

*R*EGENCY IN
SIXTEENTH-CENTURY
SCOTLAND



AMY BLAKEWAY

REGENCY IN SIXTEENTH-CENTURY SCOTLAND

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REGENCY IN SIXTEENTH-CENTURY
SCOTLAND

Amy Blakeway

THE BOYDELL PRESS

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This book is dedicated to my mother,
Christine Blakeway (née Kirkham)

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Abbreviations

ADC	<i>Acts of the Lords of Council in Public Affairs, 1501–54</i> , ed. R. K. Hannay (Edinburgh, 1932)
AE	Archives Étrangères, Paris
AN	Archives Nationales, Paris
BL	British Library, London
BNF	Bibliothèque Nationale de France, Paris
HMC	Historical Manuscripts Commission
HP	<i>The Hamilton Papers</i> , ed. Joseph Bain (2 vols, Edinburgh, 1890)
NLS	National Library of Scotland, Edinburgh
NRS	National Records of Scotland (formerly the National Archives of Scotland), Edinburgh
RMS	<i>Registrum Magni Sigilli Regum Scotorum, Register of the Great Seal of Scotland</i> , ed. J. Thompson et al. (11 vols, Edinburgh, 1882–1914)
RPC	<i>Register of the Privy Council of Scotland</i> , ed. J. H. Burton et al. (first series, 14 vols, Edinburgh, 1877–1933).
RPS	<i>The Records of the Parliaments of Scotland to 1707</i> , ed. K. M. Brown et al. (St Andrews, 2007–2010).
RSS	<i>Registrum Secreti Sigilli Regum Scotorum, Register of the Privy Seal</i> , ed. M. Livingstone et al. (8 vols, Edinburgh, 1908–82)
SHR	<i>Scottish Historical Review</i>
TA	<i>Accounts of the Treasurer of Scotland</i> , ed. T. Dickson et al. (13 vols, Edinburgh, 1877–1970)
TNA	The National Archives, London

A Note on the Text

Throughout this book, original orthography has been preserved. Contractions have been expanded, this is indicated in italics. Thorn has been rendered as ‘th’ and yough as ‘y’. When quoting from a French or Latin source I have given the original in the main text and offered a translation in the footnotes. Unless otherwise specified, all translations are my own. All money is £Scots, unless otherwise specified. All dates are given new style, with the year beginning on 1 January.

ABBREVIATIONS

Several individuals discussed in this book changed titles during their careers. They are always referred to by the title they held at the point under discussion. Thus, James Hamilton is referred to as the earl of Arran prior to January 1548, after which point he was known as the duke of Châtelherault.

Timeline of Regents and Monarchs

10 April 1512	Birth of future James V
9 September 1513	Death of James IV, accession of James V Margaret Tudor (widow of James IV, mother of James V) appointed regent
6 August 1514	Margaret forfeited second regency through marriage to Archibald Douglas, earl of Angus
18 May 1515	Arrival of John Stewart, duke of Albany, heir apparent of James V. Appointed Governor.
July 1524	Albany ejected from the regency, Council headed by Margaret to help James rule.
November 1525	Archibald Douglas, earl of Angus, seized power.
July 1528	James V ousted Angus from power and commenced his personal rule.
8 December 1542	Birth of future Mary, Queen of Scots
14 December 1542	Death of James V, accession of Mary, Queen of Scots
3 January 1543	James Hamilton, second earl of Arran, heir apparent to Mary, appointed Governor
12 April 1554	Marie de Guise (widow of James V, mother of Mary) replaced Arran (now duke of Châtelherault) as Regent.
11 June 1560	Death of Marie de Guise
19 August 1561	Mary, Queen of Scots, returned to Scotland and commenced personal rule
19 June 1566	Birth of future James VI
24 July 1567	Mary, Queen of Scots, signed letters of abdication, accession of James VI
22 August 1567	James Stewart, earl of Moray, illegitimate half-brother of Mary, Queen of Scots, appointed regent
23 January 1570	Assassination of Moray
11 July 1570	Matthew Stewart, earl of Lennox, James VI's paternal grandfather, appointed regent

TIMELINE OF REGENTS AND MONARCHS

4–5 September 1571	Lennox assassinated, appointment of John Erskine, earl of Mar (Moray's maternal uncle and keeper of James VI) to the regency
29 October 1572	Death of regent Mar
24 November 1572	Election of James Douglas, earl of Morton
March 1578	Morton deposed from the regency but swiftly regained informal power.
2 June 1581	Morton executed for treason.

Introduction

*We shall now enter into a time full of distempers, and shall see a child crowned.*¹

When John Maxwell, fourth Lord Herries of Terregles, sat down to write his memoirs, he recollected royal minorities as troubled times. This former warden of the West March could justifiably consider himself an authority on the subject, since he and his contemporaries had gained considerable experience of child kings. For fifty years of the sixteenth century, Scotland lacked an adult monarch.² James V became king aged seventeen months; his daughter, Mary, succeeded him when six days old; in turn, Mary's son, James VI, was crowned a month after his first birthday. Royal minorities were a hazard attendant upon hereditary monarchy and occurred throughout Europe, yet dynastic chance ensured that the Scots experienced an unprecedented quantity of child rulers. During these long years of royal infancy, the Scots made alternative arrangements for governance. In addressing the 'problem' of royal minority, the Scots' preferred option was to appoint an individual to exercise the monarch's powers on their behalf. The individuals so endowed with the monarchical prerogative were variously entitled governor, tutor, or, most commonly, regent. This book is the first sustained study of the office they held.

Traditionally, regents have received a bad press from historians. This negative view has a distinguished pedigree, since by the sixteenth century the association between minority and political disturbance had already developed into a literary trope. The opening quotation from Herries is only one example among many. For the scripturally inclined, such as the fifteenth-century chronicler Walter Bower, or the Observantine friar Adam Abell writing in the 1530s, Ecclesiastes 10:16 provided a compelling watchword: 'Woe is the land where the king is a child, for there never peace nor justice reigned.'³ John

¹ John Maxwell, fourth Lord Herries, *Historical Memoirs of the Reign of Mary, Queen of Scots and a Portion of the Reign of King James the Sixth*, ed. Robert Pitcairn (Edinburgh, 1836), p. 1.

² Different lengths are given for the duration of royal minorities due to the complex and lengthy processes whereby monarchs began their personal rules. The dates on which this figure is based are: James V, September 1513–June 1528 (14 years, 9 months); Mary, December 1542–August 1561 (18 years, 8 months); James VI, July 1567–May 1584 (16 years, 10 months).

³ For Bower: Alan Young, 'The Political Role of Walter Comyn, Earl of Menteith, during the Minority of Alexander III of Scotland', *SHR* 57 (1978), pp. 121–42, at p. 131;

Lesley, bishop of Ross, writing c.1568–78, gravely recalled the ‘greyt trouble and civill seditione in the realme’ which had troubled Scotland during James II’s minority; meanwhile, Lesley averred, the minority of Mary, Queen of Scots, was characterised by ‘diverse factionis’.⁴ The late-sixteenth-century historian Robert Lindsay of Pitscottie expressed similar sentiments at greater length, reminding readers that civil disturbances during James V’s minority had arisen amongst the Scots because ‘the prince was young and no autorietie to rigne abone them at that tyme’.⁵ Such concerns for the monarch and the kingdom during a royal minority could be flavoured with antique authenticity through reference to classical learning. The diplomat and busybody Sir James Melville of Halhill’s memoirs, written at the turn of the sixteenth century, furnished his readers with three examples which he himself had translated from the second-century BC Greek historian Polybius. These, Melville explained, revealed how young princes were ‘onworthely mishandled, be them that wer left to be ther cheif gouernours and consellers’. Melville saw these stories as particularly relevant, ‘because the lyk hes chancit laity in thir partis’.⁶ When the author of the *Complaynt of Scotland*, penned during Mary’s minority, anxiously asserted that ‘the youthed of ane prince or of ane princesse, is nocht the cause of the runyne of ane realme, nor yit the perfyit aige of ane prince is nocht the cause of the gude gouernyng of ane public veil’, he spoke as a voice in the wilderness.⁷

The correlation which these sixteenth-century chroniclers and diarists drew between the monarch’s age and governmental effectiveness was broadly accepted until the 1980s. In 1981, Jenny Wormald’s famous remark that fifteenth-century minorities functioned as a ‘safety valve’ in Scottish government helped to facilitate a new view of minority as a time when power was rebalanced away from an expansionist crown, back towards the magnates.⁸ This view of minority as a restoration of equilibrium was part of a wider

Abel actually rendered the quotation into Scots: ‘Wa is ye kinrik quhar ye king is ane barne, ffor yan nower pece nor iustice rang’, Adam Abell, ‘The roit or quheill of tyme’, NLS MS 1746 f. 115r.

⁴ John Lesley, *History of Scotland from the Death of King James I in the Year 1436 to the Year 1561*, ed. T. Thomson (Edinburgh, 1830), pp. 11, 169.

⁵ Robert Lindsay of Pitscottie, *The History and Cronicles of Scotland from the Slauchter of King James the First to the ane thousande fyve hundreith thrie scoir fyftein zeir*, ed. Æ. J. G. Mackay (Edinburgh, 1899–1911), vol. I, p. 280.

⁶ *Sir James Melville of Halhill, Memoirs of His Own Life 1549–1603*, ed. Thomas Thompson (Edinburgh, 1827), p. 39.

⁷ Anon., *Complaynt of Scotland* (Paris, 1550). The traditional attribution of this text to Robert Wedderburn has been challenged: J. K. McGinley, ‘Wedderburn, James (c.1495–1553)’, *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/28956>, accessed 11 Dec. 2013]. Similar arguments were advanced in an English context: Hugh Latimer, *A moste faithfull sermo[n] preached before the Kynges most excellen[te] Maiestye, and hys most honorable Council, in his court at Westminster, by the reuerende Father Master Hughe Latymer* (London, 1553).

⁸ Jenny Wormald, *Court, Kirk, and Community: Scotland 1470–1625* (Edinburgh, 1981), p. 13.

rehabilitation of the Scottish nobility, particularly focused upon a favourable reassessment of their local, lordship-based justice.⁹ More recently, Julian Goodare's characterisation of sixteenth-century minorities as periods which facilitated institutional development through 'a more collective style of government by the magnates, with a more active role for parliaments and councils' similarly emphasises that minorities were not periods of breakdown but rather of change.¹⁰ This observation, in turn, arose in the context of broader claims surrounding the development of an 'absolutist state' in Scotland.¹¹ The significance of both these claims cannot be overstated and the present book is built upon the new understanding of minority made possible by these insights.

Nevertheless, at this juncture it is worth considering what government during a royal minority actually comprised. Referring to a monolithic entity of 'minority government' is problematic since in doing so several distinct types of regime are misleadingly grouped together. This is not a particularly novel observation, but it is a point which nevertheless requires emphasis.¹² Government during any given royal minority could comprise any combination of several types of regime. Regency, when one individual was legally appointed to, as contemporaries had it, 'bear the monarch's person', was the Scots' preferred mode of governance during a minority.¹³ Eight regents were appointed during the three sixteenth-century minorities: Margaret Tudor (r.1513–14); John Stewart, duke of Albany (r.1515–24); James Hamilton, duke of Châtellherault and earl of Arran (r.1543–54); Marie de Guise (r.1554–60); James Stewart, earl of Moray (r.1567–70); Matthew Stewart, earl of Lennox (r.1570–1); John Erskine, earl of Mar (r.1571–2); and James Douglas, earl of Morton (r.1572–8). Government by an individual regent, aided by crown servants ranging from the higher nobility to minor officials, and utilising the machinery of government, was therefore the norm during royal minorities. If regents were absent abroad, they could delegate to

⁹ For key contributions to this reassessment see: Jenny Wormald, 'Bloodfeud, Kindred and Government in Early Modern Scotland', *Past and Present* 87 (1980), pp. 54–97; Jenny Wormald, *Lords and Men in Scotland: Bonds of Manrent 1442–1603* (Edinburgh, 1985); Jenny Wormald, 'Taming the Magnates?', in K. J. Stringer (ed.) *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), pp. 270–80; Keith Brown, *Bloodfeud in Scotland 1573–1625: Violence, Justice and Politics in an Early Modern Society* (Edinburgh, 1986); Keith Brown, *Noble Society in Scotland: Wealth, Family and Culture from the Reformation to the Revolution* (Edinburgh, 2004); Keith Brown, *Noble Power in Scotland from the Reformation to the Revolution* (Edinburgh, 2011).

¹⁰ Julian Goodare, *The Government of Scotland: 1560–1625* (Oxford, 2004), p. 130.

¹¹ Julian Goodare, *State and Society in Early Modern Scotland* (Oxford, 1999).

¹² Several studies of individual regents, discussed at more length below, make this point. These include: W. K. Emond, 'The Minority of James V 1513–1528' (Ph.D. thesis, University of St Andrews, 1988); G. R. Hewitt, *Scotland under Morton* (Edinburgh, 1982).

¹³ For examples of this phrase see: Acta Dominorum Concilii, 1518–19, NRS CS5/32 f.189; Privy Council Register, 1545–8, NRS PC1/1 f.78r; RPC I p. 648; Commissary Court Book, 1570–2, NRS CC8/2/5 f. 184r.

councils to rule during their absence. This occurred three times during James V's minority: between May 1517 and December 1521; from October 1522 to September 1523; and between May and August 1524. On each occasion the regent, John Stewart, duke of Albany, had visited France to undertake both diplomatic and personal business. In due course, James V and James VI would delegate royal power to councils during their absences abroad.

Regency thus provided a quasi-monarchical 'individual-aided-by-counsellors' model of government. In so doing, it was the form of minority government that offered the most continuity with adult monarchical rule. By contrast, minorities also witnessed short periods when no legally constituted authority existed. This occurred if a monarch or regent died or forfeited their office and no immediate replacement was available. In these cases, a collection of the nobility, possibly describing themselves as a council, functioned as a place-holding regime until a legally constituted regent or an adult monarch took power. This happened between the end of Margaret Tudor's regency in August 1514 and the arrival of Albany as her replacement in May 1515. When James V died intestate on 14 December 1542, a council temporarily took power until Arran's appointment on 3 January 1543. The same situation arose between Guise's death in June 1560 and the arrival of Mary, Queen of Scots, from France in August 1561. Similarly, between Moray's assassination in January 1570 and Lennox's appointment in July, government was headed by the privy council, as it was between Mar's death and Morton's election, respectively on 28 October and 24 November 1572. Finally, twice during the sixteenth century Scotland experienced periods when, although the monarch had technically been declared an adult, he was not yet old enough to exercise power. This occurred following Albany's deposition in 1524, when Margaret Tudor regained power temporarily until 1525, at which point the earl of Angus seized control until James V commenced his personal rule in 1528. Similarly, following Morton's deposition in 1578 a series of regimes succeeded each other before James VI finally took power into his own hands in 1584.

By foregrounding the office of regency as one distinct type of minority government and contextualising it within the political system, this book takes the debate on Scottish royal minorities in a new direction. Wormald, Goodare and others have helpfully shifted perceptions of minority as compared with an adult monarch from 'worse' to 'different'. Indeed, Goodare's phrase 'the problem of royal majorities' neatly turns assumptions about governmental breakdown on their head.¹⁴ This book makes the case that a greater continuity could exist between regency and adult monarchical rule than has hitherto been appreciated. Regents were appointed in order to behave like adult monarchs and, by and large, this is what they tried to do. Nevertheless, as Elizabeth I recognised when observing Scotland during the minority of James VI, 'if ye minority and bass age of kyngs and Quenes, shuld

¹⁴ Goodare, *State and Society*, p. 67.

... mak ye Gounermente imperfect ... and stey subjects ... from obdiencie of ther kyngs in ther minoretys' then 'so shuld kyngdoms and Monarchies in Chrestendom, be often tymes in gret danger of Gouernment'.¹⁵ If the monarch's age did not make the government of a kingdom 'imperfect', it therefore follows that whoever took their place held full, or perfect, governmental powers.

Nevertheless, this case should not be overstated. Monarchs and regents were not identical, and individual regents governed with various degrees of success. In an age of personal monarchy – and personal monarchy was what regency sought to emulate – more subtle changes to governmental style occurred with each new ruler. Each monarch or regent had their own distinctive interests, strengths and weaknesses. The extent to which regents embraced a monarchical style is a recurring concern in this book, as are the ways in which the regents negotiated the conflicting pressures of their continued commitments as major magnates alongside their new responsibilities as representatives of the crown. When regents misjudged this balance between magnatial and monarchical commitments the consequences for their positions and reputations were grave. Furthermore, like monarchy and government more broadly, regency itself evolved during the sixteenth century. How contemporaries conceptualised regency developed over time, as part of a reciprocal relationship with governmental practice. Practice altered to accommodate new ideas, just as ideas evolved to take account of changing practice.

At the outset, it should be made clear that this study is not intended to provide a set of eight neat political biographies, one for each regent. The historiography surrounding regency to date, where this exists at all, takes the form of such discrete individual biographical studies or explorations of a single minority. Many of these studies are explicitly framed in response to the safety-valve thesis. This, for example, motivates W. K. Emond's magisterial doctoral thesis of 1988, which provides an unrivalled account of James V's minority, emphasising the sharp distinctions amongst governmental regimes within this period.¹⁶ Sadly, as with many of the most significant contributions to the study of minorities in recent years, this research remains unpublished and very little has been added to the study of James V's minority in the years which have elapsed since Emond wrote. Margaret Tudor has excited some subsequent scholarly interest, but this has been largely confined to ceremonial aspects of her role as queen consort; her performance as regent has been either ignored or dismissed.¹⁷ In contrast to the derision

¹⁵ Elizabeth to Drury and Randolph, 17 Mar. 1572, TNA SP52/22 f. 103v.

¹⁶ Emond, 'Minority of James V'. For Anglo-Scottish relations in this period: Richard Glen Eaves, *Henry VIII's Scottish Diplomacy, 1513–1524: England's Relations with the Regency Government of James V* (New York, 1971); Richard Glen Eaves, *Henry VIII and James V's Regency, 1524–8* (Lanham MD, 1987). Note the mistaken assumption in the title that there was a legally constituted regent in Scotland during this period.

¹⁷ Pamela Tudor-Craig, 'Margaret, Queen of Scotland, in Grantham, 8–9 July 1503', in Benjamin Thompson (ed.), *The Reign of Henry VII: The Proceedings of the 1993 Harlaxton*

of Margaret Tudor's performance as regent, Albany's strengths as governor, including a particular concern for justice, have been accepted by scholars writing both pre and post Emond.¹⁸ However, Albany's undoubted successes were counterbalanced by the fact that during his nine year regency he was only in Scotland for three brief visits, totalling just under four years.¹⁹

Mary's minority is somewhat better trodden ground than those of her father or son. Nonetheless, coverage is patchy, with a focus largely upon Scotland's international position and the rise of Protestantism. For both these themes, the opening months of the regency of James Hamilton, second earl of Arran, are highly significant. This period also provides the foundation upon which broader interpretations of Arran's rule and character are built. Arran obtained the regency in January 1543 on the basis of his position as heir presumptive to the infant Queen Mary, after which he embarked on a programme of radical religious reforms coupled with diplomatic rapprochement with the English. As a consequence of these reforms, the period from January to September 1543 is often described as Arran's 'godly fit'. By early September, however, Arran had apparently undergone a sudden 'conversion'

Symposium (Stamford, 1995), pp. 261–79; Louise Fradenburg, 'Sovereign Love: the Wedding of Margaret Tudor and James IV of Scotland', in Louise Fradenburg, *Women and Sovereignty* (Edinburgh, 1992), pp. 78–100; L. J. MacFarlane, 'The Book of Hours of James IV and Margaret Tudor', *Innes Review* 11 (1961), pp. 3–21; Lorna G. Barrow, "'the Kyng sent to the Qwene, by a Gentyلمان, a grett tame Hart": Marriage, Gift Exchange, and Politics: Margaret Tudor and James IV, 1502–1513', *Parergon* 21 (2004), pp. 65–84. For an overview of her legal affairs see: John Finlay, 'Robert Galbraith and the Role of Queen's Advocate', *Juridical Review* (1999), pp. 277–90. For a critique of Margaret's position in the existing historiography: Louise Fradenburg, 'Troubled Times: Margaret Tudor and the Historians', in Sally Mapstone and Juliette Wood (eds.) *The Rose and the Thistle: Essays on the Culture of Late Medieval and Renaissance Scotland* (East Linton, 1998), pp. 38–58. Her one biography is unscholarly, as are various accounts of her life as one of Henry VIII's sisters: Patrician Buchanan, *Margaret Tudor, Queen of Scots* (Edinburgh, 1985); H. W. Chapman, *The Sisters of Henry VIII: Margaret Tudor, Queen of Scotland, and Mary Tudor, Queen of France and Duchess of Suffolk* (London, 1969); N. L. Harvey, *The Rose and the Thorn: the Lives of Mary and Margaret Tudor* (New York, 1975); Maria Perry, *Sisters to the King: the Tumultuous Lives of Henry VIII's Sisters, Margaret of Scotland and Mary of France* (London, 1998). A more scholarly approach to Margaret as Henry's sister and a consideration of her sexual reputation can be seen in: Margaret McIntyre, 'Tudor Family Politics in Early Sixteenth Century Scotland', in R. A. MacDonald (ed.), *History, Literature, and Music in Scotland 700–1560* (Toronto, 2002), pp. 187–207. However, Margaret was (somewhat surprisingly given the excellent copy her life makes) written out of the recent popular television series *The Tudors*.

¹⁸ Marie W. Stuart, *The Scot Who Was a Frenchman: being the Life of John Stewart, Duke of Albany in Scotland, France and Italy* (London, Edinburgh, Glasgow, 1940); Dana Bently-Cranch and Rosalind Marshall, 'John Stewart, Duke of Albany, Lord Governor of Scotland, and His Political Role in Sixteenth-Century France: a Reassessment in the Light of New Information', *Proceedings of the Society of Antiquaries of Scotland* 133 (2003), pp. 293–313; Elizabeth Bonner, 'Stewart, John, Second Duke of Albany (c.1482–1536)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, May 2006 [<http://www.oxforddnb.com/view/article/26488>, accessed 14 May 2014].

¹⁹ Emond, 'Minority of James V', pp. 143–287, 324–64.

which led him to renounce religious reform and England, meekly submitting himself to the archbishop of St Andrews, Cardinal David Beaton.²⁰ Following this, Arran's policies reversed: he worshipped as a Catholic and pursued a French alliance. These apparent changes of heart have led to Arran's reputation as 'inconstant', an epithet which forms a prominent component of the large body of scholarship casually dismissive of Arran's character and efficacy as governor.²¹

This account is gradually being revised. Marcus Merriman argued that rather than a sudden conversion in September, Arran began to distance himself from his former policies over the summer. His reconciliation with Beaton in September was thus a considered retraction, not a sudden volte-face.²² In 2006, Alec Ryrie offered a substantially different account of the period. Ryrie emphasised the 'limits to Arran's reformism' and pointed to the proximity of Arran's religious programme to that of Henry VIII, arguing that Arran deliberately courted English support in order to secure his domestic position against rivals.²³ The account of Arran as successfully deceiving the English for the purposes of consolidating his power and delaying military conflict is highly persuasive, although it has yet to exert a broad influence on the study of this period. Both Merriman and Ryrie thus nudge towards a cautious revision of Arran's reputation. The findings presented in this book suggest that this can be carried further; nevertheless, a full revisionist study of Arran remains a highly desirable enterprise.²⁴ In 1548, Arran was further ennobled by the gift of the French duchy of Châtellherault. Throughout this book, when discussing his activities following this elevation, he is referred to by his new title, and the same practice has been followed when referring to any individual whose title changed during the period covered by this study.

Despite the fact that Guise ruled Scotland for half the time that Châtellherault did, her regency has received almost double the amount of scholarly attention.²⁵ Existing studies have rightly emphasised the change

²⁰ For an account of the period which emphasises Beaton's role see: Margaret Sanderson, *Cardinal of Scotland: David Beaton c. 1494–1546* (revised edition, Edinburgh, 2001), p. 160.

²¹ This adjective originated with Knox: *John Knox's History of the Reformation in Scotland*, ed. W. C. Dickinson (2 vols, Edinburgh, 1949), I, p. 50. For Arran's otherwise dreadful historiographical reputation see, amongst others: Norman Macdougall, *The Antidote to the English: the Auld Alliance, 1295–1560* (East Linton, 2001), p. 135; Sanderson, *Cardinal of Scotland*, p. 160; David Franklin, *The Scottish Regency of the Earl of Arran: a Study in the Failure of Anglo-Scottish Relations* (Lampeter, 1995), p. 22, although Franklin later acknowledges that Arran had some success as governor, pp. 33–4; Rosalind Marshall, *Mary of Guise* (Glasgow, 1977), p. 103.

²² Marcus Merriman, *The Rough Wooings: Mary, Queen of Scots 1542–1551* (East Linton, 2000), pp. 115, 127.

²³ Alec Ryrie, *The Origins of the Scottish Reformation* (Manchester, 2006), pp. 48–60.

²⁴ Keith M. Brown, 'Early Modern Scottish History: A Survey', *SHR* 92 (2013), pp. 5–24 at p. 23.

²⁵ The two studies which consider Arran's regency in some detail do so from a diplomatic perspective: Merriman, *Rough Wooings*; Franklin, *Scottish Regency of the Earl of*

of personnel which her regency brought, including the promotion of French officials into Scottish offices, although a strong Scottish contingent remained in her government.²⁶ Pamela Ritchie has suggested that Guise's focus was primarily dynastic and, more controversially, that her objectives surrounding familial power overrode religious concerns.²⁷ Ritchie's case for Guise's dynastic agenda is absolutely compelling. It is also abundantly clear that for much of her regency Guise was willing to accept loyal service regardless of the confessional position of the servant in question, a characteristic she shared with other rulers.²⁸ This exposure of Guise's dynastic interests is helpfully supplemented by Ryrie's consideration of Guise's relations with the Church, particularly her systematic failure to support the reform efforts instituted by John Hamilton, archbishop of St Andrews.²⁹ Hamilton's replacement as treasurer by the Protestant Gilbert Kennedy, earl of Cassillis, signified his alienation from Guise's regime.³⁰ It is probable that 'the love was very cold betwixt' regent and archbishop, yet it is unlikely that personal antagonism provides the only explanation for this lack of backing.³¹ A desire to prevent Archbishop Hamilton from becoming a potential rival of the stature of Archbishop Beaton, or an impulse to curb church power (shared by rulers across the confessional divide), are plausible explanations for Guise's coolness towards Hamilton's reforms. Before 1559, Protestants may simply not have seemed as great a threat as an over-mighty prelate drawn from the ranks of Scotland's 'second family'.

Arran. Further, Franklin's study is almost exclusively reliant on printed sources. No study of Arran's domestic rule exists and it is much needed. Guise enjoys a solid and detailed biography, and a more scholarly political biography focused upon her regency: Marshall, *Mary of Guise*, and Ritchie, *Mary of Guise*, respectively. Her relations with parliament have also been assessed in detail: Pamela Ritchie, 'Marie de Guise and the Three Estates, 1554–1559', in Keith M. Brown et al. (eds), *Parliament and Politics in Scotland, 1235–1560* (Edinburgh, 2004), pp. 179–202.

²⁶ Ritchie, *Mary of Guise*, pp. 125–6.

²⁷ Ritchie, *Mary of Guise*, p. 198.

²⁸ For Elizabeth: Michael Questier, 'Loyal to a Fault: Viscount Montague Explains Himself', *Historical Research* 77 (2004), pp. 225–53. For James VI: Maurice Lee, 'King James' Popish Chancellor', in I. B. Cowan and D. Shaw (eds.), *The Renaissance and Reformation in Scotland: Essays in Honour of Gordon Donaldson* (Edinburgh, 1983), pp. 170–182; Ruth Grant, 'The Brig O'Dee Affair, the Sixth Earl of Huntly and the Politics of the Counter-Reformation', in Julian Goodare and Michael Lynch (eds), *The Reign of James VI* (East Linton, 2000), pp. 93–109.

²⁹ For the aftermath of Beaton's assassination when Hamilton obtained power see: Elizabeth Bonner, 'The Recovery of St Andrews Castle in 1547: French Naval Policy and Diplomacy in the British Isles', *English Historical Review* 111 (1996), pp. 578–98. For Archbishop Hamilton see: J. K. Cameron, 'The Cologne Reformation and the Church of Scotland', *Journal of Ecclesiastical History* 30 (1979), pp. 39–64; J. K. Cameron, "'Catholic Reform" in Germany and in the pre-1560 Church in Scotland', *Records of the Scottish Church History Society* 20 (1978–80), pp. 105–17; Alec Ryrie, 'Reform without Frontiers in the Last Years of Catholic Scotland', *English Historical Review* 119 (2004), pp. 27–56.

³⁰ Ryrie, 'Reform without Frontiers', p. 53.

³¹ Knox, *History of the Reformation in Scotland*, I p. 183.

This distaste for Hamilton does not mean that Guise completely lacked interest in confessional matters, but rather, that she failed to support his reforms and excluded him from her own initiatives.³² Ryrie has persuasively argued that Guise's failure to advance religious reform, coupled with an insufficiently robust response to heresy, helped to foment the Reformation Rebellion of 1559–60. The wealth of scholarship which already surrounds these events makes this one of the best studied areas of the sixteenth century. Accordingly, it is not a topic with which this book engages in detail. This is not an attempt to downplay the significance of the Reformation; rather it is an acknowledgement of the quality of the existing scholarship of historians such as Gordon Donaldson and James Kirk, and, more recently, Ryrie and Clare Kellar.³³

Like the Reformation Rebellion, the deposition of Mary, Queen of Scots, as the culmination of her well studied personal rule, has received an unusually large amount of historical attention. Indeed, much of the commentary on James VI's first regent, James Stewart, earl of Moray, has simply considered Moray as a foil to Mary.³⁴ Debate surrounding Moray's regency has coalesced on the extent of his personal ambition to be regent and the support which his regime enjoyed. Since Moray was absent from Scotland between April and July 1567, he was not personally involved in Mary's deposition and this disassociation rendered him more acceptable as regent. Claire Webb has provided the most convincing account of this period. Whilst acknowledging that Moray's potential desire for the regency 'cannot be proven', Webb avers that Moray travelled abroad hoping to regain political favour and power on his return, whether as Mary's chief councillor or in a post-Marian regime.³⁵ Webb's critical reassessment of Moray provides an important corrective to Maurice Lee's earlier hagiographical study, but, sadly, remains unpublished.³⁶ Meanwhile, Mark Loughlin's biography of William Maitland of Lethington, Moray's erstwhile confidant-turned political opponent, emphasised Moray's close association with Lethington, and also, unusually, assessed both Moray and Mary's political abilities favourably.³⁷

³² Ryrie, 'Reform without Frontiers', pp. 53–4.

³³ Gordon Donaldson, *The Scottish Reformation* (Cambridge, 1960); James Kirk, 'The Influence of Calvinism on the Scottish Reformation', *Records of the Scottish Church History Society* 18 (1974), pp. 157–79; Clare Kellar, *Scotland, England, and the Reformation 1534–61* (Oxford, 2003); Ryrie, *The Origins of the Scottish Reformation*.

³⁴ For anti-Mary, pro-Moray: Jenny Wormald, *Mary, Queen of Scots: A Study in Failure* (London, 1988) p. 179. For pro-Mary, anti-Moray: John Guy, *My Heart Is My Own: the Life of Mary, Queen of Scots* (London, 2004), pp. 43, 352, 506.

³⁵ Claire Webb, 'The "Gude Regent"?: a Diplomatic Perspective upon the Earl of Moray, Mary, Queen of Scots, and the Scottish Regency 1567–70' (Ph.D. thesis, University of St Andrews, 2008), pp. 17–35.

³⁶ Webb, 'The "Gude Regent"?'; Maurice Lee, *James Stewart, Earl of Moray: a Political Study of the Reformation in Scotland* (New York, 1953).

³⁷ Mark Loughlin, 'The Career of Maitland of Lethington c.1526–1573' (Ph.D. thesis, University of Edinburgh, 1991), p. 253.

The level of support that Moray enjoyed in the months prior to his assassination on 23 January 1570 has been contested.³⁸ In particular, his capture of the English rebel Thomas Percy, earl of Northumberland, who had fled to Scotland in the wake of the Northern Rebellion has been identified as a double-edged sword: Northumberland's capture provided an international bargaining tool for use with the English, but Moray provoked domestic dissent by the breaching of conventions that political rebels who had crossed the border should not be pursued.³⁹ Nevertheless, Moray's death was clearly a turning point which 'shattered' the 'fragile truces' binding his supporters, known as the King's Party, together.⁴⁰ This insecurity following Moray's assassination was not helped by the six-month delay in appointing a replacement. On 11 July, however, Matthew Stewart, earl of Lennox, paternal grandfather of James VI and holder of a claim to the Scottish throne second only to the Hamiltons, was elected. Traditionally, English support has been seen as central to the process of Lennox's appointment and consolidation of power.⁴¹ Sarah Macauley has modified this narrative by demonstrating that, whilst English intervention was crucial in securing Lennox's appointment as regent, this only occurred after his candidacy was originally suggested and championed by the Scots in the face of substantial English opposition.⁴² Elizabeth's caution surrounding Lennox's candidacy was justified since the leitmotif of his regime can be summed up in one word: revenge.⁴³ In September 1571 Lennox was assassinated when Mary's supporters launched a midnight raid on Stirling during a meeting of parliament.⁴⁴

Lennox's successor, John Erskine, earl of Mar, is alone amongst the regents in lacking a study devoted to his life or rule. This neglect has probably arisen from the fact that he is often dismissed as ineffectual, although more sympathetic historians emphasise his irenic character.⁴⁵ The English general Sir William Drury certainly thought Mar was 'holly geven to quyetnes and

³⁸ Donaldson considered Moray to be relatively secure: Gordon Donaldson, *All the Queen's Men: Power and Politics in Mary Stewart's Scotland* (London, 1983), pp. 117–18. Dawson emphasises his reconciliation with Argyll: Jane Dawson, *The Politics of Religion in the Age of Mary, Queen of Scots* (Cambridge, 2002), pp. 178–9. Webb emphasises the divisions amongst the 'King's Men' and the Anglo-Scottish dimension: Webb, 'The "Gude Regent"', pp. 140–56.

³⁹ Amy Blakeway, 'Kinship and Diplomacy in Sixteenth-Century Scotland: the Earl of Northumberland's Scottish Captivity in its Domestic and International Context, 1569–72', *Historical Research* 87 (2014), pp. 229–50 at p. 233.

⁴⁰ Dawson, *Politics of Religion*, p. 179.

⁴¹ Dawson, *Politics of Religion*, pp. 182–3; Gordon Donaldson, *Scotland: James V to James VII* (Edinburgh, second edition, 1994), p. 163.

⁴² Sarah Macauley, 'Matthew Stewart, Fourth Earl of Lennox and the Politics of Britain, c.1543–1571' (Ph.D. thesis, University of Cambridge, 2006), pp. 208–11.

⁴³ Macauley, 'Matthew Stewart, Fourth Earl of Lennox', pp. 209–210, 215, 218.

⁴⁴ Donaldson, *All the Queen's Men*, p. 118.

⁴⁵ For Mar's use of marriage as a means of political reconciliation: Dawson, *Politics of Religion*, p. 188. For the inclusive composition of Mar's privy council: Donaldson, *All the Queen's Men*, p. 123.

peace'.⁴⁶ Whether deemed pathetic or pacific, Mar is characterised as heavily reliant upon James Douglas, earl of Morton. However, the fact that Morton opposed Mar's decision to 'sell' Northumberland to the English in 1572 indicates that Mar was capable of exerting independent policy.⁴⁷ Following Mar's death from natural causes on 28 October 1572, Morton was elected to succeed him. G. R. Hewitt's 1982 account of Morton's regency continues to offer a solid starting point for this period; however, its largely administrative focus has yet to be supplemented by studies reflecting the historiographical concerns that have emerged since its publication.⁴⁸ Drawing distinctions within James' minority, Hewitt praised Morton's 'efficient regime' in contrast to the disorder that followed his fall, an assessment that has been shared by other scholars.⁴⁹ Nevertheless, Morton's financial policies have provoked controversy, since his systematic appropriation of the mint's profits for his private gain compromised crown finances.⁵⁰ Indeed, it was arguably Morton's success in embezzling crown funds that has underpinned the widespread assumption that regents were, broadly speaking, financially corrupt. Relations with England were crucial to Morton's regime and, Maurice Lee has argued, the English withdrawal of support from Morton created the circumstances which led to his execution as a traitor in January 1581, three years after he had resigned the regency.⁵¹

These disparate studies cumulatively provide an important corrective to the many standard accounts of the sixteenth century in which the Stewarts' glamorous personal rules continue to exercise a compelling draw. Nevertheless, by considering regents in isolation from one another, a broader sense of perspective on their behaviour and office remains lacking. In order to provide this, the present work takes a thematic approach designed to foreground questions of political legitimacy and the practical exercise of royal power. Chapter one explores the ways in which contemporaries understood the office of regency. Although multiple understandings co-existed throughout the century, the terms of the debate changed over time. From the late 1560s onwards the traditional emphasis upon the direct line of royal succession in selecting regents was challenged by an emerging conception of regency as an elective office. As we shall see, this identification of chronological development is the basis for a new approach to understanding regency,

⁴⁶ Drury to Burghley, 14 Sep. 1571, TNA SP52/21 f.98.

⁴⁷ Blakeway, 'Kinship and Diplomacy', pp. 247–9.

⁴⁸ G. R. Hewitt, *Scotland under Morton: 1572–1580* (Edinburgh, 1982), pp. 206–7.

⁴⁹ Hewitt, *Scotland under Morton*, pp. 206–7; Allan White, 'The Regent Morton's Visitation: the Reformation of Aberdeen, 1574', in Alasdair A. MacDonald, Michael Lynch and Ian B. Cowan (eds), *The Renaissance in Scotland: Studies in Literature, Religion, History and Culture offered to John Durkan* (Leiden, 1994), pp. 246–63.

⁵⁰ Atholl Murray, 'Introduction', *TA*, XIII, pp. viii–xix.

⁵¹ Maurice Lee, 'The Fall of the Regent Morton: A Problem in Satellite Diplomacy?' in Maurice Lee, *The 'Inevitable' Union and Other Essays on Early Modern Scotland* (East Linton, 2003), pp. 59–80.

moving away from the existing legalistic discourse surrounding a static ‘law of regency’, towards a model emphasising historical context and change over time.⁵² The exceptional circumstances of Mary’s deposition and its aftermath forged a change in both the understanding and practice of regency as radical and far-reaching as the changes to understandings of monarchy proposed during this period. Prior to Mary’s deposition two regents (Albany and Arran) had claimed power on the basis of their place in the succession, and two (Margaret Tudor and Marie de Guise) claimed power on the basis of monarchical delegation. Although Moray initially claimed monarchical delegation as the basis of his regency, by the end of James VI’s minority election had become a prominent facet of regents’ claims to power. Nevertheless, as with George Buchanan’s more famous model of elective kingship, these novel proposals did not go unchallenged, and co-existed with earlier concepts and practices.⁵³ Chapter two moves on to explore how these concepts were articulated by changing political practices, including in the ceremonies by which regents were appointed to their offices. It also considers the famous ‘acts of revocation’ made by the adult Stewarts whereby when they reached the age of twenty-five monarchs had the opportunity to reverse land transactions which either they themselves had undertaken or which had been made on their behalf. From the perspective of events during a minority, the prospect of a future act of revocation had no discernible impact upon regents’ actions. After all, monarchs could also revoke gifts granted by another monarch or, indeed, which they themselves had made. The displeasure of the prince had heavy consequences for the wealthy, regardless of the original source of their good fortune. This serves as a bridge to the remainder of the book, which explores practical facets of government. Chapter three turns to consider the impact of minority on crown finances, challenging a standard critique levied against regents that they profligately wasted crown resources. Whilst regents encountered varying levels of success in balancing the state’s books, overall, the picture which emerges from this data is more cautiously positive than previous understandings of minority finance would allow.

Chapter four considers regents’ households. Royal courts have increasingly been acknowledged as an essential facet of successful governance, yet this aspect of rule has been largely neglected in accounts of regencies. Research presented in this chapter reveals that regents followed active itineraries, a practice which both reflected rulers’ differing priorities and provided substantial continuity with adult monarchical rule. Such continuity is also

⁵² For the ‘law of regency’ see: P. G. B. McNeill, ‘The Scottish Regency’, *Juridical Review* 12 (1967), pp. 127–41.

⁵³ For Buchanan see: Roger A. Mason and Martin S. Smith eds., ‘Introduction’ in *A Dialogue on the Law of Kingship among the Scots: A Critical Edition and Translation of George Buchanan’s De Jure Regni apud Scotos Dialogus* (Aldershot, 2004). For James VI’s famous challenge to Buchanan’s historical theory of elective kings (albeit that it falls somewhat outside our period): Roger Mason, *Kingship and the Commonwealth: Political Thought in Renaissance and Reformation Scotland* (East Linton, 1998), pp. 228–30.

present in the findings discussed in chapter five, which explores the administration of justice during minorities. Whilst contemporaries placed a premium on the provision of justice as an aspect of successful rule, assessing an abstract and subjective concept such as justice presents substantial problems. Nevertheless, in sixteenth-century Scotland, where alternative forums for dispute resolution existed, each case heard in a particular court represented a vote of confidence in that court's ability to deliver a satisfactory resolution. This chapter focuses on the business of the peripatetic criminal courts known as justice ayres, which the ruler was required by statute to attend in person. As such, the ayres provide a unique insight into rulers' personal involvement with judicial activities. This discussion of the ayres is enhanced by consideration of the Justiciary Court, which developed as a static and permanent offshoot of the mobile yet infrequent ayres. The pattern of a steady increase in business over time during monarchical majority and minority alike indicates that important aspects of government continued not only to function, but also to develop, regardless of the monarch's age. The final chapter turns to diplomacy undertaken by minority regimes, considering Scotland's relations with England and France alongside new evidence concerning diplomatic relations with Denmark. In focusing upon the extent of regents' powers, and the degree to which minority diplomacy was distinctive, it returns to the opening themes of legitimacy and securing acceptance as a rightful ruler.

There are no chapters entitled 'politics' or 'religion' in this book, nor is there a chapter specifically devoted to female regents. Instead, these topics are integrated throughout the text. This might raise eyebrows, and therefore perhaps requires explanation. Like monarchs, every action a regent undertook was by its nature political, and, like all their contemporaries, the church and its teachings provided the framework within which regents lived their lives. Rather than ghettoising Margaret Tudor and Marie de Guise in a single chapter on the grounds that they had wombs, their actions as regents are simply considered alongside those of their male counterparts. Politics and religion, male and female governors, cohabit in every chapter.⁵⁴ It is certainly noteworthy that the seismic political-religious moment now called 'the Reformation Rebellion' took place during the minority of Mary, Queen of Scots; nevertheless, this does not mean that every minority, or even that particular minority, should be read primarily in religious terms. Equally, it would be a foolhardy scholar, and one woefully ignorant of Knox's *First Blast of the Trumpet Against the Monstrous Regiment of Women*, who suggested that gender had no impact on how women ruled whether as regent or as queen. Nevertheless, the specific challenges facing female regents are best understood as one of, and integrated amongst, the many factors that affected any period in office.

The time frame chosen for this study is a deliberate attempt to provide an alternative chronological framework to the many studies that select the

⁵⁴ This approach is not without precedent: Goodare, *The Government of Scotland*, p. 7.

Reformation Rebellion of 1559–60 as a dividing line and thereby implicitly conflate Protestantism and ‘being early modern’.⁵⁵ Certainly, many things changed in 1560, or, more accurately, they reached an important staging-post in the long process of changing. However, studying the three sixteenth-century minorities either side of 1560 provides an alternative perspective, exploring the changing political milieu of two overlapping generations of Renaissance Scots. The first was the ‘post Flodden’ generation who gained prominence on the political stage in the 1510s and 1520s, some of whom continued to play a central role in the 1540s and 1550s, such as Margaret Tudor’s second husband, Archibald Douglas, sixth earl of Angus.⁵⁶ Second came the generation who reached political maturity in the 1540s and stalked the political arena until their deaths in the late 1570s or early 1580s, such as Angus’ nephew, James Douglas, the regent Morton, and his brother-in-law, fellow regent and lifelong antagonist, James Hamilton, second earl of Arran and duke of Châtelherault.⁵⁷ The partisan struggle between Morton and Arran was only one act in a larger drama played out between their families, Douglas *versus* Hamilton, an antagonism which at various points developed secondary characteristics: reformer *versus* Catholic; Anglophile *versus* Francophile; for or against the deposition of Mary, Queen of Scots. This noble rivalry was one amongst many in sixteenth-century Scotland, yet it is particularly significant for this study. Since Morton and Arran were regents, their antagonism not only drove political events, but also informed the contemporary and near contemporary accounts of minorities which, in turn, continue to influence their reputations. In Arran’s case in particular, a very different picture of his rule is revealed when such narrative accounts are juxtaposed with sources produced by his regime. The same observation could be drawn regarding other noble rivalries, such as the mutual distaste and distrust which existed between Arran and his dynastic rival, Matthew Stewart, earl of Lennox, a driving political factor during the 1540s and 1570s, which coloured subsequent accounts of these events.

Before turning to these sources, however, it is helpful to provide an overview of what ‘being a regent’ actually entailed. This was a contested proposition, to which contemporaries provided various answers. This variety was facilitated by the lack of a definitive statement on the subject. Moray’s commission of regency, for instance, outlined his powers to ‘intromitt’, or to deal with, crown property, including the ability to gift royal lands. Yet the commission neglected to detail every aspect of his power, instead emphasising that as

⁵⁵ Leaving aside primarily religious histories see, for example: Goodare, *State and Society*; Goodare, *Government of Scotland*; Brown, *Noble Power in Scotland*; Brown et al. (eds), *Parliament and Politics in Scotland, 1235–1560* (Edinburgh, 2004); T. C. Smout, *A History of the Scottish People, 1560–1830* (London, 1998). Even within books covering longer periods of time, 1560 is a frequent dividing point.

⁵⁶ For more on the Flodden death toll: Emond, ‘Minority of James V’, pp. 6–10.

⁵⁷ For their relations see: Amy Blakeway, ‘The Attempted Divorce of James Hamilton, Earl of Arran, Governor of Scotland’, *Innes Review* 61 (2010), pp. 1–23.

regent Moray could act ‘als frelie and with als greit libertie as ony regent or governour to us or oure predecessouris usit in ony tymes bigane’.⁵⁸ Ironically, perhaps, the vast powers enjoyed by regents are best revealed through considering the contrast with periods when no regent was appointed. The dramatic reduction of government business during such times serves to reveal both the extent of regents’ powers and the contrasts between regency and other forms of minority regime. Whilst the criminal and civil courts continued to sit, without a legally constituted regent government business ground to a halt. Parliaments could be held only when summoned by a monarch or their representative, when no such person was available, only conventions of the estates could be called. Hence the re-fencing of parliament in 1554 following Arran’s demission of the regency and Guise’s instalment in office; these events are discussed in detail in chapter two.⁵⁹ This also explains why the so-called ‘Reformation Parliament’ in fact had no legal power to legislate.⁶⁰ Likewise, without a monarch or regent to authorise land transactions, grants under the seals ceased. This practice was confirmed by the council just prior to Albany’s arrival in Scotland, on 4 May 1515, when they declared that any grants given ‘sen the tyme that the office of tutorie of our souerane lord ceisit in the quenys grace’, were ‘of Nane avale force nor effect’.⁶¹ The dramatic reduction in expenditure during such periods ‘intergubernatores’ reveals an unwillingness to draw on crown funds without authorisation from the monarch’s legal representative.⁶² In some instances foreign ambassadors refused to declare their commissions when Scotland lacked a regent: this happened, for instance, between Mar’s death and Morton’s election in December 1572.⁶³

This governmental hiatus reveals the extent to which regency was necessary during a minority. Appointing an individual to represent the child monarch unlocked the monarchical prerogative. Regents were thus legally empowered to behave like adult monarchs: indeed, this was the very reason

⁵⁸ RPS, 1567/7/29/2. Date accessed: 12 July 2013.

⁵⁹ Lesley, *History of Scotland*, p. 250.

⁶⁰ P. G. B. McNeill, “Our Religion, established neither by Law nor Parliament”: Was the Reformation Legislation of 1560 Valid?, *Records of the Scottish Church History Society* 35 (2005), pp. 68–89.

⁶¹ For 1513–15: RSS, I, pp. 388–9; RMS, III, p. 5; For 1570: RSS, VI, p. 161, RMS, IV, p. 495; for 1572: RSS, VI, p. 337; RMS, IV, p. 500; Acta Dominorum Concilii, 1513, NRS CS5/26 f. 185v.

⁶² The interregnum between Margaret and Albany coincides with a gap in the Treasurer’s Accounts. Between Moray and Lennox: Treasurer’s Account, 1570–1, NRS E21/59 ff. 24–34. These ten folios, several sides of which are blank, cover the period February–June 1570 without a regent between Moray and Lennox. For comparison, a normal month’s expenditure in the early 1570s would cover six to ten folios. Between Mar and Morton: Treasurer’s Account, 1571–4, NRS E21/102 ff. 109–14. Five and a half sides of this are blank. Other than the payment of the usual Martinmas term fees and pensions and monthly wages for soldiers and administrators, the only payments made were for two messengers to summon people to appear before the council.

⁶³ Killigrew to Elizabeth, 2 Dec. 1572, TNA SP52/23 Part I f. 258r.

why they existed. They could legislate, prosecute for the highest crime of treason, reverse previous judicial sentences, and collect and spend the crown's money. Their lifestyles matched their powers: they lived in royal palaces or castles, used royal furnishings, and, in at least one case, wore the dead monarch's clothes.⁶⁴ They could appoint to offices and gift crown property. Selecting appropriate individuals to exercise these quasi-monarchical powers was a matter of no small significance, particularly since failure to secure a consensus surrounding a ruler's legitimacy would certainly lead to political conflict. At best, dissent surrounding his or her legitimacy might impede a regent's ability to rule. If the Scots failed to acknowledge their ruler as a valid source of political authority they could choose not to participate in the government, perhaps neglecting to pay monies due to the crown or to attend court when summoned. Worse still, they might actively resist a regime through violence, perhaps in collaboration with a foreign power. It is therefore appropriate to begin by considering where legitimate political authority originated during minorities, or, in other words, how the Scots chose their regents.

⁶⁴ A tailor had to enlarge some of James V's doublets to fit Arran: Treasurer's Account, 1543–6, NRS E21/41 f. 36r.