> When such evidence is added to the king's notorious debasement of the coinage in the 1480s, his refusal to leave Edinburgh to drive the justice ayres and a penchant for granting remissions for serious crimes it is not difficult to see why James III has been seen as falling well short of contemporary norms of ideal kingship, which stressed the importance of justice, wisdom and the heeding of one's natural counsellors above all else.<sup>10</sup>

## I

From the troubled milieu of the 1470s emerged a piece of political satire. 'The Harp' is an anonymous poem which offers advice to the king, and it appears to take its function very seriously indeed.<sup>11</sup> It is highly moral and didactic in tone, and presents its counsel in the most

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<sup>8</sup> Both the ideology and associated artefacts are discussed in depth in R. Mason, 'This Realm of Scotland is an Empire? Imperial Ideas and Iconography in Early Renaissance Scotland', in B. Crawford (ed.), *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland* (Edinburgh, Mercat Press, 1999).

<sup>9</sup> Macdougall, *James III*, pp. 159-60.

<sup>10</sup> Tanner, 'James III', *passim*.

<sup>11</sup> *Liber Pluscardensis*, ed. F. J. H. Skene, 2 vols (Edinburgh, William Paterson, 1877).

Volume I contains the most accessible printed edition of the poem, which can be found at pp. 392-400, and is referred to here (henceforth, *Chron. Pluscarden*).

conventional terms, so much so that R. J. Lyall has characterised it as ‘an amalgam of commonplaces’.<sup>12</sup> Although it is mentioned in passing by most historians engaging with the politics of the period, the only full scholarly treatment ‘The Harp’ has received since it was edited in 1877 is from Sally Mapstone who, in her doctoral thesis, examined the literary and manuscript contexts of the poem and situated it within the political and intellectual milieu of James II’s reign.<sup>13</sup> This argument was based upon textual similarities both to the Pluscarden chronicle,<sup>14</sup> to which the earliest witnesses are appended, and to the work of Sir Gilbert Hay, writing in the mid-1450s.<sup>15</sup> Other scholars have observed, however, that the subjects addressed by ‘The Harp’ also have a strong resonance for the reign of James III. John MacQueen suggested that it ‘fairly obviously’ belongs to his reign, while Alexander Grant, writing more recently, has argued that ‘it is more likely to be aimed at James III (whom the criticism fits exactly ...) than James II, as is usually said’.<sup>16</sup> The question of how to date ‘The

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<sup>12</sup> R. J. Lyall, ‘Politics and Poetry in Fifteenth and Sixteenth Century Scotland’, *Scottish Literary Journal*, 3 (1976), 5-29, at 19.

<sup>13</sup> S. Mapstone, ‘The Advice to Princes Tradition in Scottish Literature’, D.Phil. thesis (Oxford, 1986), pp. 19-44, 136-42. I am very grateful indeed to Dr Mapstone for sharing with me an unpublished chapter on the subject of this poem [*De Regimine*]. She refers to ‘The Harp’ as *De Regimine Principum* both there and in her thesis.

<sup>14</sup> Mapstone, ‘Advice to Princes’, pp. 30, 53-4. Lyall argues that it was written during James II’s minority: ‘Politics and Poetry’, 18.

<sup>15</sup> Mapstone, ‘Advice to Princes’, pp. 136-41.

<sup>16</sup> J. MacQueen, ‘The Literature of Fifteenth-Century Scotland’, in J. M. Brown (ed.), *Scottish Society in the Fifteenth Century* (London, Edward Arnold, 1977), p. 203; A. Grant,

Harp' is also informed by the Pluscarden manuscripts themselves. Six copies survive in total, but only two contain the poem.<sup>17</sup> The first of these, Fairfax, was copied in 1489, and the second, Mitchell, was copied from Fairfax before 1500.<sup>18</sup> These are not the earliest examples of the chronicle, however; that is the Glasgow manuscript, copied for William Scheves in 1478x80.<sup>19</sup> Although the poem is omitted from this copy the line which introduces it remains, suggesting that an earlier manuscript existed from which the other copies were subsequently made.<sup>20</sup> This lost original has been dated by a passage in the Glasgow manuscript which refers back to 'the present time of the writing of this little work, to wit, the year of our lord 1461'.<sup>21</sup> If this dating is correct, and the evidence is far from conclusive, it does not preclude

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'Murder Will Out: Kingship, Kinship and Killing in Medieval Scotland', in Boardman and Goodare (eds), *Kings, Lords and Men*, p. 214, n. 131.

<sup>17</sup> Bodleian Library, Oxford, MS Fairfax 8 and Mitchell Library, Glasgow, MS 308876. Skene's edition [n. 11] is transcribed from the latter. For a description of all six manuscripts see *Chron. Pluscarden*, I, x-xviii.

<sup>18</sup> *Chron. Pluscarden*, I, xiv.

<sup>19</sup> Glasgow University Library, MS Gen. 333. On dating, see R. J. Lyall, 'Books and Book Owners in Fifteenth-Century Scotland', in J. Griffiths and D. Pearsall (eds), *Book Production and Publishing in Britain, 1375-1475* (Cambridge, Cambridge University Press, 1989), p. 247. As the three remaining manuscripts are later copies, and do not contain the poem, they are not considered here.

<sup>20</sup> 'As, however, for want of justice many perish with hunger, a certain hungerer and thirster after justice has compiled in our vernacular a lesson for ignorant judges, as follows', *Chron. Pluscarden*, I, 391.

<sup>21</sup> *Chron. Pluscarden*, I, x.

the possibility that ‘The Harp’ became attached to the original chronicle during the mid 1470s.

## II

The scholarly critique of James III has focused upon his personal failure. Yet in the period between 1469 and 1476 some structural changes were made to the processes of crown governance which must have represented a new, and most unwelcome, challenge to the interests of some of the king’s more powerful tenants-in-chief. The royal demesne had been steadily augmented by James III’s father and grandfather, often through forfeiture.<sup>22</sup> In 1469 the king added still more, both as a result of his reprisals against the Boyd family, who had controlled his government and his person during the royal minority, and from his marriage to Margaret of Denmark, the latter of which brought Orkney and Shetland to the Scottish crown in 1472.<sup>23</sup> Although exact figures are impossible to calculate from the extant evidence, Craig Madden estimates that the rents collected from crown lands more than doubled between 1450 and 1487.<sup>24</sup> While the additional revenue was no doubt welcome, it brought a parallel

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<sup>22</sup> In particular as a result of the clashes between James I and the Albany Stewart family, and James II and the Black Douglases. M. Brown, *James I* (East Linton, Tuckwell Press, 2000); C. McGladdery, *James II* (East Linton, Tuckwell Press, 1990); M. Brown, *The Black Douglases: War and Lordship in Late Medieval Scotland, 1300-1455* (East Linton, Tuckwell Press, 1998).

<sup>23</sup> Macdougall, *James III*, p. 92.

<sup>24</sup> C. Madden, ‘The Finances of the Scottish Crown in the Late Medieval Period’, Ph.D. thesis (University of Glasgow, 1975), p. 106.

increase in the number of tenants for whom the crown was directly responsible, and therefore an increase in the amount of litigation which came before the royal courts. Mark Godfrey has made a detailed study of the interaction between this increased litigation and the resultant institutional innovations which culminated in the establishment of the College of Justice, the supreme central court, in 1532.<sup>25</sup> This accrual of authority to the ‘centre’ occurred in tandem with the expansion of the royal demesne and with the heightened claims to royal authority advanced by the crown, suggesting that the three were in fact closely related.

As Macdougall so effectively demonstrated, the circumstances of the 1488 rebellion, and the later appointment of Albany’s son to the governorship of Scotland, served to encourage a highly negative and much-embellished narrative of James III’s reign by sixteenth-century chroniclers.<sup>26</sup> Central to this legend was a group of ‘lowborn favourites’ who influenced the king to the detriment of his ‘natural’ counsellors. The most infamous of these was one Thomas Cochrane, an architect who meddled in the black arts, and who duly got his comeuppance, along with the others, in 1482 when they were all hanged, supposedly by the earl of Angus, at Lauder Bridge.<sup>27</sup> Angus’s political influence was based upon his

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<sup>25</sup> A. M. Godfrey, *Civil Justice in Renaissance Scotland: The Origins of a Central Court* (Brill, Leiden, 2009).

<sup>26</sup> N. Macdougall, ‘The Sources: A Reappraisal of the Legend’, in Brown (ed.), *Scottish Society*. For a discussion of how this legend was put to use in the politics of the seventeenth century see Roger Mason’s chapter in this volume.

<sup>27</sup> Macdougall, ‘The Sources’, p. 32. For an account of the actual career of the ill-fated Cochrane, whose worst offence was seemingly to be appointed keeper of Kildrummy castle in preference to the earl of Huntly, see N. Macdougall, “‘It is I, the Earle of Mar’”: In Search

extensive holdings in the south of Scotland, and he appears to have supported both Albany's attempted coup and Rothesay's rebellion in 1488.<sup>28</sup> The trope of the king's 'wicked advisers' was used repeatedly in late medieval political discourse to justify actions against kings, and many elements of these later legends have now been thoroughly debunked.<sup>29</sup> As Macdougall acknowledges, however, kings tend not to suffer two rebellions within six years for no reason, and he argues that James III did in fact alienate many of the people he should have been cultivating by excluding them from his inner circle.<sup>30</sup> While James's inability to retain the loyalty of his magnates is not in question, this must be considered alongside the effects of James III's legal reforms.<sup>31</sup>

In May 1471 an act of parliament confirmed that 'for the eschewyn of maneswering [perjury] of inquestis and assisis in gret hurtyng of oure soverane lordis leigis, and specialy be the inquestis in thar heretage', any party with a legitimate complaint regarding the 'partiality, malice or ignorance' of the judges could summon the whole assize before the king's council

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of Thomas Cochrane', in N. Macdougall and R. Mason (eds), *People and Power in Scotland: Essays in Honour of T. C. Smout* (Edinburgh, John Donald, 1992).

<sup>28</sup> N. Macdougall, 'Douglas, Archibald, fifth earl of Angus (c.1449–1513)', *ODNB* [<http://www.oxforddnb.com/view/article/7864>, accessed 4 April 2015].

<sup>29</sup> On this phenomenon see J. Rosenthal, 'The King's "Wicked Advisers" and Medieval Baronial Rebellions', *Political Science Quarterly*, 82 (1967), 595-618; J. Watts, *The Making of Politics, 1300-1500* (Cambridge, Cambridge University Press, 2009), pp. 1-42.

<sup>30</sup> Macdougall, *James III*, p. 362.

<sup>31</sup> The significance of these reforms was briefly highlighted in W. C. Dickinson, 'The Administration of Justice in Medieval Scotland', *Aberdeen University Review*, 34 (1952), 338-51.



and present evidence of the offence.<sup>32</sup> Because James III chose to remain in Edinburgh, instead of driving the justice ayres around the kingdom, as was traditional, his council was also static. This meant that civil causes could be heard by the council, in Edinburgh, all year round, significantly relieving the pressure of litigation upon the lords auditors, who sat only whenever and wherever parliament was in session. Godfrey describes this new situation as ‘an innovation not in terms of function or jurisdiction so much as breadth of access’,<sup>33</sup> and it suggests that the king’s stasis may have been a deliberate attempt to remedy a concrete problem. Between 1474 and 1476 a legal dispute between Laurence Lord Oliphant and Sir John Swinton of that Ilk occurred over the lands of Cranshaws.<sup>34</sup> The case was heard in the regality court of the duke of Albany, and his steward found in favour of Oliphant. Albany then saw fit to claim the thirty years of non-entry fees which became due as a result of the judgement, even though the money was due to the crown. In March 1476 James III issued a summons to the jury to answer to the parliamentary auditors for their ‘unjust answer’ to the brieve procured by Albany.<sup>35</sup> The result of this appeal, made at the July parliament, was inconclusive, so the king resorted to summoning the entire committee of auditors before the Lords of Council to answer for their failure to reach a judgement.<sup>36</sup> The records of the council unfortunately do not survive prior to 1478, but Albany was apparently successful in his aims

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<sup>32</sup> *RPS*, 1471/5/9; Godfrey, *Civil Justice*, p. 232.

<sup>33</sup> Godfrey, *Civil Justice*, p. 64.

<sup>34</sup> *NRS*, GD12/49-51. Discussed in Macdougall, *James III*, pp. 157-8; Tanner, *Scottish Parliament*, pp. 211-12; T. M. Chalmers, ‘The King’s Council, Patronage and the Governance of Scotland’, Ph.D. thesis (Aberdeen, 1982), p. 23.

<sup>35</sup> Tanner, *Scottish Parliament*, p. 211.

<sup>36</sup> *RPS*, 1476/7/79.

as in 1477 he claimed the lesser amount of thirteen years' worth of payments from Oliphant.<sup>37</sup> It is hard to see the whole episode as anything other than a highly public fiasco in which the authority of the king was deliberately undermined by his brother for personal gain, at a time when Albany was fast becoming a focus for resistance to James' policy of alliance with England.

This change coincided with another. Before 1476 matters which related to royal patronage, and which involved a third party, could be brought to the attention of the king's council by purchasing a chancery breve, under the Quarter-Seal.<sup>38</sup> From August 1476 Chalmers detects a 'slight shift in emphasis' from established practice, in that it became more common to use letters under the Signet in order to issue summonses.<sup>39</sup> This he attributes to the need to manage the general increase in litigation, which by then provided work for two writing offices. It also had the effect, however, of potentially allowing greater oversight of the process by the king and his advisers. Chalmers rightly warns against 'confident generalisations' given the limited evidence,<sup>40</sup> but it is interesting to note that Macdougall identifies 1476 as the year in which William Scheves achieved his 'most striking career breakthrough', when he was appointed as co-adjutor of the vacant see of St Andrews, and became a regular counsellor to the king.<sup>41</sup> From that year onwards Scheves' signature can be found upon numerous royal letters relating to royal patronage, and Macdougall suggests that he 'usurped the functions' of William Tulloch, Keeper of the Privy Seal, and Archibald

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<sup>37</sup> Tanner, *Scottish Parliament*, p. 212.

<sup>38</sup> Chalmers, 'King's Council', pp. 23-4.

<sup>39</sup> Chalmers, 'King's Council', p. 24.

<sup>40</sup> Chalmers, 'King's Council', p. 24.

<sup>41</sup> Macdougall, *James III*, pp. 147-8.

Whitelaw, Royal Secretary, the latter of whom ought to have had custody of the Signet.<sup>42</sup> The decision to hand to Scheves, who until very recently had been the king's physician, the see of St Andrews and possibly *de facto* control of royal patronage, would prove to be extremely unpopular with members of both the first and second estates.<sup>43</sup> This administrative change was instituted just a month after the July parliament, and it is possible that the king's decision to place an unquestionably loyal man at the heart of his government was not wholly unrelated to Albany's attempts to flout the newly-augmented royal authority.

### III

'The Harp' is a clever work which satirises James III's political misadventures, relying heavily upon homophony and upon the *double entendre* for much of its comic effect. It was intended to be read aloud, heard by an audience familiar with the events in question, and the jokes it contains would have required no explanation for those who understood the references.<sup>44</sup> It emerged from the same fractious milieu which encouraged 'Blind Hary' to write his epic poem *The Wallace* which, while not overtly satirical, is thought to have been written between 1474 and 1479 and is acknowledged to contain a thinly-veiled criticism of

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<sup>42</sup> Macdougall, *James III*, p. 149, who suggests that such letters as survive are probably 'only a fraction' of those countersigned by Scheves.

<sup>43</sup> Tanner, *Scottish Parliament*, p. 222.

<sup>44</sup> Joyce Coleman's idea of medieval aurality is helpful here. J. Coleman, 'Interactive Parchment: The Theory and Practice of Medieval English Aurality', *The Yearbook of English Studies*, 25 (1995), 63-79.

James III's English alliance.<sup>45</sup> Just as Hary found favour under James IV's regime,<sup>46</sup> so the copying of 'The Harp' in 1489 suggests that it enjoyed a new resonance after Sauchieburn, when many of the men who had supported Albany in the 1470s and 1480s found themselves with real political influence as counsellors of James IV.<sup>47</sup> The satire in 'The Harp' therefore reflects both of these circumstances. The first three stanzas of the poem introduce the theme, warning the audience that there will be serious and less serious elements. The first half then proffers conventional advice to the king on a variety of subjects: choose wise men as your counsellors; do not concern yourself with trivial matters; always look to the common profit; ensure that justice is done. Throughout the second half the poet ostensibly offers commentary on the management of crown finance, warns of the consequences of failing to do justice to the commons, argues that disrespect shown to royal officers will reflect badly on the king's authority and advises against granting remissions for serious crimes. In each case, however, he takes a familiar advice trope, applies it specifically to Scottish kingship, and then subverts it in order to satirise the events of James III's reign. In so doing he creates a masterful parody of the advice genre itself, for the amusement of James III's enemies.

#### IV

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<sup>45</sup> M. McDiarmid, 'The Date of The "Wallace"', *Scottish Historical Review*, 34 (1955), 26-31, at 31.

<sup>46</sup> Payments from the treasury to 'Blind Hary' can be found on five occasions in 1490-1: *Accounts of the Lord High Treasurer of Scotland* (henceforth, *TA*), ed. T. Dickinson, 13 vols (Edinburgh, General Register House, 1877-1978), I, 133, 174, 176, 181, 184; J. Balaban, 'Blind Harry and "The Wallace"', *The Chaucer Review*, 8 (1974), 241-51, at 242.

<sup>47</sup> Macdougall, *James IV*, pp. 54-5.

It is seldom the case that explaining jokes at great length is the best way to communicate their hilarity. Nevertheless, it is possible to gain a sense of the rather biting commentary which

‘The Harp’ must have constituted. The poem begins as follows:

Rycht as stringis ar reulit in a harp  
 In ane accord, and timyt al be ane uth,  
 Quhilk as a king than curiously thai carp,  
 The sang is sueyt quhen that the sound is suth;  
 Bot, quhen thai ar discordand, fals and muth,  
 Thair wil na man tak plesance in that play:  
 Thai mycht weil thole the menstrale war away.

Bot, and the stringis be nocht al treu and traist,  
 Quhat sal we say? Sal we the menstral wyt?  
 Yha, bot he bent and pruf thaim with his wraist;  
 Be thai untreu, pul out and mak al quyte,  
 And utheris treu put in thair stedis als tyt,  
 And changes ay sua quhil he find treu acord;  
 Than wil men say he is worth til a lord.

Thou, riol king, al thus suld reule thi realm;  
 Gude sounde and suthfast to thi suggest gyve;  
 Thi tung to teche al suld be tane as time.  
 Thi lufe suld ger thi liegis laulyk leif.  
 Thow suld syft thi suggetis throu a seif;

Se quha war worschip, and quha to wa,  
 And thaim reward eftir, as thai caus ma.<sup>48</sup>

As Mapstone notes, the poet is following both Nicholas de Cusa and, closer to home, Walter Bower, in using the motif of the minstrel who must attend to the tuning of his instrument in order to produce a pleasant sound.<sup>49</sup> In Bower's *Scotichronicon*, this takes the form of a recommendation that a king ought to 'control wayward strings and reduce them to sweet harmony by loosening those that are taut and tightening those that are slack. For it is safer to loosen strings than to cut them'.<sup>50</sup> As is clear, the author of 'The Harp' takes a somewhat different line, instead advocating that if the king finds the strings are not trusty and true he should pull them out to make them quiet and put others in their place. The poet also uses *doubles entendres* to warn his audience that the work is not entirely as it seems. 'Curiously carp' can be heard as 'speak with subtle learning';<sup>51</sup> 'the sang is sueyt quhen that the sound is suth [pure]' has the alternative sense of 'the poem is agreeable when it is true'.<sup>52</sup> 'Play' can also mean 'jest', so that the ending of the first stanza warns the listeners that there are 'fals' elements to the poem which may be disagreeable, that these may not be funny and that they

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<sup>48</sup> *Chron. Pluscarden*, I, 392.

<sup>49</sup> Mapstone, 'De Regimine'; Nicholas of Cusa, *The Catholic Concordance*, ed. and tr. Paul Sigmund (Cambridge, Cambridge University Press, 1995), p. 320; Walter Bower, *Scotichronicon* (henceforth, *Chron. Bower*), ed. D. E. R. Watt, 9 vols (Aberdeen, Aberdeen University Press, 1989), II, 425.

<sup>50</sup> *Chron. Bower*, II, 425, qu. in Mapstone, 'De Regimine'.

<sup>51</sup> *Dictionary of the Scots Language*, <http://www.dsl.ac.uk/> (henceforth, *DSL*), curiously, adv.; carp, v. All references to *DSL* are correct as of 5 May 2015.

<sup>52</sup> *DSL* sang n., swete n., suth adj.

may wish the minstrel gone as a result.<sup>53</sup> The poet recommends, in the third stanza, that the king sift his subjects through a sieve to see who is worthy and who is not. These deliberate distortions of conventional advice tropes must have seemed amusing enough when aimed at men like Scheves in the mid-1470s, but they acquired a further layer of humour after 1488, when one set of royal counsellors actually was replaced with another.

James IV's victory at Sauchieburn proved to be highly lucrative for the new regime. James III had hidden large amounts of money with his allies, in the form of treasure, before going into battle, and even brought £4000 in gold onto the field itself.<sup>54</sup> More booty was gradually handed in, under duress, by the late king's supporters; £24,000 was eventually recouped.<sup>55</sup> The attempts by the victors to reclaim it would turn out to be highly contentious, however, contributing to two counter-rebellions in 1489.<sup>56</sup> Stanzas 24 and 25, which occur in the middle of the poem, address the subject of the king's wealth and the management of crown finances:

Quhair is thi micht, thi go[l]d and thi riches  
 That to the sparit was in thi tendir age,  
 Quhilk sa nichti in Scotland nevir yit wes  
 Nouthir king na prince that men has in knowlage  
 The to supple at neid in thi barnage,  
 In tyme of were or uthir necessite?  
 Quhair is it now? Quha can thee tel, lat se.

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<sup>53</sup> *DSL* play n.

<sup>54</sup> *TA*, I, lxxi, cited in Macdougall, *James IV*, p. 43.

<sup>55</sup> Macdougall, *James IV*, p. 51.

<sup>56</sup> Macdougall, *James IV*, pp. 49-79.

And al the sowmis of jowellis and tresour  
 Of thine elderis, quhair is it went away?  
 Quhare it is now suld thou ask cownt tharfor  
 Of thi detturis, maist force ar lukkin in clay.  
 Thi gret youthage has put let in delay.  
 Thus mon thou mak of neid vertu, I traist;  
 To craif dede men thou travalis al in waist.<sup>57</sup>

In referring to the king's childhood these lines appear to be offering much more specific advice than does the rest of the poem. While such counsel is somewhat puzzling if connected to the 1450s, when there was no particular problem with royal debtors, their significance for the aftermath of Sauchieburn is clear. The *doubles entendres* are again in evidence, with 'michti', in the third line, having the sense of 'strongly or greatly addicted to a vice, or the like', and 'lukkin', which has been interpreted in this context as dead, being heard as tight-fisted.<sup>58</sup> Furthermore, the poet employs two literary devices to add humour to these stanzas. The first is an *ubi sunt* topos, which repeats the question 'where?' throughout the lines.<sup>59</sup> This builds expectation towards the punchline, which comes in the form of a reference to the alteration of the royal arms in the first two lines of the second stanza. This occurred in 1472, when parliament agreed to raise a tax to fund the passage of 6000 men to 'recover' the duchy of Brittany, a scheme based upon an extremely tenuous claim deriving from James III's aunt

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<sup>57</sup> *Chron. Pluscarden*, I, 396-7.

<sup>58</sup> *DSL* michty a.; louk, v., lukkin, ppl.

<sup>59</sup> Discussed in Mapstone, 'De Regimine'.



Isabella, the dowager countess.<sup>60</sup> In anticipation of this campaign the estates sanctioned an alteration to the royal arms, ruling that the double tressure should be removed, so that only the lion remained.<sup>61</sup> The arms can be seen depicted without the tressure over the lion on the Trinity Altarpiece of *circa* 1478, and upon a Gold Unicorn minted during James III's reign, suggesting a deviation from the legislation, but a change nonetheless.<sup>62</sup> The poet is playing upon the homophony of the words 'treasure' and 'tressure' in order to mock the failure of James III's perceived pretensions. The second literary device is the theme of safeguarding a jewel which, as Kindrick argues, was in 'general currency in the rhetoric of homiletics',<sup>63</sup> and can be found prominently used within Robert Henryson's *Moral Fables*, in 'The Tale of the Cock and the Jasp'.<sup>64</sup> In this work the jewel represents virtue, which must be protected with great vigilance. The theme of the jewel coupled with the incessant questioning of the *ubi sunt* topos combine to give the impression that the king has been careless indeed with his virtue, and this is reinforced by the suggestion that he must make virtue from necessity. One of the main functions of the advice to princes genre was to ensure that the king understood the

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<sup>60</sup> Macdougall, *James III*, pp. 112-15.

<sup>61</sup> *RPS*, 1472/13; Tanner, 'James III', p. 213.

<sup>62</sup> Macdougall, *James III*, pp. 113-14; Tanner, 'James III', pp. 213-14. The Gold Unicorn is in the British Museum, E2512.3.77. I am grateful to an anonymous reviewer for this information.

<sup>63</sup> R. L. Kindrick, *Henryson and the Medieval Arts of Rhetoric* (New York, Garland, 1993), p. 200.

<sup>64</sup> D. Fox, *The Poems of Robert Henryson* (Oxford, Clarendon, 1981), p. 9, cited in Kindrick, *Henryson and Rhetoric*, p. 199.

importance of acting in accordance with virtue. The poet thus subverts these conventions by referring to James III's apparent greed, and eventual downfall, instead.

The 1469 parliament which proclaimed James III's imperial authority also passed a series of statutes which arguably strengthened that authority at the expense of local elites. One such act gave litigants who had not received justice in the court of their judge ordinary the right to have the judge summoned before the King's Council.<sup>65</sup> A second prevented creditors from collecting debts by seizing the goods of the debtors' tenants, and its enactment was justified by its intention 'to eschew the gret herschip and destructiounes of the kingis commonis malaris and inhabitaris lordis landis throw the force of the brefe [brieve] of distress'.<sup>66</sup> It stated that

quhare the dettoure has na moveble gudis bot his lande, the schireff before quham the said soume is recoverit be the brefe of distres sall ger sell the landis to the avail of the det and pay the creditour sua that the inhabitantis of the said landis be nocht hurt nor grevit for thair lordis dettis.<sup>67</sup>

This was a profound change, offering protection to those who held their land on tack and customary tenure. Hector MacQueen notes that proceedings against heritage in satisfaction of debt are 'relatively common' from 1469 onwards.<sup>68</sup> Actions concerning debt were most commonly brought without a brieve, through a claim of wrang and unlaw, but there were advantages to purchasing a brieve, not least that a lord lost the right to sue his vassal in his

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<sup>65</sup> *RPS*, 1469/16.

<sup>66</sup> *RPS*, 1469/26.

<sup>67</sup> *RPS*, 1469/26.

<sup>68</sup> H. MacQueen, *Common Law and Feudal Society in Medieval Scotland* (Edinburgh, Edinburgh University Press, 1983), p. 126.

own court.<sup>69</sup> Stanza 32 advises the king that justice must be done for the poor commons, and that princes who do not ensure this will perish:

Quhat thank cunnis God the for to justify  
 The pure commonis that thou has in to cure;  
 And syne thi self to leif maist tiranly,  
 Doand na resoune to na creature?  
 Lord God sic lordschip may nocht lang indure.  
 Wald thou tak tent to thir old storyis,  
 How mony princis ar perist on this wiss.<sup>70</sup>

The highly critical tone of this stanza has been noted by Mapstone, with particular reference to the use of the word ‘tiranly’, a serious accusation to level at any monarch.<sup>71</sup> It becomes less serious, however, if it is seen as another opportunity to mock James III’s reforms. For ‘cure’ [care], in line two, can be substituted ‘court’.<sup>72</sup> Rather than simply ‘making no legal argument’, ‘na resoune’ can be heard as one half of the paired phrase ‘torte et non raysoun’, an equivalent term for actions of wrang and unlaw, here bringing to mind the process of litigation.<sup>73</sup> The punchline comes in line five, with the claim that ‘sic [such] lordship may

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<sup>69</sup> *Regiam Majestatem and Quoniam Attachiamenta*, ed. and trans. Lord Cooper (Edinburgh, Stair Society, 1947), pp. 342-5, cited in MacQueen, *Common Law*, pp. 126-7.

<sup>70</sup> *Chron. Pluscarden*, I, 398.

<sup>71</sup> Mapstone, ‘*De Regimine*’.

<sup>72</sup> *DSL* cure n.

<sup>73</sup> *DSL* reso(u)n, n.; MacQueen, *Common Law*, p. 129. The equivalence of the phrases is demonstrated in a fourteenth-century statute: ‘De defensione torte et unreason quod dicitur wrang et unlau’: *RPS*, 1318/19.

nocht lang indure', which is rhetorically heightened by the use of apostrophe. This is in reference to the fact that lords were being forced to give up parts of their lands in payment of their debts, and so their lordships literally could not endure as discrete territorial units. As well as exhorting the audience to take note, the phrase 'tak tent' alludes to the act of rent collection,<sup>74</sup> while the last line hints that this situation was a contributory factor to the actions taken against James III. The overall impression is that it is the change in the law which the poet considers to be 'tiranly'. The irony of embedding such commentary within a trope conventionally used to criticise kings who allowed the 'pure commonis' to suffer through lack of justice was surely not lost. This stanza has very strong similarities in both vocabulary and tone to one from 'The Tale of the Sheep and the Dog' by Robert Henryson, which is genuinely concerned with a lack of justice in the realm, and this possibly provided a template for the author of 'The Harp'.<sup>75</sup> The earl of Angus was amongst those to fall foul of this legislation when, in 1486, land worth £155 12s 8d was appraised and sold by the sheriff of Forfar to settle a debt to Thomas Fotheringham.<sup>76</sup> In 1488 the unfortunate Fotheringham found himself to be one of four hostages given over to the rebels by James III during negotiations before the battle of Sauchieburn, and would later be accused of working towards 'the destruction of our supreme lord the king and the lords adhering to him' at the first

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<sup>74</sup> *DSL* te(i)nd adj., n.

<sup>75</sup> Fox, *Poems of Henryson*, p. 61. Henryson flourished in the 1470s and 1480s, further arguing against a date of composition for 'The Harp' in the 1450s.

<sup>76</sup> *Register of the Great Seal of Scotland, A.D. 1424-1513*, ed. J. B. Paul, 2 vols (Edinburgh, 1882), II, no. 1664, cited in R. Nicholson, 'Feudal Developments in Late Medieval Scotland', *Juridical Review*, 18 (1973), 1-21, at 12.

parliament of James IV's reign, again directly linking James III's early reforms to the aftermath of the battle.<sup>77</sup>

A connection to the earl of Angus can again be argued for stanza 37, which once more appears to be directed at the perils of a lax attitude to justice. In it, the poet takes a far bawdier approach to the humour:

Yhit is thair a thing that mekil grevis thi cron,

Quhilk seildin is remedit in thi land

Quhen ony makis rebelliousne,

Nocht bousumly obeyand to thi wand,

Deforsand serrefis, masaris or sergeand,

Thair is na punising, bot lattis it our pas.

Quhair nane aw is, how suld thair folow grace?<sup>78</sup>

At first glance, this stanza appears to be reminding the king that people who deforce, or impede, royal officers should be punished, otherwise the authority of the crown suffers. If the words 'wand', 'deforsand' and 'folow' are heard as 'member', 'violating' and 'come' respectively, however, the stanza takes on a rather different tone, clearly alluding to the king's virility, or lack thereof.<sup>79</sup> The humour is employed in reference to an incident in 1473 when, as part of an ongoing dispute between William Sinclair of Herdmanstone and Patrick Hume, over the lands of Kimmerghame, Hume was summoned before the Lords of Council

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<sup>77</sup> Macdougall, *James IV*, pp. 33-4; *RPS*, 1488/10/3.

<sup>78</sup> *Chron. Pluscarden*, I, 399.

<sup>79</sup> *DSL* wand n.; deforce v.; follow v.

‘for the deforsing of [the king’s] officiare anent the distrenying for certane gudis’.<sup>80</sup> Hume had made a bond of manrent with Angus in 1470, specifically to enlist his assistance in the acquisition of these lands.<sup>81</sup> As Angus was also to judge the case, however, Sinclair took his complaint to the lords auditors in parliament. In August 1471 they decided that

the erle of Angus, quhilk is juge ordinaire to him [Sinclair] and his partii in the said actioun, is partiale to him and suspect of the law, that tharefore the kingis hienes ger call the erle of Angus and baith the said partiis before him and his counesaile the ferde day of October next tocum.<sup>82</sup>

Rather than simply an ‘ad hoc response to a specific complaint’,<sup>83</sup> this must surely be viewed in relation to the 1469 legislation, mentioned above, against the ‘jugis ordinaris quhilkis wil nocht execut thare office and minstir justice to the pure pepil’.<sup>84</sup> Along with the legislation of the same year on distraint and that of 1471 regarding ‘partial’ assizes, this is strongly suggestive of a new willingness on the part of the crown to ensure that the worst abuses of local justice were limited. Hume was found not guilty of deforcement in 1473 due to an administrative error, but a new letter of distraint was then issued by the king, under the Signet.<sup>85</sup> In a separate document of March 1475, James III promised to support Sinclair’s

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<sup>80</sup> *RPS*, 1473/7/63. The episode is discussed in S. Boardman, ‘Politics and the Feud in Late Medieval Scotland’, Ph.D. thesis (Edinburgh, 1989), pp. 123-9.

<sup>81</sup> Boardman, ‘Politics and the Feud’, p. 125.

<sup>82</sup> *RPS*, 1471/8/24.

<sup>83</sup> Boardman, ‘Politics and the Feud’, p. 127.

<sup>84</sup> *RPS*, 1469/16.

<sup>85</sup> *RPS*, 1473/7/63.

claim against Hume ‘in safere [so far] as we may be law and justis of oure realme’.<sup>86</sup>

Boardman characterises the episode as ‘a powerful clash of interests in and around the royal court’, and suggests that the king and Angus were ‘thoroughly committed’ to opposing sides.<sup>87</sup> The Hume family would go on to wield substantial influence within James IV’s government, having also found themselves at odds with James III throughout his reign over the revenues of Coldingham priory.<sup>88</sup>

Although the negotiations for alliance with England loomed large during the early 1470s, James III’s foreign policy at this time was multifarious and complex.<sup>89</sup> During the truce with England he sent an embassy to France offering to go to war with England in return for an annual pension of 60,000 crowns. When this was not forthcoming he sent a personal letter to Louis XI, the contents of which were unknown, even to his counsellors. Macdougall suggests that the secret letter was likely to have contained an offer to go campaigning abroad personally ‘if the money was right’.<sup>90</sup> Once discovered, these plans were firmly vetoed by parliament in 1473. While the estates had in principle agreed the taxation necessary for the campaign they were clearly appalled at the king’s desire to lead the army in person, and, in a series of advisements, employed several sophisticated arguments drawn from contemporary advice literature intended to temper their refusal to raise the money.<sup>91</sup> The only reason we

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<sup>86</sup> NRS, RH/1/1/3.

<sup>87</sup> Boardman, ‘Politics and the Feud’, pp. 128-30.

<sup>88</sup> Macdougall, ‘Crown *Versus* Nobility’, *passim*.

<sup>89</sup> Macdougall, *James III*, pp. 110-25.

<sup>90</sup> Macdougall, *James III*, pp. 117-19.

<sup>91</sup> *RPS*, 1473/7/5-12. Tanner characterises the advisements as ‘some of the most detailed and manifest evidence of parliament resisting and modifying royal policy available in the

know of the letter at all is because the parliament record emphatically states that James should ‘send and stop the lettre ... to the king of France, sen na mater cane be convoyit to the honor, worschip and proffit of his hienes without the cessing of the said lettre’.<sup>92</sup> These events are satirised in stanzas 38 and 39, which appear to address the problems inherent in the crown granting remissions for serious crimes, a circumstance which recurred throughout the later fifteenth century but was particularly acute during James III’s reign:

Bot of a thing al gude men merualis mair:

Quhen grete counsale, with thine awn consent,

Has ordanit strate justice, na man to spair,

Within schort tym thou changis thine entent,

Sendand a contrar lettir in continent,

Chargeand of that mater mair be nocht,

Than al the world murmuris thou art bocht.

Thair is a pure man heryit uttirly

And tynt bath cost, labour and principale.

Thi saul, thine honour, blekkit piteuisly

And crabbit al thi counsale generale.

War it in France men wald mak cession hale

In parliament and nocht bow to thi crown

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fifteenth century’, *Scottish Parliament*, p. 202. They are discussed in my doctoral thesis ‘Community and Public Authority in Later Fifteenth-Century Scotland’.

<sup>92</sup> *RPS*, 1473/7/7.



Quhil thou had maid thame a reformation.<sup>93</sup>

While the ‘lettir’ in question ostensibly alludes to one of remission, these stanzas recall at once the king’s secret letter, his desire to be paid for service in Louis’s army in the phrase ‘thou art bocht’, and the unfavourable reaction of parliament to the whole debacle.<sup>94</sup> The *doubles entendres* cement this impression even further. ‘In continent’ has been taken to mean ‘without delay’, yet it can also be heard as ‘immoderate’.<sup>95</sup> ‘Principale’ has the dual sense of the ‘principal piece of property’ in a dispute, and ‘an original document’.<sup>96</sup> Likewise ‘reformation’, while suggesting a remedy, can also mean ‘the correction of a document’.<sup>97</sup> Many of these words and phrases are placed at the ends of lines, allowing whoever read the poem aloud to place the emphasis firmly upon the jokes. Both the suggestion that the king was obliged to consent to the estates and the reference to the refusal of parliament to bow to the crown also strongly recall the circumstances of the 1473 advisements, and the stanzas can be taken to be mocking the failure of James III to convince parliament to fund his campaign.

## V

In the 1970s a debate began over the extent to which the poetry of the later fifteenth century could be shown to contain references to contemporary political events. Ranald Nicholson

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<sup>93</sup> *Chron. Pluscarden*, I, 399-400.

<sup>94</sup> *DSL* crabbit, adj. ‘Ill-natured; in bad humour; cross’.

<sup>95</sup> *DSL* incontinent a.; incontinent adv.

<sup>96</sup> *DSL* principal n.

<sup>97</sup> The earliest reference in *DSL* to ‘reformatio(u)n(e)’ in this context is 1555, but cf. *RPS*, 1475/38 which addresses the reformation of a briefe.

argued that topical allusions could be found within Henryson's *Moral Fables*, suggesting that 'The Lion and the Mouse' offered a 'precise allegory' of the Lauder rebellion of 1482.<sup>98</sup> His reasoning was firmly rejected by literary scholars on the basis of two observations: firstly, that Nicholson gained his understanding of the events in question from sixteenth-century chronicles,<sup>99</sup> and secondly, that Henryson's intention in writing the *Fables* was to address 'man's place in the universe'<sup>100</sup> so that he turned the local and particular into 'universal moral themes', rather than the other way around.<sup>101</sup> As Steven McKenna puts it, for a poet to be concerned with topical issues to the debasement of universal ones makes him 'a clever craftsman and little else'.<sup>102</sup> Thanks to the work of Macdougall, Tanner, Godfrey and others we now have a far clearer, if not entirely transparent, picture of the political culture of the later fifteenth century than was the case when Nicholson's arguments were made.

Furthermore, the poet who wrote 'The Harp' evidently had exactly the opposite intention to that ascribed to Henryson; the humour is fully intended as a demonstration of his clever craftsmanship. Situating the commentary within a genre which typically offered moral guidance allowed him to juxtapose references to the perceived greed and foolishness of the king with the conventional wisdom on virtue, justice and honour offered to monarchs at the

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<sup>98</sup> R. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, Mercat Press, 1974), p. 509.

<sup>99</sup> Lyall, 'Politics and Poetry', *passim*; S. R. McKenna, 'Legends of James III and the Problem of Henryson's Topicality', *Scottish Literary Journal*, 17 (1990), 5-20, at 14. R. L. Kindrick, 'Politics and Poetry at the Court of James III', *Studies in Scottish Literature*, 19 (1984), 40-55, takes a view more sympathetic to Nicholson.

<sup>100</sup> Lyall, 'Politics and Poetry', 6.

<sup>101</sup> McKenna, 'Legends of James III', 14.

<sup>102</sup> McKenna, 'Legends of James III', 14.

time; James III's disinclination to heed the advice of certain members of the nobility would only have added to the conceit. The poet chose the genre of advice writing precisely because it was so easy to parody. He was able to pluck familiar tropes from the work of several contemporary writers, thereby easily mimicking what Roger Mason has described as the 'characteristic tone of Aristotelian political theology'.<sup>103</sup> The vocabulary of counsel remained stable over space and time because it was flexible enough to frame an almost endless variety of specific situations, and the poet understood this well; he simply applied it in a way which most would have considered inappropriate. 'The Harp' gives the sense of being 'an amalgam of commonplaces' because that is exactly what it is.

## VI

If later chroniclers had the impression that James III was under the influence of archetypal evil counsellors then this was undoubtedly prompted by the propaganda of James IV's regime.<sup>104</sup> The battle of Sauchieburn had resulted in local feuds being played out under the guise of loyalty to the crown, whether embodied by James III or James IV, and had allowed the victors to use royal authority to humiliate their opponents by stripping them of their lands and titles.<sup>105</sup> It is telling that the years between James IV's victory and 1492 again saw a restructuring of the king's council. John Hepburn, prior of St Andrews, was granted custody of the Privy Seal, and new grants of patronage were routed through his office, effectively

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<sup>103</sup> R. Mason, *Kingship and the Commonweal: Political Thought in Renaissance and Reformation Scotland* (East Linton, Tuckwell Press, 1998), p. 22.

<sup>104</sup> Macdougall, 'The Sources', pp. 21-2.

<sup>105</sup> Boardman, 'Politics and the Feud', pp. 159-200.

suspending the Signet and bypassing the authority of Secretary Whitelaw, who was one of a very small minority of James III's councillors who remained in post.<sup>106</sup> Unlike James III, James IV eventually drew his tenants-in-chief into his council, both as advisers on policy and as administrators,<sup>107</sup> while the crown land commissions, which oversaw patronage locally, were brought firmly from the orbit of the chancery into that of the council, allowing the appointment of commissioners to proceed on a political, rather than professional, basis.<sup>108</sup> This reflected the increased importance placed upon the administration of royal patronage in a realm where courts had become more centralised, crown lands had become more extensive and royal policy had become more interventionist than was the case thirty years earlier.<sup>109</sup> It is no wonder, given the speed at which their power and status increased, that James III's administrators should be cast as malign by those members of the nobility, such as Albany and Angus, who were adversely affected by the king's reforms.

As with all of the major political crises of the fifteenth century, a battle for control of common knowledge about the events of 1488-89 was fought within the public domain.<sup>110</sup> In 1488 the grievances which had prompted the rebellion could be laughed off because those who had inflicted them were thoroughly defeated. In order to justify the ill-treatment of James III's supporters it was necessary to ensure that his court was commonly acknowledged

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<sup>106</sup> Chalmers, 'King's Council', pp. 50-2.

<sup>107</sup> Chalmers, 'King's Council', pp. 96-103; Macdougall, *James IV*, pp. 303-4.

<sup>108</sup> Chalmers, 'King's Council', pp. 120-5, 136-46.

<sup>109</sup> William Hepburn has recently argued for the centrality of James IV's household to understanding the governance of the realm. W. Hepburn, 'The Household of James IV, 1488-1513', Ph.D. thesis (Glasgow, 2013).

<sup>110</sup> Hawes, 'Community and Public Authority'.

as decadent and illegitimate, and the trope of the evil counsellors was a perfect, and well-established, way of doing this. The very first parliament of James IV's reign therefore duly recorded that

the erle of Huntlie, the erle of Erole, the Erle Marschell, the said Lord Glammys and utheris diverse baronis and utheris the kingis trew liegis left him [James III] and his dissaitful and perverst counsale and anherdit [adhered] to oure soverane lord that now is, and his trew opynyoun, for the commone gud of the realme.<sup>111</sup>

Here began the legend of James III which persisted into the twentieth century. 'The Harp' was born of the same political impulse. Two public protests would follow, in 1489, challenging the legitimacy of the new regime by attacking the 'parciall personis' around the king, and using the rhetoric of support for the crown.<sup>112</sup> In contrast to the 1488 parliament these persons were listed by name, and following the battle of Gartloaning at least some of the dissenters were brought back into the government, their grievances presumably felt to be legitimate.<sup>113</sup> Different narratives were therefore being consciously adopted by different sides in order to publicly assert and contest competing claims to political authority. While the individuals who comprised the poem's audience must remain a mystery, therefore, it is possible to imagine a group of men who would have both understood and enjoyed hearing the conventions of political advice being subverted for their entertainment. If the poet's fortunes mirrored those of Blind Hary it is even possible that 'The Harp' was performed for James IV himself. Others at court, such as Archbishop Scheves, who chose to leave his copy of the

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<sup>111</sup> *RPS*, 1488/10/51.

<sup>112</sup> Most famously in the 'Lennox Apologia', *NRS*, GD220/2/1, no. 85; Macdougall, *James IV*, pp. 70-2.

<sup>113</sup> Macdougall, *James IV*, pp. 61-72.

Pluscarden chronicle untarnished by 'The Harp', clearly did not find such satire quite so amusing.