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Peter Dignus Garside

Union and *The Bride of Lammermoor*



Is *The Bride of Lammermoor* essentially a pre-Union or post-Union novel? The question, though in many ways a crude one, reflects one of the oldest issues in Scott scholarship. In literary criticism it has had a peculiarly debilitating effect, with even the most assertive commentators seeming to flounder in a temporal quagmire stretching uneasily either side of 1707. At the same time, much of the difficulty would appear to stem directly from *The Bride*, where--at least in all readily available editions--a pervasive sense of a pre-Union setting is heavily offset by two or three apparently in-effaceable post-Union markers. And chief of these, undoubtedly, is the prospect of a Ravenswood appeal to the House of Lords, a right only available (as Scott's text itself points out) *after* 1707. But as Jane Millgate has recently demonstrated,¹ this is far from presenting an insurmountable hurdle to the pre-Union argument, since in the first edition of *The Bride* (1819) the Ravenswood appeal is addressed not to the House of Lords but to an independent and still functioning Scottish Parliament. Scott's references to the Lords, in fact, are almost certainly the result of emendations made specially for the Magnum Opus edition of the Waverley Novels, where *The Bride* reappeared in its now accepted form dated 1830. Most of Scott's alterations occur either in Chapter 15,

where we learn that Sir William Ashton has been apprised of the possibility of an appeal against his acquisition of the Ravenswood lands, or in chapters 27-30 when a decision seems imminent. The *Magnum* also expands considerably at points, a long insertion in Chapter 15 observing Ashton's ignorance of "the high and unbiassed character of English judicial proceedings" (MO, XIV, 99),² two later additions noting his and his supporters' somewhat strained alarm at "the intervention of... a foreign court of appeal," one "not trained to the study of any municipal law" and more than likely "to hold in contempt that of Scotland" (MO, XIV, 286,387). Professor Millgate also draws attention to Scott's accompanying *Magnum* note (Note III, "Appeal to Parliament"), and its miniature disquisition on the tenuous nature of Scottish appeal rights before the Union. This in turn provides the main basis for her contention that Scott's motive in making his changes must have been a concern, pressing indeed in an established Clerk of Session, for strict legal-historical accuracy. Scott's note also repeats his (*Magnum*) main text's praise for the Lords' impartiality, and ends by obliquely acknowledging an editorial change: "In earlier editions of this Work, this legal distinction was not sufficiently explained."

And there the matter could rest, the end to a literary storm in a teacup, a salutary warning to high-flying "thematic" criticism, above all the unearthing of a neglected, almost exclusively pre-Union, text deserving at least some of the attention lavished on its less than pure sister. But does it really end there? Professor Millgate's evidence is meticulously handled, but I am still not entirely convinced that Scott's subsequent insecurity about appeals before the Union is proved beyond doubt. Even if this were the case, one wonders whether Scott for such a reason could have proceeded quite so single-mindedly, at the risk of creating such havoc in his text. Conversely, it is all too easy to underestimate the cogency of Scott's original situation, particularly with regard to what for the most part is only a *threatened* appeal. The Claim of Right in 1689 *had* actively asserted "the right and privilege of the Subjects to protest for Remeed of Law to the King and Parliament, against sentences pronounced by the Lords of Session"; the extent and applicability of the right *was* subsequently matter for frequent and detailed debate (e.g., at length in Stair's *Institutions* [1693], and as the subject of one of Fletcher of Saltoun's parliamentary "speeches"); the *Acts of the Parliament of Scotland*, which Scott's friend Thomas Thomson had started to edit, *do* contain instances of actual "protests for remeid of law" immediately prior to the Union.³ How much Scott knew about all this is unclear, but it

would be hard to fault the freshness, clarity and consistency of his earlier details. Also noticeable is the first edition's much smoother dovetailing of law and politics. The Marquis of A---'s expected ascendancy ("with a parliament according to his will") promises to allow Ravenswood a chance to tangle with Ashton "in the Scots Parliament," with Ashton's standing at its lowest ebb ("No Scotch government will take him at his own, or rather his wife's extravagant valuation") (1st ed., II, 25, 262-3). Whereas all the Magnum can offer is an amorphous management of "the British Parliament," improbably leading to an unlikely appeal in the (Whig-dominated) "English House of Lords" (MO, XIV, 95, 284).

But most significant of all could be a much stronger suggestion in the first edition of the spirit and rhetoric of "patriotic" protest in the last Scottish Parliament. Scott's Magnum note is fixed neither to his first nor longest revision, but to a speech by Ravenswood passionately resisting Ashton's earliest attempts at appeasement:

'No, my lord', answered Ravenswood; 'it is in the Estates of the nation, in the supreme Court of Parliament, that we must parley together. The belted lords and knights of Scotland, her ancient peers and baronage, must decide, if it is their will that a house, not the least noble of their members, shall be stripped of their possessions, the reward of the patriotism of generations...'

(1st ed., II, 44)

By comparison the Magnum seems muted, its alternative rhetoric involving at least one filler, Ravenswood's status as a "member" questionable, the original force of "patriotism" diverted, arguably dissipated. Most tangibly, it effectively excises the "baronage":

'No, my lord...it is in the House of British Peers, whose honour must be equal to their rank--it is in the court of last resort that we must parley together. The belted lords of Britain, her ancient peers, must decide, if it is their will that a house, not the least noble of their members, shall be stripped of their possessions, the reward of the patriotism of generations...'

(MO, XIV, 108)

At the center of anti-Union protest lay the autonomy of the Scottish Parliament, indistinguishable from which was its appellate jurisdiction, however ill-defined in practice. A

more specific, yet allied issue--one always sure of evoking an emotional response--was the threatened disfranchisement of the barons, the Scottish second estate, from their due representational *and* judicial rights. This provided the mainstay of Lockhart of Carnwath's last-ditch "protestation," "for myself and such other barons as shall adhere," "that neither this vote, nor any other vote, conclusion, or article in this Treaty of Union, shall prejudice the barons of this kingdom from their full representation in Parliament, as now by law establish'd, nor in any of their privileges, *and particularly of their judicative and legislative capacities...*"⁴ The concern also dominated the Duke of Athole's accompanying protest:

the Barons and Burgesses of this nation, by this way of uniting, are deprived of their inherent right of being fully and individually represented in Parliament, both in relation to their legislative and judicative capacities; and...are not only highly prejudged in lessening their representation, but also degraded from being members of the Parliament of this Kingdom, where they sit as judges in all causes civil and criminal to be joyned to the Commons of another nation, who are accustomed to supplicate for justice at the bar of the House of Lords.⁵

As Athole's last flourish might suggest, far from offering an acceptable alternative, the House of Lords at the time was regarded as absolute anathema, a leading source of Scotland's difficulties and the stalking ground of the Whig Junto which had so ruthlessly resolved on its national obliteration. A highpoint in "patriotic" opposition was reached with Fletcher of Saltoun's motion against the Lords' formal acceptance in 1704 of the reality of "the Scotch plot...the greatest step that e'er was made towards asserting England's dominion over the Scots crown...an undue intermeddling with our concerns, and an encorachment upon the honour, sovereignty, and independency of this nation."⁶ For a time the investigation in the Scots Parliament of the Duke of Queensberry, who had stood to gain most by the "discovery" and was shortly to manage the passing of Union in Scotland, was actively broached; and, though probably never fully practicable, the *idea* remained firm enough to allow Lockhart the perfect rejoinder to later allegations about the complicity in an actual "plot" of Athole, Queensberry's inveterate enemy:

If there was truly reason to accuse the Duke of Athol, why was it not exposed and judged in the Scots Parlia-

ment, as it was often and publicly demanded? Was the English House of Lords a fitter place, and they properer judges to try and determine Scots affairs?⁷

The last passage first appeared in the *Lockhart Papers* (1817), a new and extended edition of Lockhart's *Memoirs Concerning the Affairs of Scotland* (1714), whose fiercely "nationalist" record of the Union negotiations Scott knew well and went on to use extensively (in stormier moments, empathetically) in his own account in the second series of *Tales of a Grandfather* (1829). At least one passage in *The Bride* comes almost verbatim from the *Memoirs*, and it is quite feasible that a much fuller transference in tone, attitude and momentum also took place. This would be all the more likely through the recently-published and more diverse *Lockhart Papers*,⁸ where Lockhart's additional "Commentary" includes an eye-witness account of the proposed dissolution of the Union in 1713, an event Scott had already annotated at some length in his *Works of Swift* (1814). Though the disputants have generally failed to take advantage of the opportunity, many of the difficulties of "dating" *The Bride*--say, the seemingly problematical rise of Harley and his Whimsicals (Ch. 27), or Caleb Balderstone's outburst against "English soldiery and excisemen" (Ch. 18)--could be resolved by Scott having drawn back and conflated with 1707 details relating to this second, not dissimilar crisis. But this still leaves the problem of why, in dealing with a source-story from 1669, he should pick on two leading moments in the history of the Union. Or, granting the choice to have been at first at least partly a matter of convenience, one still wonders whether, having settled on such materials, Scott could have remained detached, and the comparatively secondary circumstances of 1713 as equally important in his mind as the traumatic national events of 1707. Just as Scott could hardly have set *Waverley* in 1745 without to a large degree focussing on the rebellion of that year, so I find it hard to believe that--especially with Lockhart in his thoughts--the Union can be entirely tangential, a source merely of unrelated incident and "background," in the first *Bride*.

Further evidence is available in Scott's original manuscript in the Signet Library, Edinburgh, which covers the three quarters or more of the novel he managed to complete in his own hand before apparently turning in illness to an amanuensis.⁹ Professor Millgate claims no appreciable difference between it and the first edition in those areas relating specifically to the dating problem. But this omits mention of three apparently spontaneous authorial changes of mind there,

all occurring at points where politics seem more than usually obtrusive. Probably the most potent secondary weapon in the "post-Union" armory has been Lady Ashton's ambition, common to all printed editions, that her son, Sholto, should sit "in the British Parliament" (Ch. 22). In the Signet MS, however, Scott has first written "Union" before deleting this in favor of "British" (i.e., the MS reads "in the ~~Union~~ British Parliament" [f. 91]). Possibly Scott was thinking of the first Scottish representation in the House of Commons, perhaps with Lady Ashton anticipating the event, and found it all too much for his sentence. Alternatively he could have had in mind the negotiation of the treaty of Union in London in 1706, with Sholto a Commissioner--or, more challenging still, the last session of the Scottish parliament, commonly known in Scott's time (as now) as the Union Parliament. In this light, it is interesting to see the Marquis of A--- when first mentioned in the plot unmistakably identified as "Athole" (f. 31), though the last letters are struck out and the capital from then on suffices. In one sense, this merely confirms an attribution that goes back as far as Robert Chambers' *Illustrations of the Author of Waverley* in 1825, but it is nevertheless intriguing to see written so firmly into the text one of the leading Scottish opponents of Union, indeed after the Duke of Hamilton's effectual defection late in 1706 the solitary aristocratic figurehead of Country Party resistance. Less immediately inviting, and more consistent with a grammatical adjustment, is Scott's first use of "country" in his opening remarks about the debilitating effects of delegated rule ("Since the departure of James VI to assume the richer and more powerful **country** [sic] crown of England..." [f. 10]). Yet even here an underlying preoccupation with *nationhood*, rather than monarchy, might momentarily have shown through. Through all its disguises, Scott's Union novel could be staring us in the face.

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In one sense, simply by ending in a wedding, *The Bride* is just that--a novel of "union," albeit a dark version. But the pliability that made the term a keyword in the Regency had been exploited for a much sharper *political* purpose at the height of the Union debate, in a whole range of comparisons between the incorporating Union and a proposed or enforced marriage. An interesting variation can be found right in the middle of Lockhart's record of Country Party fears that an acceptance of the first article of Union would lead to an immediate prorogement, "so the nation be united upon no terms, or at best upon such as England of themselves should condescend to give us afterwards, which was compar'd to a young

maid's yielding upon a promise of marriage, which was seldom perform'd."¹⁰ In a more typical vein, William Wright's *Comical History of the Marriage betwixt Fergusia and Heptarchus* (1706) showed Heptarchus (the Junto?) hotly in pursuit of Fergusia ("a Lady of Venerable Antiquity...a Sovereign over a Bold and Hardy People"), intent on "even such an Union as is betwixt Man and Wife"; while Sir John Packington, one of the few anti-Union voices raised in the Commons, declared "that, for his part, he was absolutely against this incorporating Union, which...was like the marrying of a Woman against her consent, an Union that was carried on by Corruption and Bribery within Doors, and by Force and Violence without..."¹¹ Not unfittingly, the bells of St. Giles are reported to have rung out the old tune, "Why should I be sad on my wedding day?", to mark the official inauguration of Union on 1 May 1707. Another spate of comparisons, though mostly from the English side, appeared with the crisis of 1713. The Earl of Peterborough, developing a now familiar theme ("he had heard the Union compared to a marriage"), stressed the treaty's inviolability: "though England, who...must be supposed to be the husband, might, in some instances, have been unkind to the lady, yet she ought not presently to sue for divorce, the rather because she had very much mended her fortune by the match."¹² To which Swift added his own special touch, in a passage bound to have caught Scott's eye: "Imagine a person of quality prevailed on to marry a woman much his inferior, and without a groat to her fortune, and her friends arguing she was as good as her husband, because she brought him as numerous a family of relations and servants, as she found in his house."¹³ This too was the heyday of Mrs. Freeman and Mrs. Morley, the *chronique scandaleuse* and *roman à clef*, and a complex web of Jacobite innuendo. For Scott, whose normal practice was to assimilate modes contemporary with his chosen period, the temptation to adopt the analogy in some form would have been immense. In one frame of mind, perhaps irresistible.

Nor is it long before marriage first appears in *The Bride*. In outlining antagonisms between the Ashtons and Ravenswoods, Scott turns to the outwardly harmonious "union" of Sir William and Lady Ashton:

But there was something under all this which rung false and hollow; and to those who watched this couple with close, and perhaps malicious scrutiny, it seemed evident, that, in the haughtiness of a firmer character, higher birth, and more decided views of aggrandizement, the lady looked with some contempt on her husband, and that he regarded her with jealous fear

rather than with love or admiration.

(Ch. 2)

"Contempt" is precisely the term Scott picked on in *Tales of a Grandfather* to describe English attitudes to Scotland in the years immediately preceding the Union, and in the passage which best illustrates his own use of the marital analogy:

The English, in their superior wealth and importance, had for many years looked with great contempt on the Scottish nation, as compared with themselves, and were prejudiced against the Union, as a man of wealth and importance might be against a match with a female in an inferior rank of society.¹⁴

The second passage, while conventionally reasserting male dominance, could offer a vital clue to the first. A close friend of the Duchess of Marlborough, "to whom, in point of character, she bore considerable resemblance" (Ch. 15), Lady Ashton is first reported "in Edinburgh, watching the progress of some state-intrigue," then in "London, not without the hope that she might contribute her share to disconcert the intrigues of the Marquis at court" (Chs. 5, 15). Sir William, on the other hand, strays no further than Edinburgh, his residence "during the Sessions of the Scottish Parliament and Privy-Council" (Ch. 2). Might not the couple embody, in some respects, Anglo-Scottish relations before the Union--or, in more particular terms, English domination through the Scottish Court Party, and the operations of a more narrowly Scottish, post-Revolution administration?

Startling at first--and at best a distortion--the proposition becomes more tempting when the ubiquitous Marquis of A--- is also taken into account. On his eventual physical appearance (Ch. 22), Scott's description closely matches that of Athole in Lockhart's *Memoirs*, the one quality which fails to tally (his "habitual caution") applying equally well to Lockhart's Hamilton. In much the same way, a strong case could be made for a good deal of Sir William's character originating in Lockhart's invariably unflattering pictures of post-holders in the Union Parliament. In particular, there is a strong resemblance to the first Earl of Stair (not the first Viscount Stair, his father, so easily disowned in the *Magnum Introduction*). Stair's career as described in *Tales* matches Ashton's in a surprising number of ways. Yet both Scott and Lockhart agree in seeing the Union as its fitting climax. Lockhart's version reads like a counter-portrait to Athole:

John Earl of Stair was the origine and principle instrument of all the misfortunes that befel either the King or kingdom of Scotland... 'Twas he that first suffer'd... England arbitrarily and avowedly to rule over Scots affairs, invade her freedom, and ruin her trade. 'Twas he that was at the bottom of the Union, and to him, in a great measure, it owes its success; and so he may be stiled the Judas of his country.¹⁵

Lady Ashton is more difficult to pin down, but on her rapid return to Scotland (Ch. 22)--in the racing of coaches to Ravenswood Castle, and the limits to her vaunted Douglas ancestry--there is a strong suggestion of Queensberry, just at the time when the Marquis seems closest to Hamilton. Far from having casually redeployed materials, Scott seems to have gone a long way towards identifying three main constituent groups in the struggle leading directly to Union.

Accordingly, while it remains a salient and highly instrumental fact, the Ashton's "alliance" is rapidly overtaken by the more burning issue of Lucy Ashton's marriage. Or, rather, the narrative starts to offer the choice of two potential "unions": one with Ravenswood, ideal and romantic in expression, yet unattainable, even flawed; the other, externally arranged and tragically achieved, with the unmistakably "real" Bucklaw. The first is cemented in Wolf's Crag, with its sense of a moribund "old" Scotland, the second sealed in Ravenswood Castle, whose seventeenth-century refurbishment associates it with Drumlanrig (Queensberry's ducal seat) and Parliament House. The whole process, too, is flecked with potentially analogous terms--"union," "alliance," "treaty," "contract"--and even the most private moments can seem to carry a peculiarly public meaning. An early pointer is the intense, but fragile celebration of "union" at Wolf's Crag:

Caleb was present at this extraordinary scene, and he could conceive no other reason for a proceeding so extraordinary than an alliance betwixt the houses... As for Lucy... she beheld the complete reconciliation between her father and her deliverer. Even the statesman was moved and affected by the fiery, unreserved, and generous self-abandonment with which the Master of Ravenswood renounced his feudal enmity... His eyes glistened as he looked upon a couple who were obviously becoming attached, and who seemed made for each other. He thought how high the proud and chivalrous character of Ravenswood might rise under

many circumstances...Then his daughter...seemed formed to live happy in a union with such a commanding spirit as Ravenswood...And it was not merely during a few minutes that Sir William Ashton looked upon their marriage as a probable and even desirable event, for a full hour intervened ere his imagination was crossed by recollection of the Master's poverty, and the certain displeasure of Lady Ashton.

(Ch. 17)

Throughout one senses an overwhelming desire for perfect "union." Historically, the terms invite comparison with Scott's view in *Tales* that, granted more favorable terms from England, "the two nations would have felt themselves united in interest and in affection also, soon after they had become nominally one people."¹⁶ Behind this lay a powerful body of "federalist" opinion, conveniently forgotten after the Union, whose call (in the words of Athole's "protestation," quoted earlier) had been for "an Union upon honourable, just, and equal terms, which may unite them [the two nations] in affection and interest, the surest foundation of peace and tranquility for both kingdoms."¹⁷ In the dilapidation of Wolf's Crag interest, affection and chivalry momentarily combine. Yet the frailty of the moment is prefaced by Ashton's survivalism, qualified by Ravenswood's poverty, and punctuated by the likely veto of Lady Ashton, whose continuing absence has alone allowed Ashton to proceed.

Another phase is marked by the move to Ravenswood Castle, where for a time the tenuous relationships established at Wolf's Crag survive. Lucy's half-stated fears about Lady Ashton ("she is jealous of her rights, and may claim a mother's title to be consulted in the first instance") echo again the England of *Tales* ("a nation, the most jealous of her rights...the world ever saw"),¹⁸ while provoking in Ravenswood a response virtually indistinguishable from Scott's more numerous statements that Scotland, in offering its "national independence," had deserved specially "generous" treatment:

'...I would impress on you the price at which I have bought your love--the right I have to expect your constancy. I say not that I have bartered for it the honour of my house, its last remaining possession --but though I say it not, and think it not, I cannot conceal from myself that the world may do both.'

(Ch. 20)¹⁹

But the sense of a momentary lull, vulnerably romantic, heroic

but frail, is rudely assaulted in the next chapter by the introduction of an essentially different tone, with Bucklaw's disclosure to Craigenfelt of another "alliance" being planned in England by Lady Ashton and Lady Blenkinsop. The "mock heroic" placed in Bucklaw's mouth is both in period, and, to a lesser extent, in character. But primarily it remains Scott's own domain, its direction arguably closer, say, to *Jonathan Wild* than *The Rape of the Lock*: its ultimate purpose possibly to demean the "high" political rather than to "heroicize" the trivial. The individual terms employed--"treaty," "negociators," "terms," "writings"--might also reverberate in a specifically "historical" way:

'You may suppose I was a little astonished when I found that a treaty, in which I was so considerably interested, had advanced a good way before I was even consulted...my first thought was to send the treaty to the devil, and the negociators along with it,...my...settled opinion that the thing was reasonable, and would suit me well enough...Things have come thus far, that I have entertained the proposal of my kinswoman, agreed to the terms of jointure, amount of fortune, and so forth, and that the affair is to go forward when Lady Ashton comes down...Now, they want me to send up a confidential person with some writings.'

(Ch. 21)

Craigenfelt makes an odd ambassador, but that essentially is what he is and how he behaves. One useful card is Bucklaw's new-found ability to help Sholto into "the British Parliament" (it is here that Scott first wrote "Union"), but the winning trump proves to be the alternative threatening in Scotland. Lady Ashton's reaction matches the Junto's to "the Scotch plot," behind that its alarm at some of the more assertive resolutions of the Scottish Parliament from 1703-4, most of all its determination to have the succession settled once and for all:

Such concealment approached, in her apprehension, to a misprision, at least, of treason, if not to actual rebellion against her matrimonial authority; and in her inward soul did she swear to take vengeance on the Lord Keeper, as on a subject detected in meditating a revolt.

(Ch. 22)

Re-established at Ravenswood Castle, Lady Ashton's whole endeavour becomes the legal contracting of the second "union":

'against St. Jude's day, we must all be ready to *sign and seal*.'

'To sign and seal!', echoed Lucy... 'To sign and seal-- to do and die!' (Ch. 29)

The formality is in keeping with the marriage contracts traditionally drawn up in Scottish families, though any sealing would have been highly unusual after the sixteenth century. One document manifestly *signed and sealed*, however, was the draft treaty of Union formally agreed in London on 22 July 1706, both sets of Commissioners adding their seals and signatures to "the instruments or writings" before presenting copies to the Queen at St. James's, the Lord Keeper acting for England, Seafield as Lord Chancellor for Scotland. The phrase "signed and sealed" is commonplace in contemporary accounts, and was so adopted by later historians as to become virtually synonymous with the event. It would also be difficult to find a document more preoccupied with the *act* of sealing; Article 24, apart from an amendment well known to Scott concerning the Scottish Regalia, is exclusively taken up with the future British and Scottish seals, while the Scottish copy in the Register House appears almost festooned with the private seals and signatures of each accepting Commissioner. In this respect, it is interesting to see Scott in September 1828 writing to inform Cadell that the Act of Union had not been signed: "No signature was necessary as I understand it."²⁰ But this arose from a particular exigency--an illustration for *Tales*, purporting to show "the Garden in the Canongate where the Union was signed"--and in so far as the ratification of the treaty by the Scottish Parliament on 16 January 1707 is concerned Scott was technically correct, the main formal token of acceptance being Queensberry's touch with the Sceptre. But the idea of a final signing lies deep in Lockhart, in a passage Scott must have known by heart:

and so the Union commenced on the first of May 1707, a day never to be forgot by Scotland; a day in which the Scots were stripped of what their predecessors had gallantly maintained for many hundred years, I mean the independency and sovereignty of the kingdom, both which the Earl of Seafield so little valued, that when he, as Chancellor, signed the engrossed exemplification of the Act of Union, he returned it to the clerk, in the face of Parliament, with this despising and contemning remark, 'Now there's ane end of ane old song'.²¹

Nor was Scott's sudden scrupulousness matched by his performance in *Tales*, which places the death of the Earl of Stair (8 January 1707) "on the very day when the treaty of Union was signed."²²

"Sealing" disappears on St. Jude's day (Ch. 32). (It is worth speculating a *public*, as well as private, significance in St. Jude's reputation as the patron of hopeless causes.) But Scott's concern for documentation ("contract," "parchment," "writings") intensifies, reaching a climax in the first of two rare narrative intrusions--"I have myself seen the fatal deed"--itself remarkably similar to Scott's rhetorical reification of the treaty of Union ("this old Treaty," "the old parchment") in *Malachi Malagrowther*.²³ Scott also pays his usual attention to grouping, the narrowness suggesting a cabal activity ("There were only present, Sir William Ashton, and Colonel Douglas Ashton, ... Bucklaw, in bridegroom trim--Craigengelt, freshly equipt from top to toe..."), the final picture as scathing as Lockhart's London and Edinburgh signings put together:

The business of the day now went forward; Sir William Ashton signed the contract with legal solemnity and precision; his son, with military *non-chalance*; and Bucklaw, having subscribed as rapidly as Craigengelt could manage to turn the leaves, concluded by wiping his pen on that worthy's new laced cravat.

(Ch. 32)

Also emphasized is Lady Ashton's strict insistence "that the marriage should be solemnized upon the fourth day after signing the articles," a provision made all the more pressing by Ravenswood's late reappearance and the danger that Bucklaw, sensing an unwillingness, might "break off the treaty, to her great personal shame and dishonour" (Ch. 34). The first article of Union categorically states "That the two Kingdoms of England and Scotland shall upon the First day of May...be united into one Kingdom," a mixture of the prediction and imperative well served (only *too* well served, many must have thought) as the treaty was duly ratified by both parliaments, leading to the formal dissolution of the Scottish Parliament on 28 April 1707. Lucy's wedding is obviously more and less than 1 May, though it involves the triumph of a faction, a celebratory procession, a Presbyterian service, and a distribution of largesse. Meanwhile, interruptions from the novel's "other" world--Ravenswood's last protestations, remarkably similar in their pacing to the last protests in Parliament House, the withering satire of Ailsie Gourlay, all too close

in spite of formal distancing to the "sullen expression of discontent" noted in *Tales* as universal in Scotland on 1 May²⁴ --become increasingly intense, fragmented and futile. Unchanged and unchanging, however, remains Lady Ashton, an absolute reality in "AN OWER TRUE TALE," the story's literal end: "In all external appearance, she bore the same bold, haughty, unbending character, which she had displayed before these unhappy events. A splendid marble monument records her name, titles, and virtues, while her victims remain undistinguished by tomb or epitaph."

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Scott's fullest explanation of his "OWER TRUE TALE," together with its "disguise of borrowed names and added incidents" (Ch. 34), appeared with the Magnum Introduction's disclosure of its "real source" in the Stairs' "family history," though in admitting one debt Scott might have well been further obscuring another. A similar intention could underlie his much-quoted confidence to James Ballantyne, that, on reading the novel after his illness, "he did not recollect one single incident, character, or conversation it contained," except for "the original incidents of the story."²⁵ There can be little doubt that the period immediately before and during *The Bride's* chequered composition was one of unprecedented difficulty for Scott. A strong focal point for resentment, too, appears to have been the failure of the great Buccleuch lawsuit, which had bounced between the Court of Session and House of Lords since 1816, only to stick in the mud of a Lords' adjournment in April 1818. Scott's reaction on Buccleuch's death a year later suggests that for some time the law's delay had provided a whipping boy for his frustrations: "I wonder what the Chancellor now thinks of his hesitation or rather procrastination. Here is one great calamity happened through his uncertainty."²⁶ The Magnum's somewhat fulsome praise of the Lords' supervision of Scottish appeals has all too easily been taken as a proof of Scott's unchanging opinion, even more remarkably as fair comment on a major benefit gained by Scotland with the Union.²⁷ But from its dubious establishment in 1708 the system had not been an unqualified success, and in the tighter, more prickly, by no means disinterested legal circles in which Scott mixed the issue was far from dead. Scott's own formal statements are always circumspect, occasionally complimentary; but in more unguarded moments, particularly at crisis points in his own career, there are traces of a more unregenerate "Scottish" response. His speech to the Faculty of Advocates, given in 1807 at the height of Whig pressure for the

reform of Session, has an edge of truculence missing in his subsequent "View of the Administration of Justice in Scotland" (1810)--a truculence which one suspects his audience enjoyed:

it was not here, but upon the roll of the House of Peers, where the great stop took place. If the business went from the Court of Session to the House of Lords, faster than the latter, from their other important duties, could overtake them, the delay doubtless required correction; but he presumed to say, that the remedy should be applied in the Court where the disease originated. To act otherwise, was to apply a plaster to the heel when the head ached.²⁸

In much the same way, at the low ebb of his fortunes in 1826, having wryly contrasted in *Malachi Malagrowther* the "zealous" worship of Westminster Hall with Parliament House's treatment as a "mere idol," Scott considered in the *Journal* the prospect of another rash of appeals at the Lords: "The consequence will in time be that the Scottish Supreme court will be in effect situated in London. Then down fall--as national objects of respect and veneration--the Scottish bench--the Scottish Bar--the Scottish Law herself--And--And--there is an end of an auld Sang."²⁹ Could the negative have ever turned positive? More specifically, might not Scott late in 1818, his hopes for a spectacularly "British" and aristocratic vindication dashed, have turned *in reaction* to an ideal image of the Scottish Parliament, its "belted lords and knights," "ancient peers and baronage," expediting cases intimately involving "the patriotism of generations"? The latter of course is purely a matter of conjecture, but a strong current of "patriotic" sentiment and anti-Union satire does appear to run through large sections of the original *Bride*--unchecked and unassimilated enough for Scott perhaps to feel afterwards that he had badly overstepped the mark. In such an event, the Magnum would have offered an unexpected chance for compensation.

The most likely date for Scott's Magnum emendations is late December 1828, shortly before 28 December when he sent back to Cadell "all the remaining volumes of the Waverley Novels till the Legend of Montrose inclusive," and just after his preparations earlier in the month for the private printing of a contemporary lampoon on the Stair tragedy.³⁰ The issue is more than simply academic, since it is important to be able to place Scott's decision as accurately as possible in the context of an essentially new set of literary and political pri-

orities. On 22 December, for example, he had returned to Cadell copy of the Dedication of the Waverley Novels to George IV,³¹ a predictable formality as well as good business sense, but a gesture still likely to bring out Scott's always at least latent sense of the basically loyalist nature of his works. On a broader front stood the challenge facing Wellington's new administration, which had come into office in July 1828, and which Scott considered a last bastion of strong Tory constitutional government. At the same time, he swallowed hard to accept the need for some concessions on Catholic emancipation, if only for the sake of a more general stability. Above all, Southey in the *Quarterly* must be restrained: "I shall lament most truly a *purple* article at this moment when a strong plain moderate statement...would have a powerful effect and might really serve King & country."³² Scott stuck to his decision, and in the following Spring wrote to Peel to congratulate him on his "patriotism" in having helped remove "the great Catholic stumbling block," a course of action plainly in accordance with the "National honour" since countenanced by Wellington himself. Then, in a postscript, he turned again to Scotland's Union experience:

After all Ireland will be better off than poor Scotland but union was mad in 1707 and it was not till 1780 that the inhabitants drew any other advantage from it than three rebellions rather bitter fruits of a consolidating treaty.³³

At first sight pessimistic, the passage's main tendency is really ameliorative: light *had* existed at the end of the tunnel. The pressing need now is for a tightening of ranks in the British Union, marshalled by Wellington, the Lords' most distinguished son. In a future constitutional crisis, moreover, the Lords would either stand firm or fall irreparably--was not the Act of Union itself implicitly one of its guarantors? And so Scott "smoked away and thought of ticklish politics and bad novels,"³⁴ his concerns as always overlapping, but now operating in a consciously British horizon, where any narrower nationalism (particularly of his own making) would have appeared singularly inappropriate--and eminently alterable.

Scott's motive for making his changes will probably never be clear, and it is quite possible that a concern for strict legal accuracy (perhaps combining with a desire for further Anglicization) was foremost in his mind. But a correlation between the two versions and Scott's differing circumstances in 1818-19 and 1828-9 seems to me undeniable and to call for

a more general level of explanation. Above all, the case history could offer a particularly valuable and flexible model for a more comprehensive understanding of Scott's nationalism, preferable certainly to the static polarities in terms of which the subject is usually discussed. What we have, at first sight, seems closest to a continual movement between extremes. Early in 1818, comparing his pleasure at the Regalia discovery with Waterloo,³⁵ Scott appears almost to be offering through his agency a newly heroic Scotland to the larger British union; a year later, he was on the point of completing what is in many ways his most uncompromisingly Scottish novel. In 1826, the rhetoric of patriotic protest took him to the verge of an overt Anglophobia in *Malachi Malagrowther*; two years later the call was for "King & country." To a point, there was a purely private element in the process: like the Magnum Sir William, Sir Walter's own sense of Scottish grievances showed a tendency to sharpen in moments of intense personal disappointment, particularly on the British front. Each extreme, too, could carry with it a potentially disruptive counter-version--just as "British" phases might license public acknowledgements of wrongs done to Scotland after the Union, so at high moments in *Malachi* Scott could hold up the Act of Union as an inalienable national right or make his declaration (since falsely isolated) that it would be better to sink to "a subordinate species of Northumberland" than to risk breaking with England. But most revealing of all could be the strong desire for union, in its broadest sense, which distinguishes each dominant "Scottish" and "British" phase. It is there in Scott's eulogy of inter-party co-operation in the military emergency of 1814, though from the domestically less steady viewpoint of 1816: "All parties united in furthering measures upon which it would have been disgraceful to have evinced any narrow or selfish feelings..."³⁶ In 1818, fingers burnt over patronage, the reality recedes but not the desire: "...I am afraid this may have been seen in a light which would give me infinite pain and might be productive of discord and misunderstanding where union and mutual good will have been hitherto productive of such good effects."³⁷ In *Malachi*, with both 1707 and 1713 in mind, the need is for a union among the Scottish MPs: "'In the cup an *Union* shall they throw / Better than that which four successive kings / In Britain's crown have worn.' Thus united, sir, their task will be a very easy one."³⁸ But with the Irish (hopefully) placated in 1829, the priority is National consolidation: "In Ireland it may be worse but then we will have gained all the men of respectability and property and if they should be obstinate we have at least an united government to deal with for from no rational

person in England could they claim support or countenance."³⁹

In each case, the pursuit of union remains constant. But it was determined in a society whose experience more often than not was one of increasing disunion, and from a vantage ground in that society where many of its confusions were lived out and enacted even as it was claimed they were resolved. The more disunion threatened Scott the more insistent yet strained was likely to be his image of union, and the greater the likelihood of an extreme Scottish or British engagement. But whichever manifestation happened to be dominant--and the polarities were to a large extent interchangeable--it became immediately vulnerable to the assaults of its apparent opposite, often acting in the guise of a compensating realism. The move to *rapprochement* and synthesis in *The Heart of Midlothian* (1818), its tendency to trivialize and satirize subsequent grounds of resentment against the Union, was abruptly overturned by the static, then tragically fragmented world of the first *Bride*, with its sharp Scottish angularities (compare, *pace* R.C. Gordon, the effects of Jeanie Deans' and Lady Ashton's English journeys).⁴⁰ But the Magnum alterations--by substituting for the Scottish Parliament what had once been thought its blatant opposite, by diverting the spirit of Ravenswood's "patriotism" into the narrower and patently fallible channel of Ashton's "nationalism"--eroded that reaction just as devastatingly in turn. It is here for the most part that Scott's "Scottish nationalism" starts and ends. Anyone looking further risks, like Caleb, grasping at nothing more substantial than the Master's "large sable feather."

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NOTES

¹Jane Millgate, "Text and Context: Dating the Events of *The Bride of Lammermoor*," *The Bibliothek*, IX (1979), 200-13.

²References to quotations exclusively from the Magnum Opus (MO) are incorporated in parenthesis in the text, and refer to *Waverley Novels*, 48 vols. (Edinburgh, 1829-33). Quotations exclusively from the first edition (1st ed.) are given similarly, and refer to *Tales of My Landlord*, 3rd series, 4 vols. (Edinburgh, 1819). Where no significant difference between editions exists only chapter references are supplied, though (apart from obvious misprints) the text followed is the first edition.

³*Scottish Historical Documents*, ed. Gordon Donaldson (New York, 1970), p. 256; James Dalrymple, Viscount Stair, *Institutions of the Law of Scotland*, 2nd ed. (Edinburgh, 1693), pp. 522-37; *Fletcher of Saltoun: Selected Writings*, ed. David Daiches (Edinburgh, 1979), pp. 102-3; *Acts of the Parliament of Scotland*, vols. 2-11, ed. T. Thomson (Edinburgh, 1814-24), X, App. 59.

⁴*The Lockhart Papers*, ed. A. Aufrere, 2 vols. (London, 1817), I, 215. My italics.

⁵*Ibid.*, I, 216. The ancient "barons," "barony," and lapsed "baronial authority" of the Ravenswoods appear frequently in *The Bride*.

⁶*Ibid.*, I, 103-4.

⁷*Ibid.*, I, 28.

⁸Though I can find no direct evidence in the *Letters* or elsewhere of Scott's reading *The Lockhart Papers* on publication, his immediate enthusiasm is apparent in a letter from William Blackwood to an unnamed correspondent, April-May 1817, in the Blackwood Letter Books: "I had a letter from Mr. Walter Scott the other day in which he says 'The Lockhart Papers are very curious, much more so than the Forbes Collection'" (National Library of Scotland, MS Acc. 5643, II, 32).

⁹I am grateful to the staff of the Signet Library for allowing me access to the MS.

¹⁰*Lockhart Papers*, I, 179.

¹¹(Rev. William Wright), *Comical History...* (1706), pp. 3, 13; (Richard Chandler), *History and Proceedings of the House of Commons*, 14 vols. (London, 1742-4), IV, 54.

¹²William Cobbett, *Parliamentary History of England*, 36 vols. (London, 1806-20), VI, 1217.

¹³"The Public Spirit of the Whigs" (1714), in *The Works of Jonathan Swift*, ed. Walter Scott, 19 vols. (Edinburgh, 1814), III, 268-9.

¹⁴*Tales of a Grandfather*, 2nd series, 3 vols. (Edinburgh, 1829), III, 268-9. Hereafter *Tales*.

¹⁵*Lockhart Papers*, I, 88-9. Cf. *Tales*, III, 293. Lockhart's portrait of Athole, it should be noted, is far from ideal (see *Lockhart Papers*, I, 73-4).

¹⁶*Tales*, III, 323.

¹⁷*Lockhart Papers*, I, 218. The popularity of the "federalist" view in Scotland before the Union is stressed in P.H. Scott's *1707: The Union of Scotland and England* (Edinburgh, 1979), Ch. 4.

¹⁸*Tales*, III, 318.

¹⁹Cf. Scott's précis of Steele's "The Crisis" (1713): "it is intimated, that it became the English, in generosity, to be more particularly careful in preserving the Union, since the Scotch had sacrificed their national independence, and left themselves in a state of comparative impotence in redressing their own wrongs" (*Works of Swift*, IV, 394).

²⁰*The Letters of Sir Walter Scott, 1787-1832*, ed. H.J.C. Grierson, 12 vols. (London, 1932-7), X, 503.

²¹*Lockhart Papers*, I, 222-3. Lockhart is referring to the reception in Parliament House of the exemplified copy of the Act of Union (19 March 1707).

²²*Tales*, III, 221.

²³A Letter...from Malachi Malagrowth...on the Proposed Change of Currency, 3rd ed. (Edinburgh, 1826), 1st letter, pp. 42-3.

²⁴*Tales*, III, 316.

²⁵J.G. Lockhart, *Memoirs of the Life of Sir Walter Scott*, 7 vols. (Edinburgh, 1837-8), IV, 274-5.

²⁶*Letters*, V, 378. For the case itself, which primarily concerned tenancies on the Queensberry estate and bears an interesting resemblance to *The Bride*, see *Journal of the House of Lords*, L (1816), 526; LI (1818), 487; LII (1819), 604.

²⁷See, e.g., A.V. Dicey and R.S. Rait, *Thoughts on the Union between England and Scotland* (London, 1920), p. 199: "No better historical testimony to the expediency of making the House of Lords a Court of final appeal...can be found than

is given in a note by Sir Walter Scott to *The Bride of Lammermoor*. It clearly represents his own opinion as a Scottish historian." A useful corrective is A.M. Murray's "Administration and Law," in *The Union of 1707: Its Impact on Scotland*, ed. T.I. Rae (Glasgow, 1974), pp. 45-7, though Murray still quotes the *Magnum Bride* as Scott's constant (misguided) view.

²⁸*Substance of the Speeches Delivered by some of the Members of the Faculty of Advocates* (Edinburgh, 1807), pp. 35-6. Scott's retrospective "View" (1810) praises the appeal right as an "inestimable privilege," but again points to the Lords --where the threatened legislation had derived--as the main source of the backlog clogging the Scottish courts: "the far greater number now remaining undiscussed, are to be ascribed alone to the manner in which judicial business is, and, without a great change of system, must be, conducted in the House of Lords" (*Edinburgh Annual Register*, I, Pt. 2 [1810], 359, 363).

²⁹*Malachi Malagrowther*, 1st letter, p. 14; *Journal of Sir Walter Scott*, ed. W.E.K. Anderson (Oxford, 1972), pp. 156-7.

³⁰*Letters*, XI, 46, 57, 69, 80.

³¹*Ibid.*, XI, 74.

³²*Ibid.*, XI, 24.

³³British Library, Add. MS 40399, ff. 7-8.

³⁴*Journal*, ed. Anderson, p. 530.

³⁵*Letters*, V, 82.

³⁶*Edinburgh Annual Register*, VIII (1816), 27.

³⁷*Letters*, V, 83.

³⁸*Malachi Malagrowther*, 2nd letter, p. 15. The allusion is to *Hamlet*, V.ii.264-6.

³⁹*Letters*, XI, 148.

⁴⁰*Under Which King?* (Edinburgh, 1969), p. 106. Gordon's observation of a "deep current of nationalism" in *The Bride* is characteristically perceptive; but his immediate (Magnum-based) qualification that this is "qualified by the same im-

pulse to assert the British ideal that lies behind Jeanie's journey to the Queen" itself needs qualification. An interesting comparison in the case of both *The Bride* and *The Heart* could be made with Scott's fierce satire against anti-Unionism in *The Black Dwarf* (1816), esp. chs. 2, 11-13.

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