The Union of the Parliaments and Scottish Public Opinion

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George Lockhart of Carnwath famously said, “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…the independency and sovereignty of the Kingdom.”

1 At the turn of the 18th Century, the Kingdom of Scotland was nearly bankrupt. Many different things contributed to this, including a failed attempt to create a colony in the Americas and lack of trade with the English, and made the union with England that occurred in May 1707 necessary. Despite this necessity, the majority of Scots were against the union. Why would most Scots oppose such a union when it was such an obviously needed measure for the Scottish Government to take? Some were opposed to the union with England because they feared that their religious beliefs would be threatened because of the differences between their two churches. Others were afraid of the potential loss of the sovereignty of their nation which many of their ancestors died trying to defend from countless English invasions over the last several centuries.

The Treaty of Union officially united the Kingdoms of Scotland and England into one Kingdom of Great Britain and officially created the Union Flag which combined the

Crosses of St. Andrew and St. George. The Treaty settled the succession issue, proclaiming Sophia of the House of Hannover to be Queen Anne’s successor. It also effectively dissolved both the Scottish and English parliaments and created a new parliament of Great Britain; it also gave everyone on both sides of the border equal standing and access to trade.²

In 1695, the Scottish decided to take their economic fortunes into their own hands and founded the Company of Scotland Trading to Africa and the Indies better known as the Scottish Darien Company. It was established by an act of Parliament and had a monopoly to trade with Africa, Asia, and America; as well as, the establishment of powers to make treaties, plant colonies, and raise capital in Scotland and England.³ Originally the Scottish Darien Company was to be a joint confederation involving Scottish, English, Dutch, and Hanseatic interests. It was reduced to a Scottish venture after King William withdrew his support. William was furious that the act that passed through one of his parliaments was so potentially damaging to the English commercial interests. However, English Parliamentary pressure applied in the interest of the East India Company forced any English investors to withdraw.⁴

The major goal of the Scottish Darien Company was

² Lords Commissioners for the Union of the Kingdoms of England and Scotland, The Articles of the Union as they pass’d with amendments in the Parliament of Scotland, and ratify’d by the touch of the Royal Scepter at Edinburgh, January 16. 1707. By James, Duke of Queensberry, Her Majesty’s High Commissioner for that Kingdom (London: Andrew Bell, 1707).
³ When used without an identifier, Parliament refers to the Scottish parliament.
to establish a trading colony on the Isthmus of Darien. Three expeditions were sent to do just that. As good as it might have looked on paper, it was a colossal failure. In two years the Company lost almost its entire fleet and two thousand lives and £200,000 sterling, a large percentage of the wealth of Scotland. The Darien colony was intended to revive Scotland’s economic fortunes by providing the opportunity for economic growth, prosperity and modernization, as well as the chance to break free of their economic dependence upon England. Its failure meant that considerable national investment had been lost which exacerbated the current economic plight that they were trying to help and confirmed Scotland’s dependence upon the English markets both domestic and colonial.

Union of the two kingdoms was, by the majority of the government, seen as the most suitable solution to the succession issue, the problems highlighted by the Darien scheme, and the economic problems that followed it. Negotiations began in October 1702, only to be concluded without an agreement on 3 February 1703 because the Scottish insistence on compensation for Darien proved to be a major stumbling block. The elections in the autumn of 1702 changed the political balance of parliament. The Cavalier Party, consisting mainly of Jacobites and Episcopalians, was strengthened at the expense of both the Court and Country parties, making future union attempts more problematic.

5 Iredell 12-14.
6 Stephen, 16-17.
7 Ibid.
The Scots, before and after Darien, ascribed their poverty primarily to England’s refusal to allow them any share in her trade with the American colonies and the East. By 1703, after a new Scottish parliament had taken their seats, they were so furious that passed through parliament an act to separate the Scottish crown again unless they were granted equal access to the sources of England’s prosperity.8 The retaliatory act to this “Act of Security” was passed by the English parliament in March 1705 and was called “An Act for the effectual securing the Kingdom of England from the apparent dangers which may arise from several Acts passed by the Parliament of Scotland.” The Alien Act, as it came to be known told the Scots that if they had not accepted the House of Hanover as successors to Anne by Christmas 1705, the union would be suspended and all Scots setting foot in England would be treated as aliens unless they became naturalized Englishmen or joined the armed forces; no Scottish cattle, horses, linen, or coal would be allowed into England; no English wool would be exported to Scotland; and the navy would stop all trade between Scotland and France.9

While the Alien Act was being debated in England, tempers in Scotland rose perilously high. “Invade England Now” became the cry for Scots who knew what was in prospect for them. The Scottish Act of Security provided the arming of a national militia. As a result Presbyterians were

9  Ibid., 78.
agreeing to forget their religious differences in a common
determination “to have out with the English whatever
grievance they had against life on the less fortunate side of
the border.”¹⁰ The Scots were prepared to go to war because
they were scared of what would happen to their religious
independence from England. This was a big deal to Scottish
Presbyterians because they viewed themselves as being the
ture Protestant religion. They believed they had become
more reformed than any other church, especially the Church
of England. This is evidenced by an address to Parliament
by a “considerable body of people in the South and Western
Shires” where they wrote, “We Incorporate with a Nation
deeply Guilty of many National Abominations, who have
openly Broke and Burnt their Covenant in the Year 1643. Are
Sworn to the Maintenance of Abjured Prelacy, have their
Public and Established Worship horridly Corrupted with
Superstition and Idolatry; And their Doctrine dreadfully
Leavened with Socinanism and Arminianism. Besides the most
Gross and Deeply Lamentable Profaneness that abounds
amongst them.”¹¹

In the General Commission of the Church of Scotland’s
first address, they demanded that the security of the Church
be a fundamental article and essential condition of any treaty.
By doing this the commission was sending the Duke of
Queensberry a clear warning that it would resist any union

¹⁰ Ibid., 78-79.
¹¹ To His Grace, Her Majesties High Commissioner and Honourable Estates of Parliament, the
Humble Address of a Considerable Body of People in the South and Western Shires, (Edinburgh,
1706). Spelling corrected when possible; all other grammatical anomalies retained.
in which such an article and essential condition was absent. Their address raised no objections to an incorporating union, but it was a criticism of the treaty as it stood. The treaty made no provision for the security of the Church, and consequently posed an unacceptable threat to the Church. Only the removal of that threat could make it acceptable.\textsuperscript{12}

The position of the Church of Scotland, or the Kirk, was one of the greatest concerns to the unionists and it was feared that unless the religious question was handled carefully there was the immediate prospect of a breach between the church and state that would prove detrimental to the treaty. It was reported that instructions from London urged the government to “take all possible means to satisfy the ministers.”\textsuperscript{13} The General Assembly was not the only group in the Kirk to address the parliament. Three presbyteries also wrote to their own addresses to the government; these were Lanark, Dunblane, and Hamilton. However, this was only three of the sixty-eight presbyteries addressed parliament which amounted to about five percent of the total. All three emphasized their approval of the work of the commission as expressing their covenanted principles. They acknowledged that in light of the addresses from the commission, it might have been unnecessary for them to petition parliament. The presbyteries stated in their addresses that they considered the union to contrary to their known principles and covenants and they could not enter into the

\textsuperscript{12} Stephen, 46-47.
\textsuperscript{13} Ibid., 47.
union without being guilty before God and incurring the guilt of national perjury. In addition to the addresses by the presbyteries, a small number of local parishes, mostly in the three afore mentioned presbyteries, also authored addresses to parliament. While the Kirk itself was not preaching against union some of the ministers were. According to the Earl of Mar, ministers preaching up the danger to the Kirk were the principal cause of the increased hostility to the union. Daniel Defoe, the famed author, also blamed ministers for the hostility to the union among the people. Mar insisted that not only were the ministers across the country preaching against the union, some were calling their people to arms.

One of the most powerful arguments employed against union was that Scotland had been preserved by the providence of God for nearly two thousand years, during which time other nations greater than Scotland had disappeared and their memory rendered extinct. According to these addresses, no other nation had undergone such a comprehensive reformation as Scotland. Such blessings were surely evidence that Scotland had a special place in the purposes of God, and to give away their sovereignty and independence would be to resist that purpose and slight God’s blessings. This is almost exactly what is said the address by “a considerable body of people in the South and Western Shires.”

14 Ibid., 109-10.
15 Ibid., 148-49.
16 Ibid., 115.
17 South and Western Shires.
Fear of losing their religious identity was not the only reason the Scots feared the union. They also feared that they would lose their national sovereignty which was in many ways linked with their national church, and sometimes it is difficult to distinguish between the two because of the lack of a separation of church and state. The Scots seemed to equate loss of sovereignty with a loss of their distinct cultural identity. The Scots also did not under any circumstances want to be governed by the English; they felt they had fought too many wars to maintain their independence from the English for that to happen.

In 1603, James VI of Scotland succeeded Elizabeth I to the throne of the Kingdom of England. Many Scots were pleased and excited that their “Jamie” was going to be king of England. They viewed it as a proper turning of the tables on the English for all of their bloody attempts to impose their kings on Scotland. The Scots were relieved that this was apparently to happen without more conflict and bloodshed and tried, with difficulty, to comprehend that the threat of English invasion might finally be over.\textsuperscript{18} The Union of the Crowns was the first union between the two nations that were historically bitter enemies; however the two kingdoms remained independent from one another.

In fact, nothing in either kingdom was constitutionally changed by the Union of the Crowns at all. Both Scotland and England retained their own separate Privy Councils, parliaments, courts, churches, and taxation. Neither Scots

\textsuperscript{18} Dand, 2.
nor English obtained any rights or privileges in each other’s countries other than those posts or honors that might be given to them by the king. Trade in both countries continued to be protected against the other and it was a punishable offence for a Scot to try to trade with an English colony. Scots could, however, trade with France or any other country England might go to war with.  

James did try to create a closer union between the two nations. In his first address to the English parliament, James said, “What God hath conjoined let no man separate. I am the Husband and all the whole Isle is my lawful wife. I am the Head and it is my Body. I am a Christian King under the Gospel, should be a Polygamist and Husband to two Wives; that I, being the Head, should have a divided and monstrous Body... And as God hath made Scotland the one half of this Isle to enjoy my birth and the first and most imperfect half of my life, and you here to enjoy the perfect and the last half thereof, so can I not think that any would be so injurious to me as to cut asunder the one half of me from the other.”

He proposed that he should be styled King of Great Britain and Ireland, there should be a flag combining the crosses of St. George and St. Andrew, trade should be free between the two countries, and all his subjects should enjoy equal citizenship rights on both sides of the border. The English parliament would have agreed on the first two, but James failed to persuade the English to agree to any Scottish share in their

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19  Ibid., 15-16.  
20  Ibid.
much more profitable trade so the attempt at union failed.\textsuperscript{21}

King William made one final attempt to begin negotiations in an address to the English parliament on 28 February 1702, just days before his death, and Queen Anne maintained his initiative. After William’s death, elections for a new parliament in Scotland should have occurred, but James Douglas, 2nd Duke of Queensberry, persuaded Anne to reconvene the current parliament which had sat since the Glorious Revolution. Opposition led by James Douglas, 4th Duke of Hamilton, protested that this parliament was illegal and withdrew. Their walk-out helped force a general election, but, in the meantime, Queensberry took the opportunity to pass acts ratifying the Queen’s succession, securing the Church of Scotland and Presbyterian church government, and nominating commissioners to negotiate a union.\textsuperscript{22}

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\textsuperscript{21} Ibid.
\textsuperscript{22} Stephen, 16-17.
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With Britannia teetering on the brink of war, progress was finally made on a union between the two kingdoms. In late 1705, delegations from both the Scottish and English parliaments met in London to compose a treaty of union. By late 1706, the acts were being debated in both parliaments. Nearly the entire Scottish parliament was present for these debates which consisted of over three hundred lords, barons, and burgesses. An average attendance in excess of two hundred appears even more remarkable when it is noted that of the peerage not attending there was someone else corresponding for the absence of at least seventy.\textsuperscript{24} As undemocratic -- in the modern sense-- as the Parliament might have been, it is not unreasonable to consider that the Parliament gave a fairly reasonable picture of the amount of Unionists and anti-Unionists in the country, if the Highlands were disregarded.\textsuperscript{25}

During the debates on the articles of the Treaty of Union, there was ample evidence of opposition to the union outside of Parliament, which, according to George Lockhart of Carnwath, was being “crammed down Scotland’s throat.” Riots occurred in Glasgow and Edinburgh with the mob up to the doors of the Parliament House until guards were brought from Edinburgh Castle. The Articles were even burnt at the market-cross of Dumfries.\textsuperscript{26} The Earl of Mar claimed that he,

\begin{itemize}
  \item \textsuperscript{23} Ibid.
  \item \textsuperscript{24} Iredell, 18-19.
  \item \textsuperscript{25} Ibid., 41.
  \item \textsuperscript{26} Ibid., 40-41.
\end{itemize}
the Duke of Argyll and the Earls of Lothian and Loudon, all supporters of the union, expected an attack at any minute while at Loudon’s lodgings in Edinburgh. In contrast, the Dukes of Hamilton and Atholl, both against union, were cheered all the way to their lodgings. During the first half of 1707, there was so much unrest that the possibility of a Rising was investigated by the Irish adventurer, Colonel Nathaniel Hooke, who was acting directly for the French.

Inside Parliament, things were just as heated as what was happening outside. Many eloquent speeches were read by different members of Parliament. Most notable of these was the Lord Belhaven’s speech to Parliament on the second of November 1706 where he said, “…But above all, my Lord, I think I see our ancient mother CALEDONIA, like Caesar sitting in the midst of our senate, ruefully looking about, covering herself with her royal garment, attending the fatal blow, and breathing out her last, with a *Et tu quoque mi fili Squadrone…” A country farmer who wrote a letter to his laird who was a member of parliament also uses this same type of logic as the group from the South and Western Shires. However, he focuses more on the losing sovereignty and cultural identity, focusing less on religion. The farmer spends most of the letter speaking about how the union is

27 Stephens, 139.
28 Iredell, 56.
29 John Hamilton, 2nd Baron Belhaven, *The Lord Belhaven’s speech in the Scotch Parliament, the second of November, on the subject-matter of an union betwixt the two kingdoms of Scotland and England* (Edinburgh: 1706) Translation: “And you, too, my son Squadrone.” The Squadron was a faction in the Scottish Parliament that was generally against Union but end up voting in favor of the Union.
30 A laird is a member of the Scottish gentry that ranks just below baron.
detrimental to Scotland because everything will have to change. He says, “It’s sad you’re going to put down our Parliaments, and make us on more a Kingdom, and give us up to beat the English reverence, to be ruled and guided in all things by them…”\textsuperscript{31} The farmer believed that since the English wronged the Scots in the past that it is very likely that this will happen again. The farmer does mention the Kirk, which is hard to separate from the cultural identity of Scotland, and begins to say that it would be a sin against God to enter into the union. He also said that he wished God may guide parliament and give them the grace and wit to be both a “true-hearted Scotsman and honest Presbyterians” and that he speaks for many of the people in the area.\textsuperscript{32}

It seems that despite the need to do something, which was apparent to a large number of Scots, they were still fearful of a union with England because they feared they would lose all of their national sovereignty and identity and their religious identity, neither of which can be completely removed from the other. Such public outcry from the Scottish people makes it surprising that a rebellion did not happen in Scotland in 1707 although the feelings about union probably did contribute to the Jacobite Rising of 1715. Since the Acts of Union went into effect on 1 May 1707, Scots have been pushing for independence from England with varying degrees of support, though never higher than those first

\textsuperscript{31} The farmer wrote in the Scots language which is similar to English and could be considered a dialect rather than a separate language; words translated to modern English, style kept as close as possible to the original.

\textsuperscript{32} A Copy of a Letter from a Country Farmer to His Laird, a Member of Parliament, (1706).
few years. Scotland may yet become independent nation, however, the day the Scottish parliament passed the Acts of Union was, as the Earl of Seafield put it, “the end of ane auld sang.” 33

33 Translation: “The end of an old song”