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Commemorating the Battle of Harlaw (1411) in Fifteenth-Century Scotland

Stephen Boardman

On 24 July 1411 a fierce battle took place on the low plateau of Harlaw in the parish of Chapel of Garioch, near Inverurie in north-eastern Scotland.¹ The opposing forces were led by Donald, Lord of the Isles, who brought to the field a large army drawn chiefly from his Hebridean, west-coast and central Highland lordships, and Alexander Stewart, earl of Mar, at the head of a host raised from Mar, Buchan, Angus, and the burgh of Aberdeen. The encounter was a notably bloody affair, with numerous casualties on both sides. The precise cause of the conflict between the two men and their followers has usually been identified as a long-standing rivalry for control of the earldom of Ross, which had been in dispute between Donald of the Isles and Robert Stewart, duke of Albany, Governor of the kingdom for a number of years prior to 1411. It is generally thought that it was Mar's role as the protector of Governor Albany's interests in the Ross inheritance that inspired Donald of the Isles' assault on Earl Alexander's heartland: there can, at least, be little doubt given the location of the skirmish that Mar and his earldom were the chief targets for the Lord of the Isles' forces in July 1411.²

¹ Walter Bower, *Scotichronicon by Walter Bower in Latin and English*, gen. ed. D.E.R. Watt, 9 vols (Aberdeen and Edinburgh: Aberdeen University Press/The Mercat Press 1987-98), [*Chron. Bower* (Watt)], viii, 74-7. Bower's claim that the battle took place "in Mar" is mistaken but understandable—the battle site lay just beyond the earldom's northern boundary in the Lordship of Garioch.

² For modern scholarly studies of the Lordship of the Isles that explore the context of the battle see Norman Macdougall, "Achilles" Heel? The earldom of Ross, the Lordship of the Isles, and

The battle's contemporary and subsequent fame, however, rested on an interpretation of the encounter as something rather more significant than a bloody baronial tussle over land and title in which only the fate of the earldom of Ross and its ancillary lordships was at stake. Harlaw came to be remembered and presented, both within and outwith Scotland, as a clash between "Wild Scots" and Lowlanders, between Gael and non-Gael, as a trial of strength between two contesting cultures and the contrasting societal values they supposedly embodied, and therefore, ultimately, as an event that had a part in shaping the nature, history and development of the late medieval kingdom.³ The intention here is to briefly review these later fifteenth-century views of

the Stewart kings, 1449-1507," in *Alba: Celtic Scotland in the Middle Ages*, eds. Edward J. Cowan and R. Andrew McDonald (East Linton: Tuckwell Press, 2000); Alexander Grant, "Scotland's "Celtic fringe" in the Late Middle Ages: The MacDonald Lords of the Isles and the Kingdom of Scotland," in *The British Isles 1100-1500: Comparisons, Contrasts and Connections* ed. Rees Davies. (John Donald: Edinburgh, 1988). The Harlaw campaign was not, however, explicitly linked to the struggle over Ross in narrative sources until Hector Boece's early-sixteenth-century *Historia Gentis Scotorum* (1527). Iain G. MacDonald has recently suggested that events in 1411 were determined, in terms of timing and location, by a dispute over elements of the wider Ross inheritance in the earldom of Buchan. See "Macdonald had the victory but the governor had the printer": Harlaw and the lordship of the Isles, available at https://www.academia.edu/1690069/Donald_of_the_Isles_and_the_Earldom_of_Ross_West-Highland_Perspectives_on_the_Battle_of_Harlaw

³ Cynthia Neville's work, of course, has made a major contribution to the study of the complicated, fluid and porous historical "boundary" between Gaelic-speaking society and the

the fight before seeking out their origins in the political reaction of the duke of Albany's regime to the clash at Harlaw in the period immediately after the battle.⁴ As we shall see, Duke Robert's government, with some justification, employed the language and rhetoric of full scale war against an "alien" enemy to describe the struggle in which they were engaged in the years around 1411, while Donald of the Isles was presented as an adversary who threatened the territorial and political integrity of the Scottish realm. Politically expedient exaggeration combined with genuine fear and anxiety to produce the compelling narrative of victory against the odds, of heroic sacrifice in defence of the realm, that underpinned the widespread remembrance of Harlaw in late medieval Scotland

political, cultural, ecclesiastical, institutional and linguistic traditions that dominated the south and east of realm. See especially her *Native Lordship in Medieval Scotland: The Earldoms of Strathearn and Lennox, c. 1140-1365* (Four Courts Press: Dublin, 2005), and (with R. Andrew McDonald) "Knights and Knighthood in Gaelic Scotland, c. 1050 – 1300," *Studies in Medieval and Renaissance History*, 3rd ser. 4 (2007): 57-106.

⁴ The way in which Donald of the Isles regarded and depicted his campaigns around 1411, and thought of his relationship with the Scottish kingdom, requires a full and separate analysis that cannot be attempted here. For an interesting discussion of some of the complexities and tensions in the interaction between the Lordship and Scottish kings in the late medieval period see Sonja Cameron, "'Contumaciously Absent'? The Lords of the Isles and the Scottish Crown," in *The Lordship of the Isles* ed. Richard Oram (Leiden: Brill, 2014), 146-75.

The earliest extant extended narrative commentary on Harlaw is to be found in the *Scotichronicon*, the voluminous Latin chronicle completed by Walter Bower, abbot of Inchcolm in 1447.⁵ Although Abbot Walter's work was finished over thirty years after Harlaw was fought, the battle took place within Bower's own lifetime, at a point when the chronicler was in his mid-twenties and part of the community of Augustinian canons attached to St Andrews cathedral.⁶ Bower's account suggests he was well informed about some aspects of the battle, most notably the losses suffered by the earl of Mar's force: the chronicler was certainly able to name nine prominent knights and men-at-arms from Aberdeenshire, Angus and the Mearns, and Lothian (as well as Robert Davidson, the provost of Aberdeen) who had died in the clash. There were a number of routes by which information about Harlaw could potentially have reached Bower. The

⁵ The battle was noted briefly in the *Annals of Connacht* under the year 1411: "Mac Domnaill of Scotland won a great victory over the Galls of Scotland. Mac Gilla Eoin, [i.e. MacLean] one of Mac Domnaill's followers, was killed in the resistance of the vanquished." *The Annals of Connacht A.D. 1224-1544* ed. A. Martin Freeman (Dublin: Dublin Institute for Advanced Studies, 1944), 410-11. The Connacht annals were, in the early fifteenth century, maintained by the Ó Maoilchonaire, hereditary historians to the Ó Conchubhair kings of Connacht. The complexity of manuscript compilation and transmission makes it difficult to be certain that the 1411 entry as it stands was, as the annalistic structure might imply, recorded in the same year as the battle. There is, however, no particular reason to think that it was a later interpolation. For the evolution of the Connacht annalistic material see Daniel P. Mc Carthy, *The Irish Annals: Their Genesis, Evolution and History* (Dublin: Four Courts Press, 2008), 269-70.

⁶ D.E.R. Watt, "Biography of Bower," in *Chron. Bower* (Watt), ix, 204-8, at 204.

Augustinians at St Andrews had a long-standing link to the earldom of Mar via their daughter house at Monymusk, which lay only seven miles south-west of Chapel of Garioch. It seems likely that the St Andrews community received reports on the encounter at Harlaw very shortly after the battle from the canons in the dependent house at Monymusk, who at the time must have regarded themselves as under direct threat from the advance of Donald of the Isles' forces in 1411.⁷ Whether Bower also had access to a textual description of the battle by the time he composed the *Scotichronicon* is wholly unclear, but it is more than possible that a written account of the fight from the viewpoint of Mar and his men was in circulation soon after the event. Earl Alexander and his affinity were certainly adept at arranging literary commemoration of their various martial and chivalric exploits. Two slightly earlier episodes, the journey of Mar and his followers to England in order to joust with Thomas Holland, earl of Kent, and his retinue in 1407, and Earl Alexander's expedition to the continent in 1408 in which he played a role in the duke of Burgundy's victory over the forces of the town of Liège at the battle of Othée (23 September 1408), had been swiftly memorialised in short self-contained narratives. These accounts were incorporated as the concluding items in a number of manuscripts of the *Orygynale Cronykil* of Andrew of Wyntoun, prior of St Serf's in Loch Leven, which was, significantly,

⁷ Monymusk had received the churches of Migvie and Tarland from twelfth- and thirteenth-century earls and countesses of Mar. There is no evidence for patronage of the priory by fourteenth- and fifteenth-century earls of Mar, including Alexander Stewart. *Liber Cartarum Prioratus Sancti Andree in Scotia* [*St A. Lib.*] (Edinburgh: Bannatyne Club, 1841), 246-7, 248, 300-1, 373-5.

another daughter house of the Augustinian establishment at St Andrews.⁸ The tale of Mar's involvement in the Burgundian campaign provided in the *Orygynale Cronykil* was especially detailed and expansive, running to over 400 lines. Moreover, the chronicler (if Wyntoun was indeed the author of the story of the Othée campaign) claimed that the events were narrated "As thai, that thare ware, tauld to me." or "As thai that ware thare talde me in fay."⁹ The chronicler's appeal to the authority of eyewitnesses need not, of course, be wholly trustworthy, but Mar's companions in the Low Countries included at least two men with Fife connections, Elias Kinninmonth, lord of Kinninmonth, and, if his surname reveals his point of origin, John of "Seres" (Ceres?).¹⁰ The Kinnimonths of that ilk had a long association with the Fife

⁸ "Wyntoun, Andrew (c.1350–c.1422)," C. Edington in *Oxford Dictionary of National Biography*, online ed., ed. David Cannadine, Oxford: OUP, 2004, <http://www.oxforddnb.com/view/article/30164> (accessed April 9, 2017); Ian B. Cowan and David E. Easson, *Medieval Religious Houses: Scotland With an Appendix on the Houses in the Isle of Man*, 2nd Edition, (London: Longman, 1976), 93.

⁹ Andrew of Wyntoun, *The Orygynale Cronykil of Scotland*, ed. D.Laing, 3 vols. (Edinburgh, 1872-9) [*Chron. Wyntoun* (Laing)], iii, 115 (l.3270) and *The Original Chronicle of Andrew of Wyntoun* ed. F.J.Amours, 6 vols. (Edinburgh, Scottish Texts Society, 1903-14) [*Chron. Wyntoun*], vi, 435 (l.3198). For discussion of Mar's assiduous cultivation of a martial/chivalric reputation and the relationship of this persona with his role as an influential lord in the central Highlands see M.H.Brown, "Regional Lordship in North-East Scotland: The Badenoch Stewarts: Alexander earl of Mar," *Northern Scotland* 16 (1996), 31-54.

¹⁰ *Chron. Wyntoun* (Laing), iii, 111, 113-4; *Chron. Wyntoun*, vi, 430, 433. If Ceres held lands in

Augustinians, indeed Elias held his main estates from the prior and priory of St Andrews.¹¹ The institutional (and personnel) links between the St Andrews' priory and Monymusk, the tenurial relationship with the Kinninmonths of that Ilk, alongside Wyntoun's claimed personal contact with participants in Mar's 1408 continental adventure, all indicate a high level of familiarity with Earl Alexander and his affinity within the Augustinian network in Fife that would have made the events of 1411 a matter of immediate interest and concern to the canons of St Andrews. Bower, a member of the priory in 1411, was thus in a good position to obtain detailed, if partisan, accounts of Harlaw, either through the personal testimony of the canons of Monymusk and Mar's erstwhile Fife retainers such as Kinninmonth and Ceres, and/or the dissemination of a "chivalric" account of the battle designed, like the narratives of 1407 and 1408, to extol the virtues of Earl

or near the settlement from which his name derived, then he would have been a near neighbour of Elias Kinninmonth. There was, however, a family with the surname 'Seres/Seras' active in Dundee in the late fourteenth and early fifteenth century, and John may have belonged to that lineage. Ceres was given a prominent role in the chronicler's narration of the battle of Othée, where he was highlighted as Earl Alexander's especially chosen companion in an unlikely hand-to-hand combat with the father and son who led the forces of Liege. In the tale preserved in Wyntoun, Mar and Ceres (inevitably) kill their opponents and thus contribute significantly to the duke of Burgundy's triumph.

¹¹ *St A. Lib.*, 417-8. In legal proceedings of 1448 James Kinnimonth of that Ilk claimed that his family had previously served as bailies, land stewards, and marshals for the prior [presumably for the church's Fife estates]. *Ibid.*, 429-32.

Alexander and his followers.¹² One of the principal functions of narratives focused on individual tourneys, military campaigns or battles was to ensure that the names of noble knights and squires who had taken part and won honour were recorded for posterity. This commemorative role was particularly important in instances where noblemen had been killed: the list of the dead at Harlaw in the *Scotichronicon* might, then, indicate that one (perhaps the principal) of Walter Bower's sources was just such a celebration of the chivalric and martial virtues of Mar and members of his retinue. So much is speculation.

Bower's description of the 1411 campaign illustrates the understanding of the nature and importance of Harlaw that seems to have become established across much of Lowland Scotland in the early decades of the fifteenth century. The key elements in the narrative provided in the *Scotichronicon* were: the size, brutality, and destructiveness of Donald's army; the wide extent of Donald's aims and ambitions on the 1411 expedition; the linked notion that, despite extensive loss of life in the force he commanded, the earl of Mar had achieved a significant victory; the explicit identification of Bower (and by implication his audience) with the position and interests of the earl of Mar.

¹² Since Bower names only those who had died at Harlaw it is impossible to say whether Kinninmonth and Ceres actually fought in the battle. Bower was certainly also aware of the account of Mar's 1408 Liege expedition since he mentioned in passing Earl Alexander's role "with a worthy cohort of knights and men-at-arms of Scotland" in the campaign, although typically he did not repeat details of the martial activity and secular display recorded by Wyntoun.

There is little reason to doubt that the force Donald of the Isles brought into Aberdeenshire in 1411 was large, although Bower's claim that it numbered 10,000 probably involves a measure of exaggeration. Not only was Donald's army seen to be overwhelming in numerical terms, but its behaviour was notably ferocious as it:

entered the district, crushing and pillaging everything and reducing it to waste...they occupied the district in such large and savage numbers like locusts, all those on domain lands who saw them were alarmed, and every man was afraid'.¹³

The use of destructive violence against the estates of an opponent was hardly an unusual tactic in the pursuit of feud in late medieval Scotland, but Bower's language, particularly the comparison of Donald's force to a plague of locusts, suggests rather the actions of an invading army, an indiscriminate and general devastation that instilled fear in *every man*, not just those actively associated with Mar and Albany. The sense of a wide-ranging threat to all the inhabitants of the north-east was accentuated by Bower's comments on Donald's ambitions in 1411, most strikingly his assertion that the Lord of the Isles' "aim on that expedition was to sack the royal town of Aberdeen and then to subject to his authority the country down to the river Tay."¹⁴ That Donald may have intended to assault Aberdeen in 1411 is more than plausible. The burgh was an obvious target as a major source of revenue and manpower for the earl of Mar. Earl Alexander had a long-standing partnership with the provost of the burgh, Robert Davidson, that had seen the two men make substantial profits from Mar's piratical maritime operations in the North

¹³ *Chron. Bower* (Watt), viii, 74-5.

¹⁴ *Ibid.*

Sea.¹⁵ The fact that Davidson “and many burgesses” died at Harlaw in Mar’s army would seem to indicate that a substantial force had turned out from the burgh to defend the town against what was regarded as a direct and imminent menace. Bower’s further suggestion that Donald wished to assert his “authority” over the area down to the River Tay assigns to the Lord of the Isles ambitions that extended well beyond the pursuit of any dispute over Ross, and implies that Donald was engaged in an enterprise more elaborate and enduring than a swift and devastating raid through his opponent’s heartland.

The notion that the Lord of the Isles harboured hopes that his “dominion” might be extended to the Tay played a key part in justifying the judgement, also found in the *Scotichronicon*, that Harlaw was a great, if costly, victory for the earl of Mar. Given the extensive losses on both sides (over 500 in Mar’s army and 900 in Donald’s, according to Bower), the attribution of triumph or defeat was no easy task, but Abbot Walter suggested that it was Donald who had, eventually, to “flee” the field. Bower’s work incorporated a brief and prosaic Latin verse that bluntly asserted the fact of Mar’s victory, regardless of the doleful litany of the dead amongst Earl Alexander’s supporters.¹⁶ The substance of Mar’s “triumph” would seem to be the frustration of the Lord of the Isles’ supposed wider aims, through the preservation of Aberdeen and the rebuff of Donald’s attempt to establish control over “Scotland north of the

¹⁵ For the link between the burgh, Davidson and the earl of Mar see David Ditchburn, “The Pirate, the Policeman and the Pantomime Star: Aberdeen’s Alternative Economy in the Early Fifteenth Century,” *Northern Scotland* 12 (1992): 19 – 34.

¹⁶ “In the year one thousand four hundred and ten plus one/on the eve of James was there this victory [victoria] in a fight.” *Chron Bower* (Watt), viii, 76-7.

Tay.” Unsurprisingly perhaps, the belief that Mar had achieved a victory was not shared by those writing within the great sweep of territories, on both sides of the North Channel, where the Lord of the Isles exercised political and military influence. The compilers of the *Annals of Connacht*, as we have seen, thought of Harlaw as a great success for “Mac Domnaill of Scotland,” and this view seems to have become firmly established within Gaelic literary tradition.¹⁷

¹⁷ See note 4 above. The most famous product of this tradition is probably the so-called Harlaw *Brosnachadh* (Incitement to Battle). Traditionally viewed as a pre-battle composition by MacDonald’s poet, Lachlann Mór MacMhuirich, the poem is first attested in early modern manuscripts and its likely date and provenance are now regarded more cautiously (although the possibility that it contains fragments of a fifteenth-century “original” cannot be entirely discounted). D.S Thomson, “The Harlaw Brosnachadh: An Early Fifteenth Century Curio,” in *Celtic Studies: Essays in Memory of Angus Matheson (1912 - 1962)* ed J.Carney and D.Greene (London: Routledge and Kegan Paul, 1968), 147-89, where the argument that the *Brosnachadh* was contemporary with the battle is accepted and *Duanaire na Sracaire: Songbook of the Pillagers: Anthology of Scotland’s Gaelic verse to 1600*, ed. M.Bateman and W.McLeod (Edinburgh: Birlinn, 2007), 229-33 for the more cautious modern view of the composition. That Harlaw was a triumph for Donald was also the view of the Dean of Limerick in the late sixteenth century. “The Dean of Limerick’s account of the Western Isles of Scotland and the Descent, Connexions, etc., of the Islanders” in *Calendar of the State Papers relating to Scotland and Mary, Queen of Scots 1547-1603*, eds. James Bain and others (Edinburgh, H.M. General Register House, 1898-), xii, 202. The commemoration of Donald as the “victor” of Harlaw presumably explains the rather frustrating allusion to him in the seventeenth-century *Book of Clanranald*:

The final notable aspect of Abbot Walter's tale is the way in which the chronicler referred to the men killed in Mar's force as the dead "on our side" and contrasted these with the casualties "on the side of the Isles." As we have seen, Bower and the canons of the Augustinian houses at St Andrews, Monymusk and St Serfs had direct connections to members of Mar's affinity, so a level of overt partisanship in the abbot's commentary might be thought inevitable. The phrasing here, however, suggests that Bower viewed Harlaw as an important episode in a wider, longer running, and more elemental confrontation. That the fight had, or came to have, relevance and meaning for groups and areas not directly affected by the campaign itself, is confirmed by the way that commemoration of the battle spread to communities that had been utterly untouched by, and uninvolved in, the violence of 1411. An incidental comment in John Mair's *History of Greater Britain* (1527) reveals that by the second half of the fifteenth century Harlaw formed the basis of a combative playground game for schoolboys in East Lothian.¹⁸ Following the narrative provided by Walter Bower's *Scotichronicon*, Mair saw Donald as the

"There are many exploits and deeds written of him in other places." Alexander Cameron, Alexander Macbain, John Kennedy (eds.), *The Book of Clanranald*, in *Reliquiae Celticae*, Alexander Macbain, and Rev. John Kennedy (eds.) (Inverness, 1894) volume 2, 160-1.

¹⁸ Mair was born c.1467 in the village of Gleghornie, and, like his predecessor Bower, attended the nearby grammar school in Haddington. "Mair, John (c.1467–1550)," Alexander Broadie in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, May 2011, <http://www.oxforddnb.com/view/article/17843> (accessed April 9, 2017).

leader of a huge army of “Wild Scots” and noted that the scale and ferocity of the encounter meant that it was “far-famed amongst the Scots.” According to Mair:

Hot and fierce was the fight: nor was a battle with a foreign foe, and so large a force, ever waged with more jeopardy than this; so that in our games, when we were at the grammar school, we were wont to form ourselves into opposite sides, and say that we wanted to play at the battle of Harlaw.¹⁹

The casual aside reveals that by the 1470s Harlaw was understood by the sons of the burgesses, clerics, and peasant farmers of Haddington and its hinterland to have been a battle that had import for them as Lowland Scots, that they belonged to one of the two opposed groups (almost in the sense of “Cowboys and Indians”) that had fought so savagely in 1411. It seems probable that the “far fame” of the battle and the enthusiasm of Mair and his childhood friends for battlefield re-enactment reflected the circulation of “popular” and accessible vernacular tales and songs celebrating the bravery and achievement of Alexander Stewart and the defenders of Aberdeen. A song on the “battel of the hayrlau” was certainly known to the author of the mid-sixteenth-century *Complaynt of Scotland*, although its content, likely date of composition, and relationship to later ballads of the same name remain uncertain.²⁰ Further evidence for the

¹⁹ John Major, *A History of Greater Britain as well England as Scotland* (Edinburgh: Scottish History Society, 1892), 348.

²⁰ *The Complaynt of Scotland (c.1550) by Mr Robert Wedderburn*, Intro. A.M.Stewart (Edinburgh: Scottish Text Society, 1979), 51. For discussion of the ballad tradition see Ian A. Olsen, *Bludie Harlaw: Realities, Myths, Ballads* (Edinburgh: John Donald, 2014); *idem*, “The Battle of Harlaw, its Lowland Histories and their Balladry: Historical Confirmation or

renown of Harlaw amongst Lowland Scots in the second half of the fifteenth century appeared in the slightly unlikely context of the antiquarian notes and records of conversations assembled by the English man of letters William of Worcester during his various tours around southern England in 1478-80.²¹ At one point in his travels William came across an un-named Scotsman who conveyed to him a number of striking, if rather garbled, facts about the history of the northern realm. Included in this eclectic mix was mention of the battle of Harlaw, which had allegedly seen the defeat of an army of 50,000 “keteriques,” a mangled name that undoubtedly derived from cateran or ketheran, a term used in fourteenth and fifteenth-century Scotland to denote the troublesome bands of warriors that made up the military retinues of Highland lords. The informant (or William) hopelessly mislocated the battle on the borders of Galloway, but the key elements of the “lowland” narrative surrounding Harlaw were clearly in place, with the suggestion that the battle involved the defeat of a vast and menacing army that emerged from the “alien” Gaelic fringes of the kingdom.²²

There were a variety of reasons for Robert, duke of Albany, and his supporters to view the events of the summer of 1411 with alarm. The appearance of Donald’s army less than a day’s

Confabulation?,” *Review of Scottish Culture* 24 (2012): 19-22.

²¹ For Worcester’s career see “Worcester , William (1415–1480x85),” Nicholas Orme in *Oxford Dictionary of National Biography*, ed. ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, October 2006, <http://www.oxforddnb.com/view/article/29967> (accessed April 9, 2017).

²² *William Worcestre; ITINERARIES*, ed. John H. Harvey (Oxford: Clarendon Press, 1969), 6-7.

march from Aberdeen was shocking in itself, and the trauma was no doubt made more intense by the fact that the men killed on the battlefield included kinsmen and allies of a number of the leading figures within Albany's regime. The damage done to the earl of Mar's affinity was most obvious, with the deaths of two knights, James Scrymgeour and Alexander Irvine, who had distinguished themselves as part of the earl's retinue less than three years before, at the battle of Othée in September 1408.²³ Irvine was one of the six men personally knighted by Earl Alexander during his continental adventure. Governor Albany, meanwhile, lost one of his grandsons, William Abernethy, heir to the lordship of Saltoun in East Lothian, at Harlaw. The Chancellor of the kingdom, Gilbert Greenlaw, bishop of Aberdeen, had not only faced the bracing realisation that his episcopal estates, and perhaps his cathedral church at Old Aberdeen, had come perilously close to destruction, but also needed to reconcile himself to the death of his nephew and namesake in the battle. The younger Gilbert Greenlaw's grave slab is still extant in the churchyard at Kinkell near Inverurie.²⁴

The sense of vulnerability at the heart of Albany's government was increased by the tentative, or at least contestable, nature of the duke's right to exercise authority within the realm. Albany's office of Governor was a novel one, devised to deal with the political uncertainties that

²³ *Chron. Wyntoun* (Laing), iii, 111-2.

²⁴ The similarity of Greenlaw's image at Kinkell to that of two knights depicted together on the so-called Turing slab at Foveran kirk, has given rise to the idea that the grave at Foveran marks the resting place of two members of the Turing family slain at Harlaw. F.C.Eeles, "Two Incised Slabs: at Foveran, Aberdeenshire, and Oathlaw, Forfarshire," *Proceedings of the Society of Antiquaries of Scotland* 43 (1908-9): 308-11.

had arisen in Scotland following the death of Robert III, Albany's elder brother, on 4 April 1406. In the years leading up to 1406 Albany had been engaged in something of a power struggle with the physically incapacitated Robert III and his family. In 1402 Robert III's eldest son David, duke of Rothesay, had been arrested at Albany's behest and thereafter died in suspicious circumstances while a prisoner in Duke Robert's castle of Falkland. With Robert III nearing the end of his life he had, in 1406, decided to send his only surviving son and heir James (the future James I) to France in order to avoid the young prince being placed into the care of his closest adult male relative, his uncle Albany. The plan misfired horribly, and James was captured at sea by English pirates on 22 March 1406 and thereafter handed over to the custody of the English king Henry IV (1399-1413).²⁵ Robert III's demise some two weeks after his son's seizure left a situation where the legitimate heir to the throne was a captive of the English monarch, and unable to undergo the formal coronation rituals required to make him a fully constituted ruler. In these circumstances the Scottish estates, unwilling to assign over sovereign power to a young man physically controlled by the English crown, opted instead to recognise and support Albany as Governor of the realm until James was restored to liberty. The resolution allowed the government of the realm to continue in the absence of a crowned king, but it was not universally accepted. Most significantly for this discussion, the position of the young prince in exile meant that domestic opponents of the duke of Albany could openly question his right to govern, and/or seek to legitimate resistance to the Governor, by appeals to the "authority" of James and his English "guardian." Contact with Henry IV and his royal prisoner would have been especially

²⁵ *Chron. Bower* (Watt), viii, 60-3; For general background see Stephen I. Boardman, *The Early Stewart Kings: Robert II and Robert III, 1371-1406* (East Linton: Tuckwell Press, 1996), 241-97.

attractive, and achievable, for a magnate such as Donald of the Isles, already embroiled in the dispute with Albany over Ross, and the heir to a long Hebridean tradition of diplomatic communication, and occasional political and military co-operation, with the English monarch as Lord of Ireland.²⁶ Donald was also James' cousin, and thus a great magnate who could present himself as having a legitimate interest in the fate of his royal kinsman and, by extension, the arrangements made for the government of the kingdom in James' absence.²⁷ In August 1407 Donald sent his nephew, Hector *Ruadh* MacLean of Duart, as an envoy to visit the captive James, an event that seems to have opened a period of negotiation between Henry IV and the Islesmen over the possibility of a formal alliance between the English crown and the Lord of the Isles and his brother John, Lord of Dunivaig and the Glens "and their subjects of all their isles."²⁸ Strikingly, the leader of the 1407 "embassy" to James in London, Hector MacLean, would be killed at Harlaw, where he was noted as the commander [*armiductor*] of Donald's army.²⁹

²⁶ For a brief review of Lordship dealings with the English crown see Jean. and R.W. Munro, *Acts of the Lords of the Isles, 1336-1493* (Edinburgh: Scottish History Society, 1986), lxxiv-lxxviii.

²⁷ The suggestion that the Harlaw campaign may have involved Donald asserting his own claim to the throne (as the grandson of Robert II) pushes arguments based on Donald's "Stewart" descent too far. For discussion see John W.M. Bannerman, "The Lordship of the Isles" in *Scottish Society in the Fifteenth Century* ed. Jennifer Brown (London: Edward Arnold, 1977), 209-240.

²⁸ *Calendar of Patent Rolls, 1405-8* (London: H.M. Stationery Office, 1907), 361, 363. Hector was a great-grandson of Robert II and thus a kinsman to James I.

²⁹ *Chron. Bower* (Watt), viii, 75-6.

Another indication of ongoing interaction between James and the Lord of the Isles came in June 1411, the month before Harlaw, when John Lyon, Donald's chaplain, obtained a year-long safe conduct to allow him to visit the court of Henry IV. Before the end of January 1412 Lyon had entered the service of the captive heir to the throne, and was responsible for drawing up a series of letters, implicitly critical of Albany's alleged inactivity in attempting to secure James' release, that were sent to a number of magnates in Scotland.³⁰

Donald's links to James and Henry IV, then, provide an intriguing background to the great assault unleashed by the Lord of the Isles in the summer of 1411, and might give some substance to the idea that Donald's intention was to contest Albany's right to govern the kingdom in a wider sense. There is no direct evidence that such a scheme was any part of an understanding between Donald, Prince James and the English king aimed at breaking or incapacitating Albany's government, or that Donald openly presented himself as a representative of the Scottish king "in exile": it remains perfectly possible that this alarming spectre was invented or embellished by Albany and Mar as a device to encourage support for their campaigns against Donald from the 'threatened' communities of Angus, the Mearns and Fife.

What is clear, however, is that in the wake of Harlaw Albany's regime understood, and certainly depicted, the struggle in the north as something akin to a formal and full-scale war against an "external" foe, developing a narrative, and employing a vocabulary, designed to

³⁰ *Calendar of Documents Relating to Scotland, 1108-1516*, 5 vols., eds. J. Bain et al.

(Edinburgh: H.M.General Register House, 1881-1986), [CDS] iv, 806, 824; W.Fraser, *The Red Book of Menteith*, (Edinburgh, 1880), i, 284-6; E.W.M.Balfour-Melville, "Five letters of James I," *Scottish Historical Review* [SHR] 20 (1922): 28-33.

persuade and cajole other members of the Scottish polity to support Duke Robert's position in his confrontation with the Lord of the Isles. An immediate indication of the approach to be adopted came in a general council that met shortly after the battle, with the assembly passing a retrospective act that allowed the heirs of those who had been killed in Mar's force, in "defence of the *patria*," to gain immediate possession of their father's lands even if they were underage.³¹ There are no earlier examples of such a concession to the heirs of men killed defending the Scottish realm being implemented in practice, but that the custom was well established by 1411 is implied by a speech attributed to Robert I on the eve of Bannockburn in John Barbour's *Bruce* (dating to the 1370s):

And Ik hycht her in leauté
Gyff ony deys in this bataille
His ayr but ward releff or taile

³¹ *Registrum Episcopatus Aberdonensis* (Edinburgh: Spalding Club, 1845), 2 vols., i, 214-5. The exact date of the council is uncertain, but the legislation was in force by May 1413 when Andrew of "Tulydef" [Tillydaff] was allowed possession of the Aberdeenshire lands previously held by his father William who had died at Harlaw. These estates included the lands of Rothmaise and "Ledyntusche" in Rayne, a few miles to the north of Harlaw, which Tillydaff had held from the bishop of Aberdeen. William had literally died in defence of his own lands and community so a narrow interpretation of "*patria*" to mean "locality" or "province" is possible, but the fact that the concession originated in legislation passed by a general council, and the way in which "*patria*" was used in other contemporary records produced by the Albany government, suggests otherwise.

On the first day his land sall weld

All be he never sa young off eild.³²

The extension of the waiver of wardship and the payment of relief to the heirs of the dead at Harlaw immediately and explicitly placed the battle alongside the great conflicts of the Anglo-Scottish war in terms of its seriousness and import for the realm. This was not just a concession to those who had already fallen, for the classification of the conflict as a war to defend the *patria* delivered to Albany a number of potential advantages in the organisation of his military and political response to Donald of the Isles' confident saunter into the north-eastern lowlands. First, it may have allowed the Governor to request the basic military service due from all men in the realm aged between 16 and 60 when the preservation of the kingdom was at stake. Whether Albany was able to successfully raise this general levy after Harlaw (or, indeed, whether he even attempted to) is wholly unclear, but he certainly had sufficient manpower to launch a series of campaigns against the lordship during 1412. Second, as explored below, the formal state of war allowed Albany and Mar to justify the extensive use of royal financial resources to support their activities in the north and west. Finally, the decision of the general council increased the moral and political pressure on those landholders in areas such as Ross and Moray who had actively supported, or failed to act against, Donald's forces during 1411. There is little documentary evidence of Albany moving against men in this position, although by the summer of 1412 the estates of Walter Ross of Balnagowan had been legally seized by the Governor (recognosced) for an undisclosed misdemeanour. When Walter's legal representative

³² John Barbour, *The Bruce*, ed. and trans. A. A. M. Duncan (Edinburgh: Canongate Classics, 1997), 464-5 (Book xx, ll.318-322).

tried to recover possession of these lands from Albany in June 1412 it was noted that Ross had “offended him (the Governor) and the ‘status’ (in this context probably indicating the ‘estates’ that made up the general council—with the implication that Ross had transgressed against communal and public interests not just the personal authority of the Governor).”³³ The Rosses of Balnagowan were a cadet branch of the old comital family in Ross and held extensive lands within the earldom. It is tempting to speculate that the “offence” Walter had offered to Albany, and the “estates” was his support for the claims of Donald of the Isles and his wife to Ross. Pursuit of the “public good” was regularly invoked by Albany as a validation for his actions in the years around 1411, a claim to moral and communal authority that was especially important in a context where many (including, perhaps, Walter Ross) may have suspected that Donald had the implicit support of the captive James, giving a sheen of “royal” approval to his actions in Ross.

The duke of Albany’s reaction to the Harlaw campaign was swift and forceful. In the autumn of 1411 the Governor personally led an army into eastern Ross and recaptured the castle of Dingwall, a stronghold long associated with the title earl of Ross (although not technically part of the earldom itself). In the summer of the following year Albany reputedly sent three armies into the north and west against the Islesmen with the intention, according to an abbreviated version of Bower’s chronicle, of “devastating all of the Lord of the Isles’ lands on this side of the Isles.” The wide-ranging assault eventually forced Donald to submit and surrender hostages for his future good behaviour, at Lochgilphead on Loch Fyne.³⁴

³³ National Records of Scotland, J. & F. Anderson Collection, GD 297/195.

³⁴ *Chron. Bower* (Watt), viii, 76-7; *The Exchequer Rolls of Scotland*, ed. John Stuart et al., 23

Albany's expeditions of 1411 and 1412, and the subsequent military actions undertaken by the earl of Mar as the Governor's principal northern agent, were invariably described using the rhetoric and imagery of "public" war undertaken on behalf of the kingdom as a whole. At the annual exchequer audits, where the use of customs revenues from the royal burghs by Albany and Mar had to be accounted for, explained and justified, it was consistently stressed that the Governor and Earl Alexander were fighting to defend the interests of the realm and its inhabitants in two related ways: carrying war against the Lord of the Isles (or "Islanders" in general), or suppressing the regional disorder and violent misbehaviour associated with "ketherans." The disruptive activity of "ketheran" bands in the central and northern Highlands and surrounding districts was a long-standing issue which had produced sustained complaints to a sequence of Scottish governments from the 1380s onwards, alongside repeated appeals for sustained military/judicial interventions to deal with the problem.³⁵ The more striking feature was the expenditure incurred in the years after 1411 in the pursuit of what was said to be open "war" against the Lord of the Isles or Islesmen, and the linked need to defend the kingdom or "*patria*." The earl of Mar's labours and expenses in making war [*guerra*] against the Lord of the

vols (Edinburgh: General Register House, 1878-1908) [ER], iv, 213, 239. The exchequer records confirm at least two forces, one which went to "Polgilb" "against the Lord of the Isles," and another that went to Ross, "against ketherans for the pacification/peace of the kingdom."

Lochgilphead lay on the boundary between Knapdale and the Clan Donald lordship of Kintyre.

³⁵ For discussion see Steve Boardman, "Highland Scots and Anglo-Scottish Warfare, c.1316-c.1513," in *England and Scotland at War, c.1296-c.1513* ed. Andy King and David Simpkin (Leiden: Brill, 2012), 231-54.

Isles in 1412 were pointedly said to be “for the good [or advantage-*utilitate*] of the **whole** [*tocius*] kingdom.” Earl Alexander’s reconstruction of a fortalice in Inverness in 1412 “against the lord of the Isles” was similarly said to be for the “advantage of the common good/ common weal (or state) [*respublica*],” or the “advantage of the kingdom.” In 1416 supplies levied from the Fife burgh of Inverkeithing for a campaign in “northern parts” against the “islanders” were described as having been expended “for the defence of the *patria*.”³⁶ In a context where resources were being drawn from Fife to support Mar’s campaign “*in partes boreales*,” it was clear that the “*patria*” being defended was envisaged as something much wider than Earl Alexander’s own earldom or the north-east of Scotland. The legislation of Scottish parliaments was often said, in a general sense, to be promulgated for the ‘common weal’ and previous royal governments had discussed the more specific need to curb the behaviour of the Lords of the Isles, or to address the wider problems of policing Highland Scotland, as a public duty for the benefit or ‘quiet’ of the wider kingdom and the king’s lieges, but the post-Harlaw crisis of 1411 led to the presentation of these issues in increasingly stark terms.³⁷ In many ways the language

³⁶*ER.*, iv, 145, 146, 163, 265. Other payments to Mar or loyal agents such as Kenneth MacKenzie in Ross were variously categorized as outlays for the “quiet” or “pacification” of the kingdom, or the kingdom’s northern parts, or the “*patria*” in its more localized sense. *ER.*, iv, 188-9, 211, 213, 189, 228.

³⁷ Thus the parliament of April 1398 had opened with the observation that its ordinances were concerned to advance the ‘utility of the common weal of the kingdom’ [*utilitatem reipublice*]. The assembly was essentially concerned with organising military action against Donald of the Isles and his brothers John and Alexander. One statute had highlighted the need for the king to

used in discussion of the struggle between Albany and Mar on the one hand, and Donald of the Isles on the other, began to mirror that employed in the description of the activity of March wardens and great magnates on the Anglo-Scottish frontier.³⁸ More generally, the regime's linking of defence of the *patria* with the well-being of the *respublica* would seem to reflect the deployment of powerful ideas about political behaviour and the relationship of individuals to the state that had become increasingly influential in European society from the thirteenth century onwards.³⁹ Aristotelean ideas about the state, mediated through the work of Thomas Aquinas, had produced a new emphasis on the moral authority of rulers and their ability to call on their subjects to defend and uphold the interests of the *respublica* and the *patria*. As Housley notes:

The Thomist belief that the state (*respublica*) was a mystical body with a positive role to play in the lives of Christians, and that in the performance of this role its office-holders

take Urquhart castle (and another unidentified fortress) into his own hands and to appoint reliable captains to control them “until the kingdom is pacified of wrongdoers.” Only then were the strongholds to be restored to their rightful owners. *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2017), 1398/1. Date accessed: 9 April 2017. *RPS*, 1398/8. Date accessed: 9 April 2017 and *RPS*, 1398/17. Date accessed: 9 April 2017.

³⁸ Or the self-definition of late medieval urban communities ‘against’ external ‘others’. For discussion of this process in Scotland see Claire Hawes, ‘The urban community in fifteenth-century Scotland: language, law and political practice’, *Urban History* (2016): 1 – 16.

³⁹ N. Housley, “Pro deo at patria mori: Sanctified Patriotism in Europe, 1400-1600,” in *War and Competition between States*, ed. P. Contamine (Oxford: Oxford University Press, 2000), 223-5.

had the right to command the resources, and if need be the lives of their subjects, fructified enormously the theme of *pugna pro patria*.⁴⁰

An interesting perspective on the political and military position in the north of the realm after Harlaw is provided by the terms of a six-year Anglo-Scottish truce confirmed by Henry IV in May 1412, although probably negotiated with Governor Albany's regime late in 1411 as Duke Robert and Mar were preparing their counterattack against Donald of the Isles. The truce was to cover all maritime traffic, but would only apply on land from the "*aqua de Spey in Scotia*" to St Michael's Mount in Cornwall.⁴¹ When the truce was renewed in 1413 by Henry IV's son and successor Henry V, the same geographical limits were specified.⁴² The removal of a large area of the Scottish realm from the provisions of an Anglo-Scottish truce also occurred in 1431, during the active adult rule of James I, although by then the excluded region was defined as the zone lying to the north of the river Farrar [Forne] or Beaully, said to form the border "between Moray

⁴⁰ *Ibid.* The growing tendency for *patria* to take on a meaning wider than simply the locality in which a man or woman lived is also noted: "A cluster of writers, notably Ptolemy of Lucca, and Remigio dei Girolami, put the case for a decisive shift in men's highest political loyalties from the local, familial, and feudal, towards *respublica* and *patria*."

⁴¹ *Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica*, ed. T. Rymer, Original Edition, (London, 1704-35) [*Foedera* (O)], viii, 737-8; *CDS*, iv, 823; *Calendar of Close Rolls, Henry IV: Volume 4, 1409-1413*, ed. A E Stamp (London: His Majesty's Stationery Office, 1932), 340.

⁴² *Foedera* (O), ix, 60; *Calendar of Close Rolls, Henry V: Volume 1, 1413-1419*. ed. A.E.Stamp (London: His Majesty's Stationery Office 1929), 92.

and Ross.⁴³ It has been argued that the stipulation that the truces should not apply beyond either the Spey (1412, 1413) or the Farrar (1431, 1438, 1444) reflected the price that Scottish governments were willing to pay for the freedom to deploy Scottish forces in France which, it is suggested, was the key aim of the incorporation of St Michael's Mount as the southern limit of the truce by land.⁴⁴ The interpretation is not entirely convincing, for the wording of all the agreements makes clear that the lands and lordships lying beyond the Spey/Farrar or St Michael's Mount boundary markers were regarded as legitimately belonging to, respectively, the Scottish and English monarchies. The implication is that the exclusion of these areas reflected their status as regions of current or likely military activity for the contracting parties, either the Scots (in the case of the territory north and west of the Spey/Farrar), or the English (with their

⁴³ *Foedera* (O), x, 487-8. These terms were repeated in renewals of the truce in 1438 and 1444. *Ibid.*, 688-9; *Ibid.*, xi, 58; *CDS*, iv, 1167. For the identification of the River Farrar/Beaully from the Forn(e) of the truce agreements see W.J. Watson, *History of the Celtic Place-Names of Scotland* (Edinburgh: Blackwood, 1926), 48. My thanks to Dr Alasdair Ross, University of Stirling, for this reference. It is worth noting that James I was involved in a major confrontation with Alexander, Lord of the Isles (Donald's son), in the period 1428-31.

⁴⁴ E.W.M. Balfour Melville, *James I, King of Scots, 1406-37* (London: P. Allen, 1936); Lachlan Nicholson, "From the River Farrar to the Loire Valley: The MacDonald Lord of the Isles, the Scottish Crown, and International Diplomacy, 1428-1438," in *The Lordship of the Isles*, ed. Richard Oram (Leiden: Brill, 2014), 88-100. Quite why the English negotiators would be prepared to allow this concession in return for the dubious benefits of having a freer hand to interfere in the affairs of Highland Scotland is not explained.

various claims in France). The geographical limits were surely designed to ensure that any clashes that brought allies or subjects of the English and Scottish realms into conflict in the specified areas should not be construed as a breach of the truce as it applied to the Anglo-Scottish border.

The use of the river Spey as the western limit of the area to be included in the 1412 Anglo-Scottish truce tends to confirm that, at that point, Albany's regime effectively regarded the earldoms of Moray and Ross, the burgh of Inverness, and the lordships of the Great Glen as part of a "war zone" that lay beyond its settled political control, and as a region where Mar and other Albany loyalists were expected to be militarily active.⁴⁵ The characterisation of this region

⁴⁵ The Spey was, of course, an ancient boundary line marking the northern limits of the old kingdom of Scotia (the Forth constituting the southern border, and Drumalban the west) before the authority of Scottish kings had extended into and absorbed the kingdom/province of Moray. It seems very unlikely that Albany's government was deliberately or consciously invoking this older frontier between Scotia and Moray in order to define the bounds of the "patria" under threat from Donald and his followers: the choice of boundary seems to have been entirely functional and representative of the effective reach of Albany's government in 1412. The westward advance to the Farrar by the time of the 1431 truce may well reflect the success of Scottish noblemen, principally the earl of Mar and his son Thomas, in securing their hold on Speyside and Great Glen lordships in the years after 1412. In an agreement of 1420 with Murdoch Stewart, duke of Albany, who had just succeeded his father as Governor, Mar was encouraged to "bring to profit" the lordships of Badenoch and Statha"an in Speyside and Urquhart (on the western shore of Loch Ness). *Illustrations of the Topography and Antiquities of*

as one contested between the representatives of the wider Scottish polity (as Albany and Mar saw themselves) and the “Islesmen” reflected, in some respects, the reality of the situation in 1411-12, the legacy of the dramatic eastward advance of the territorial and political influence of Hebridean kindreds into the central Highlands during the fourteenth century. From the 1330s onwards, the Clan Donald had established control over, and title to, Lochaber and other estates and lordships along the Great Glen: and trailing in their wake came lesser island lineages such as the MacLeans.⁴⁶ In that context, the assertion of Clan Donald claims to Ross fitted into a pattern of expansion that had already brought Hebridean lordship to the borders of Mar and Moray by the end of the fourteenth century. Perhaps the most telling aspect of all this for the long-term relationship between Clan Donald and the rest of the realm was that the exclusion of wide areas of the central and western Highlands from Anglo-Scottish truces was not limited to the Albany governorship, but was a practice returned to by James I at the height of his own clash with the then Lord of the Isles in 1431. From the viewpoint of fifteenth-century Scottish rulers much of the realm they sought to govern was, to use a phrase employed by the English administration in Ireland, naturally a “land of war.”

the Shires of Aberdeen and Banff (Edinburgh: Spalding Club, 1847-69), 4 vols., iv, 181-2. Mar’s son Thomas, had secured the lordship of Bona (at the top of Loch Ness) and the barony of Kirdell (to the west of Loch Ness) before 1431. For general discussion of Mar and his relationship with Albany see Brown, Mar,” op. cit.

⁴⁶ S.Boardman, “Lordship in the North-East: The Badenoch Stewarts, I. Alexander Stewart, Earl of Buchan, Lord of Badenoch,” *Northern Scotland* 16 (1996): 1-29; Brown, “Mar” op. cit.

The popular view of Harlaw that took hold in fifteenth-century Lowland Scotland, then, reflected an understanding that it was a battle fought as part of a wider and longer war against the threat of the extension of the political and territorial interests of the Lordship of the Isles deep into the heart of the Scottish kingdom. This estimation arose partly from the reality of the expansion of Hebridean lordship across the central Highlands and into Moray and Ross over the course of the fourteenth century, but also from the relatively weak position of the Albany regime after 1406. Albany's vulnerability both encouraged Donald of the Isles' bold intervention in the north-east, and required Duke Robert to find new means, and messages, to validate his authority. The launch of a wide-ranging propaganda campaign that emphasised the political, cultural and military threat posed by the Islesmen to the entire community of the realm, to the *patria* and *respublica*, was a key part of Albany and Mar's strategy to galvanise political and military support.

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