

POLITICS, SCHOLARSHIP AND DYNASTIC HISTORY:
THE DEBATE BETWEEN THOMAS RUDDIMAN AND GEORGE LOGAN

A Master's Thesis

by
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September 2007

To my family

POLITICS, SCHOLARSHIP AND DYNASTIC HISTORY:
THE DEBATE BETWEEN THOMAS RUDDIMAN AND GEORGE LOGAN

The Institute of Economics and Social Sciences
of
Bilkent University

by

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In Partial Fulfillment of the Requirements for the Degree of
MASTER OF ARTS

in

THE DEPARTMENT OF
HISTORY
BILKENT UNIVERSITY
ANKARA

September 2007

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in History.

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ABSTRACT

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In the first half of the eighteenth century, the debate between Thomas Ruddiman (1674-1757), a Jacobite classical scholar, historian, political writer and publisher, and the Rev. George Logan (1678-1755), had political characteristics. These two people produced refutations of each other's treatises.

The major distinction in the political environment in the first half of the eighteenth century, which inevitably determined the course of the debate between Ruddiman and Logan, was that of Whigs and Tories. The purpose of this thesis is to go beyond this and evaluate the scholarship by contemporary standards. Also, in the study of these contemporary authors, we see the conflicts of eighteenth-century Scotland, which take centre stage in political narrative. Besides, we also inevitably note the similarities of their thought in response to the world around them.

Keywords: Eighteenth-Century Scotland, Political History, Historiography, Scottish Intellectual History, Scottish Dynastic History, Thomas Ruddiman, George Logan

ÖZET

SİYASET, BİLİM VE HANEDANLIK TARİHİ: THOMAS RUDDIMAN VE GEORGE LOGAN ARASINDAKİ TARTIŞMA

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Eylül 2007

Onsekizinci yüzyılın ilk yarısında jakobit bir bilgin, tarihçi, siyasi yazar ve yayıncı olan Thomas Ruddiman (1674-1757) ve Muhterem George Logan (1678-1755) arasında yaşanan tartışma siyasi özellikteydi. Bu kişiler birbirinin tezlerine karşılık tekzipler yayınladılar.

Ruddiman ve Logan arasındaki tartışmanın gidişatını ve özelliklerini belirleyen onsekizinci yüzyılın ilk yarısının siyasi atmosferidir; ve bu atmosferin en belirgin ayrışması da Liberaller (Whig'ler) ve Muhafazakarlar (Tory'ler) şeklinde ortaya çıkar. Bu tezin amacı, bu ayrışmanın ötesine geçerek tartışan tarafların bilimsel ve entelektüel yetkinlik ve yeteneklerini bulundukları çağın kriterlerine göre değerlendirmektir. Ayrıca, birbirinin çağdaşı olan bu iki entelektüelin tartışmasında, siyasi anlatılarının tam merkezinde, onsekizinci yüzyıl İskoçyası'nın ihtilaf ve çatışmalarını görürüz. Buna rağmen, kendilerini çevreleyen ortak olguların atmosferinde fikirlerinin ne derece benzeştiğini de belirtmeden geçemeyiz.

Anahtar Kelimeler: Onsekizinci Yüzyıl İskoçyası, Siyasi Tarih, Tarih Yazımı, İskoç Entelektüel Tarihi, İskoç Hanedanlık Tarihi, Thomas Ruddiman, George Logan

ACKNOWLEDGEMENTS

I would like to express my gratitude to my supervisor Professor Cadoc Leighton for his patience, guidance and invaluable contribution throughout this study. I would also like to thank to the other faculty members for their friendly support. I also thank to all my friends. Not to forget the thanks I owe to my *abla* Nimet Kaya. Finally, my special thanks are to my family for their cordial and unceasing love.

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TWO PRELIMINARY NOTES

About Presbytery and Episcopacy: the religious quarrel

Presbyterianism and Episcopacy are different types of church government. The name Presbyterian derives from the Greek word *presbuteros* (πρεσβύτερος), which means ‘elder’. On the other hand, Episcopal denominations derive their designation from the word *episkopos* (ἐπίσκοπος) meaning ‘bishop’. Simply, the difference is about the governance of the church by either bishops or elders. The origins of Presbyterianism, the rule of the ‘elders’, are in Calvinism, with principles of John Knox, the author of the *First Book of Discipline*, essentially shaped by the Scottish Reformation of 1560. The Church of Scotland, the Kirk, was formed along Presbyterian lines to become the established church of Scotland. In addition, John Knox had no clear explanation on the office of bishop. The crown inclined to appoint bishops and thus indirectly interfere in church government. As a result, in reaction, a party emerged headed by Andrew Melville, the author of the *Second Book of Discipline*. However, problems about the governance of the Kirk did not cease. Presbyterians and Episcopalian parties fought, often violently for supremacy. The Jacobite risings marked the final stage of this conflict. The fear was always that unless church government was based on bishops, who held divine authority by virtue of their succession to Christ’s apostles, it would be based on popular authority. Presbyterians, of course, denied this.

About Jacobitism: the political quarrel

Jacobite was the name of those who supported King James VII of Scotland and II of Britain, as a response to his deposition in 1688. The term Jacobite was derived from the Latin, *Jacobus*, meaning James. The Jacobite movement was aimed at the restoration to the thrones of Scotland and England of that branch of the Stuart dynasty, which had been replaced by Mary II and her husband, William of Orange. Jacobite support derived from a troubled political environment, notably created by the circumstances of the Union of 1707 between Scotland and England, which was highly unpopular with the majority of the population in Scotland. Moreover, James was a Catholic, who was trying to introduce religious toleration for Catholics and also for Protestant Dissenters. This was a threat to the established religious and political system, but attracted the involvement of rival, Catholic powers such as France and Spain, and to the support of the Episcopalian community and to that was added that of the Pope. The Episcopalians were at odds with the Presbyterian settlement. Jacobitism in Scotland found its roots primarily on these grounds. Soon, it turned into a military struggle against the Hanoverian regime. The military history of Jacobitism is full of unsuccessful attempts. There are four major conflicts, apart from the minor clashes. In Ireland, ignited by the Siege of Derry by the Jacobite forces in 1689, with the support of Louis XIV of France, a war between Jacobites and the forces of William III began, ending in 1691, after the defeat of James's forces at the Battle of Boyne. James fled to France. In Scotland, with the support of the Episcopalian Highland clans, the Dundee rising in 1689 and the Battle of Killiecrankie took place; but the revolt ended in surrender. In addition, there were two important insurrections, one in 1715 and the other in 1745. The 'Fifteen' rising

was led by John Erskine, Earl of Mar, who was capable in organising such a large scale rising, but very poor as a general. At the battle of Sherrifmuir, where the Jacobites outnumbered the Hanoverian forces by two to one, Mar failed to win a decisive victory. Again, in the 'Forty-Five' rising the Jacobite army led by Charles Edward Stuart, known as Bonnie Prince Charlie, failed to advance far enough south and retreated to the Highlands of Scotland, to be finally defeated at Culloden Moor near Inverness in 1746. After the defeat of France in the Seven Years War, Jacobitism ceased to be a military threat and entered a permanent decline. However, it had a considerable influence on the political and cultural life of Scotland.

CHAPTER I

INTRODUCTION

In eighteenth-century Scotland, intellectual disputes as well as historiographical discussions may profitably be read with reference to the political atmosphere of that day. Equally, the scholarly publications in the first half of the century are frequently highly relevant to those who produce works on the life of Scotland from the Revolution of 1688 to the end of the first half of the century, leaving the latter as a rather arbitrary border. Furthermore, phenomena related to the restless atmosphere of the previous centuries, the Reformation, the Restoration, and the Revolution, still affected the modes of discussions, the intellectual and the religious tensions, the political treatises etc. of the eighteenth century. Clarifying reasonable links from actual political events to the scholarly phenomena, or vice versa, may, of course easily trap readers and writers, who observe the literature only superficially. However, the discipline of literary criticism illuminates the path towards achieving a critical approach to certain material – dissertations, pieces of poetry, ephemeral pamphlets, treatises written in controversy, articles, etc. – which may contain obvious political or religious bias, or not. Unless scholars of a certain period explicitly mention their political intentions or depict their objects with certain

political or religious bias, indifferent to an objective approach in their works, searching the ultimate aim or motivations of that work only within a political framework is less than helpful. Nevertheless, while making studies either of pieces of historical writing or political treatises in this form written to assert certain convictions, one should bear in mind that the most important matters are the accuracy of the historical data and the success of the argumentation in a work. We cannot expect scholars to produce works which are free from any ideological and religious commitment. However, the level of accuracy and historical accomplishment found in a treatise, politically imbued and biased, or not, still allow it to be evaluated and appreciated. One should also approach one's object of criticism with reference to literary taste.

Neither scholarly dissertations and treatises, nor, frequently, politically imbued pamphlets for that matter give certain evidence to the reader to assert the political inclinations of scholarly authors or the motivations in their works, merely by themselves. One must be wary of bringing together data from political history and intellectual history to prove certain theses or claims. Explaining the political panorama of the period is not such an impossible task, of course, but one should refrain from acquiring an attitude towards an author that detaches him from the history of academic activity. The proper attitude, maybe still arguably, is to look at the primary material firstly as a source of intellectual history. This may prevent the modern reader from sliding into the danger of reasoning directly from the ideological stance of an eighteenth-century scholar to the content of his works, or following the reverse course. The reader must avoid an inclination to associate every assertion in a work with the ideological or religious position of its author. In the end, one can easily find oneself propagandising the data out of its scholarly context.

In the first half of the eighteenth century, the debate between Thomas Ruddiman (1674-1757), a Jacobite classical scholar, historian, political writer and publisher, and the Rev. George Logan (1678-1755), had obvious political characteristics. These two men produced extended refutations of each other's treatises. The approach in this study, which aims at focusing on this debate appropriately, is to give the religious and ideological characteristics of the parties debating on intellectual grounds as part of the biographical information on both. This is offered in the opening section. This will serve for understanding the positions of the two debaters towards each other. Nevertheless, the appraisal of their writings will not assume ideological commitment. The study is of the argumentation of both writers as figures in intellectual history. Both Ruddiman and Logan had ideological motivations for producing their works. Nevertheless, their studies cannot be categorised as either merely political pamphlets announcing political ideas and concepts to the public or as pieces of political and religious propaganda. In the atmosphere of eighteenth-century Scotland, Ruddiman and Logan emerge as parties in a lively debate, in which extensive and successful use of historical argumentation is obvious. In their treatment of a wide variety of issues, the works of Ruddiman and Logan, particularly focusing on the dynastic history and the constitution of Scotland, display a degree of quality and success in argumentation and rhetoric, regardless of their different ideological stances. However, the political discourses inherited by Ruddiman, an Episcopalian Jacobite, and Logan, a Whig Presbyterian, do need to be made clear.

CHAPTER II

RUDDIMAN AND LOGAN: JACOBITE AND WHIG

II.1 The Politics of the Age

The major distinction in the political environment in the first half of the eighteenth century, which inevitably, though partially, determined the course of the debate between Ruddiman and Logan, was that between Whigs and Tories. Tory ideology, depicted by H.T. Dickinson as “the ideology of order” can, most profitably, be traced back to the Restoration of 1660.¹ Tory political theory, within its five component elements of absolute monarchy, indefeasible hereditary succession, divine ordination, passive obedience and non-resistance, grants power and authority to the Crown to a more marked degree. This ideology, according to Dickinson, partially derived from the political theory of classical antiquity, from Roman law and from medieval thought, and came to England in the sixteenth century through the work of Jean Bodin. Once merely a set of political ideas, Toryism realised itself by filling a political vacuum after the Restoration. Hoping to maintain order in Church and State, the landowners of England and a large proportion of the Anglican clergy upheld its theories. In 1688 these doctrines suffered a serious blow in the Revolution

¹ H. T. Dickinson, *Liberty and Property: Political Ideology in Eighteenth-Century Britain* (London: Weidenfeld and Nicolson, 1977), 13.

of that year and never entirely recovered. However, certain principles of Tory ideology remained and formed the core of Jacobite ideology in the following period. Tory ideology determined the conservative path in British politics, and thus certain elements of it can be found in the conservative ideology of Hanoverian Britain, which is, in a degree, misleadingly labelled as “Whig”.²

Whig theory, claimed as a “theory of liberty,” is not to be perceived as liberal. However, after the Revolution of 1688, principles of social contract, the ultimate sovereignty of the people, and the natural rights of men became more entertainable than before. The implications of these principles were, however, very limited, from a modern perspective. Only a small minority of Whigs adhered to extreme positions that can be approximated to the definitions such principles were later given. In general, most Whigs desired political power and a “stable, orderly, even hierarchical society which would protect the privileges and property of the wealthy and influential.”³ They held, to a greater extent than Tories, that the power of the Crown was not unlimited, and should be limited by the power of Parliament. Dickinson argues that if the Whigs had been free to establish their own political order in 1689, they would have probably put more limitations on the Crown, but their system would certainly not have been one that pointed to a democratic system of government or a liberal order. This argument is in accord with the main trends of political history, since the constitutional order and general patterns of politics did not, in fact, change. Moreover, conservative political settlements became advantageous to those who began to enjoy the benefits of office, and the Whigs toned down their views.

² Ibid., 14.

³ Ibid., 57-9.

Anyway, it may be said that after the Revolution of 1688, the theories that supported the absolute monarchy of Stuarts were somewhat diluted.⁴

If one intends to achieve a degree of clarity on the differences between the Whig and the Tory, the important point to focus on is the type of the monarchy. Both the Whigs and the Tories wanted order and stability “in which men of property would be safe.”⁵ However, Whig thought included the idea that this safety could only be achieved under a limited and controlled monarchy. The absence of a clear cut difference between the two groups appears in the later decades of the first half of the eighteenth century, in that Jacobite thought, doctrines of religious toleration, and constitutional debates were all affected by the events and unique characteristics of the period. Although the eighteenth century can be seen as a triumphant period for Whig thought, it should be reiterated that ideals of absolutism did not cease to exist, and Whig ideas became more varied.⁶ The Tory ideas and Whig political lines of thought are examined in detail through the following chapters of this work, which focuses on the debate on the Scottish constitution between Ruddiman and Logan.

While the fundamentals of modern conservatism were coming into existence with heavy Whig influence, Jacobite thought was taking its place in either peaceful intellectual realms or militant and revolutionary events and phenomena. The foundations of support for Jacobitism as observed by modern historians were numerous: the ideological support of the Catholic community and Episcopalian Church for the Jacobite cause; the Whig-Tory dichotomy; the widespread dislike of the Act of Union; economic and cultural differences between Highland and Lowland Scotland; resentment over taxation; the utility of the Stuart cause to foreign

⁴ J. A. W. Gunn, *Beyond Liberty and Property: The Process of Self-Recognition in Eighteenth-Century Political Thought* (Kinston and Montreal: McGill-Queen's University Press, 1983), 120.

⁵ Dickinson, *Liberty and Property*, 59.

⁶ Gunn, *Beyond Liberty and Property*, 120-1.

governments, etc.⁷ As a sequence of events, when James VII and II was overthrown by the Dutch prince, William of Orange, in the so-called ‘Glorious Revolution’, the Jacobites were committed to the restoration of the Stuarts to the thrones of England, Ireland and Scotland. The main tenet of Jacobitism, at the heart of it, was that the rights of kingship are purely hereditary and indefeasible.⁸ However, there were other factors stimulated by economic, social, religious and political circumstances and developments, which confirmed many in, and attracted others to, the Stuart cause. Consequently, the history of Jacobitism in Scotland is not an easy issue that can be understood in simple causalities. At present, it may be said, historians tend to emphasise the decision in 1690 to impose a Presbyterian settlement on the Scottish church, welding Episcopalianism and Jacobitism together in the same cause. Stress is also put on the credibility and support given to Jacobitism by the support of most of Catholic Europe, especially France. Though other powers, Austria, Spain and Sweden, made use of Jacobitism, the French support for the uprisings was the most important, particularly taking into account its effects on Highland Jacobitism.⁹ However, Jacobitism flourished for many reasons, and anti-Jacobitism was correspondingly varied.

II.2 Thomas Ruddiman

In the intellectual realm in the eighteenth-century Scotland, a strong voice for the Jacobite cause was Thomas Ruddiman. Pittock introduces him as “the famous

⁷ See Frank McLynn, *Charles Edward Stuart: A Tragedy in Many Acts* (Oxford and New York: Oxford University Press, 1991), 125; T. M. Devine, *The Scottish Nation: A History, 1700-2000* (London: Allen Lane, 1999), 33-47, 17, 232-3; Dickinson, *Liberty and Property*, 39-45, 124; Murray G. H. Pittock, *Jacobitism* (New York: St. Martin's Press, 1998), chap. 3, *passim*.

⁸ T.M. Devine, *Clanship to Crofters' War: The Social Transformation of the Scottish Highlands* (Manchester: Manchester Univ. Press, 1994) 19.

⁹ F.J. McLynn, *France and the Jacobite Rising of 1745* (Edinburgh: Edinburgh Univ. Press, 1981), 1-3; Stephen Conway, “Continental Connections: Britain and Europe in the Eighteenth Century,” *History* 90 (2005), 356.

Jacobite” while quoting his views on Scottish agricultural purity.¹⁰ The fame of Ruddiman was acquired through his intellectual endeavours, his publishing experience and other elements in his biography. He was born in October, 1674 in the parish of Boyndie, Banffshire, the son of a royalist farmer, James Ruddiman. His academic career started at Inverboyndie parish school where he pursued classical studies under George Morison. He was sixteen when he left home to compete for the prize and bursary for classical learning at the King’s College, Aberdeen, without the permission or knowledge of his parents. This was the beginning of his career, and a decision determining his life. He won the prize and matriculated in the college with a bursary, in November 1690. After his graduation in 1694, he worked as tutor to the family of Sir John Ogilvy, of Inverquhar, and then as tutor to the son of Robert Young of Auldbar. The latter job helped him to secure the post of schoolmaster at Laurencekirk, Kincardineshire. Dr. Archibald Pitcairne, whom he met in 1699, persuaded him to go to Edinburgh and try his luck there, by providing his support. Ruddiman began working as a copyist in the Advocates’ Library, Edinburgh. His career from copyist to the Keeper of the Library began in 1702, when he became assistant librarian. In 1706, he met Robert Freebairn, an Edinburgh printer and bookseller, who employed him as an editor and proofreader. Ruddiman and Freebairn shared the same ideological views: both were loyal Episcopalians and supported Jacobite principles. In the following years, Ruddiman prepared many works for the press.¹¹ After he had established his own printing business in 1712, he

¹⁰ Emphasis on the agricultural purity of Scotland was a way of asserting that “luxury and vanity had replaced primitivism and simplicity” as a result of the “imperial consumption of a greater Britain.” See Murray G. H. Pittock, *The Invention of Scotland: The Stuart Myth and the Scottish Identity, 1630 to the Present* (London: Routledge, 1991), 36; Douglas Duncan, *Thomas Ruddiman: A Study in Scottish Scholarship of the Early Eighteenth Century* (Edinburgh: Oliver & Boyd, 1965), 149-50.

¹¹ The earliest of his works included Sir Robert Sibbald’s *Introductio ad historiam rerum a Romanis gestarum* (1706), Sir Robert Spottiswood’s *Practicks of the Laws of Scotland* (1706), Florence Wilson’s *De animi tranquillitate dialogus* (1707), et al. For all of his publications and edited works,

chose schoolbooks as his market, which was broadening and promised a guaranteed profit. His own *Rudiments of the Latin Tongue* (1714, second edition 1716) was first published by Freebairn. On the second edition's title page, it was indicated that the book was now "printed and sold by the author." Reaching to fifteen editions in his lifetime, this book remained the standard Latin grammar book for the rest of the century in Britain, representing its author as the foremost Latinist of Scotland.¹² Together with his *Rudiments*, which spread his fame as a Latinist, his edition for Freebairn of George Buchanan's *Opera Omnia* (1715) determined the rest of his career and his literary and historical fields of controversy. According to Douglas Duncan, with these two works, Ruddiman "fixed the boundaries of his scholarly concerns," consolidating rather than extending his interests thereafter.¹³ In his career as a Latinist, he marked his success by printing his *Grammaticae Latinae Institutiones* (*Pars Prima*, 1725; *Pars Secunda*, 1731), which was aimed at classical scholars. As a historian and classical scholar, his edition of Buchanan was very important and was to involve him in political debates. In the biographical introduction of the *Opera Omnia*, Ruddiman criticised Buchanan's views and his character, especially his anti-monarchical views, not wishing to reveal his own Jacobitism. As a very important literary figure, Buchanan's political views, though his literary excellence was universally accepted, were very extreme, making him the most radical of all the Calvinist revolutionary thinkers.¹⁴ Ruddiman's edition of the *Opera Omnia* (1715), in the year of a Jacobite rebellion, ensured that his criticisms aroused a high level of reaction from the Whig and Presbyterian establishment in

see A. P. Woolrich, "Ruddiman, Thomas (1674-1757)," in *Oxford D.N.B.*; and Duncan, *Ruddiman*, *passim*.

¹² Woolrich, "Ruddiman," *Oxford D.N.B.*

¹³ Duncan, *Ruddiman*, 3-4.

¹⁴ Quentin Skinner, *The Foundations of Modern Political Thought, Volume Two: The Age of Reformation* (Cambridge: Cambridge University Press, 1990), 301.

Scotland.¹⁵ The reactions to Ruddiman from his contemporaries will be described in detail in the course this work.

In 1724, Ruddiman took over a newspaper appearing three times a week, the *Caledonian Mercury*, a moderate Jacobite publication which attracted little attention. In 1729, he devoted more attention to the newspaper, which remained in the family until 1772. However, his major contribution was that to the Advocates' Library. After he had been appointed Keeper of the Advocates' Library in 1730, it grew extensively; during his twenty two years as keeper, he enriched the collection from about 9,000 volumes to about 20,000 volumes, ensuring a continuous supply of books from Stationers' Hall, London. On 13 August 1739, Ruddiman partially resigned his printing business to his son Thomas and bought himself a house in Parliament Square, close to the Advocates' Library. In 1752, he resigned from his post in the Library, being succeeded by David Hume. He died in Edinburgh at the age of eighty-two, on 19 January 1757, and was buried in a grave not to be identified in Greyfriars Kirkyard.¹⁶

Apart from the dissertations and pamphlets of both Ruddiman and his adversaries, there is only a small number of sources that can be examined for detailed information about Ruddiman's life. The earliest, most detailed and quite reliable source is a biography of Ruddiman by George Chalmers (1742-1825), a Scottish historian and political writer. As a biographer, he published lives of Daniel Defoe (1786) and Sir John Davies (1786). His *Life of Thomas Pain* [sic] (1793) was an entertaining and popular attack on the personal and public morals of the famous radical. His greatest biographical study, however, was of Mary, Queen of Scots (1818). His critical works do have a clear royalist bias, which is related to his own

¹⁵ Woolrich, "Ruddiman," *Oxford D.N.B.*

¹⁶ *Ibid.*

experiences of the American Rebellion and the French Revolution. This includes his *Life of Thomas Ruddiman* (1794). On the other hand, his invaluable antiquarian work, *Caledonia*, which remains unfinished because of his death, embraces the Roman, the Pictish, the Scottish, and the Scoto-Saxon periods, from 80 to 1306 AD.¹⁷ Chalmers had his talents in biography, reaching to a level of historical reliability. However, together with its presentation of facts about Ruddiman, this biography presents a mass of information and comment not directly related to the subject itself. One methodological criticism of Chalmers comes from Duncan, who complained of his “failure to relate Ruddiman critically to the changing intellectual world of his day, a failure which was particularly aggravated by angry political bias.”¹⁸ Duncan’s criticism was that Chalmers failed to see Ruddiman ignoring the main current of the Scottish Enlightenment, as he himself ignored “the changing intellectual world” of that day. However, Duncan’s own bias in favour of the Scottish Enlightenment, which he apparently thought of as inevitable change and progress, ought to be noted in this criticism. Duncan’s criticisms of his eighteenth-century counterpart (Chalmers) help readers to redefine the ideological and intellectual stances of both, for and against the Enlightenment.

Chalmers’s biography of Ruddiman is 467 pages in length and, as remarked, the most reliable source on the life of the latter. On the title page, there is a portrait of Ruddiman and a short notice about his post as the keeper of the Advocates’ Library for almost fifty years. Chalmers declares that his book was written “to preserve the remembrance of a scholar, who, by his labours, promoted the interests of learning, and to protect a character, which, for its probity, may be offered, as an example, to

¹⁷ Ibid.

¹⁸ Duncan, *Ruddiman*, 6. In the footnote of the same page, Duncan emphasises the indispensability of Chalmers for the student of the relevant period, adding that no attempt is to be made to supersede him as a factual source.

imitation.”¹⁹ The biography was certainly eulogistic. In his opening chapter, with a couple of pages, he indicates his reason for writing such an admiring study:

Of the numbers of men, who have benefited our fathers by their studies, and added to the reputation of Great Britain by their learning, few will be found to be better entitled to biographical notice, than Ruddiman, whether we consider the usefulness of his works, the modesty of his nature, or the disinterestedness of his spirit. He too was incited to employ “laborious days,” and sleepless nights, by the hope, that posterity would at last award him the justice, which his contemporaries often denied him. This time is now come, when an attempt is made, to fulfil his wish, by endeavouring to state his pretensions, and to estimate his worth. In making this attempt, after abler writers had relinquished the task, it has fallen to my lot, to collect the incidents of his life; in order that his merits may be known, and his example may be followed.²⁰

However, critics doubted the necessity of devoting such a long book on the life of Ruddiman. Grace A. Cockroft, the twentieth-century biographer of Chalmers, agreed. According to Cockroft, Chalmers

...exposed himself to reproof and ridicule through having devoted a book much too bulky, much too pompous, much too contentious, and much too panegyrical, to a provincial grammarian.²¹

Duncan, as a twentieth-century biographer of Ruddiman, argues that it was obvious that the “taunt of provincialism” had no meaning for the Scot, Chalmers, adding the observation that Chalmers was so much in sympathy with Ruddiman’s world that “he failed to see how fully it had disintegrated.”²² Present day historians, conscious of the continuing importance of Jacobitism, might well disagree that it had. True, Chalmers lacked a critical approach towards Ruddiman. However, Chalmers had an obvious sympathy with Ruddiman, and a political ideology in common, and the biography makes a valuable contribution to the understanding of its

¹⁹ George Chalmers, *The life of Thomas Ruddiman, A.M. the keeper, for almost fifty years, of the library belonging to the Faculty of Advocates, at Edinburgh: ... By George Chalmers, F.R.S S.A.* (London, 1794), unpaginated advertisement.

²⁰ *Ibid.*, 2.

²¹ Grace A. Cockroft, *The Public Life of George Chalmers*, (New York, 1939), 191, cited in Duncan, *Ruddiman*, 8.

²² Duncan, *Ruddiman*, 8.

subject and gives reliable information. Nevertheless, Duncan's criticism about the obvious pro-Ruddiman stance of Chalmers is not without merit.

Another answer can be put forward in an attempt to explain the need of Chalmers to devote a large book to Ruddiman, the cause of Cockroft's disapproval. The biography of Ruddiman reveals its author's political antagonism towards Buchanan. Chalmers took Buchanan as a figure representing the opposite of his own beliefs and ideas, especially taking into account Buchanan's career as a political writer after the dethronement of Queen Mary. In this respect, Chalmers's biography of Ruddiman, specifically regarding Ruddiman's opposition to the doctrines supported by Buchanan, gave an opportunity to Chalmers to speak of Buchanan. Duncan's criticisms frequently referred the quality of Chalmers's study as a biography, with much reference to his political bias. In fact, his study served chiefly his interest in finding grounds to attack political Calvinism in the form of a biography, rather than presenting a Scottish librarian and political writer to his audience. Additionally, Chalmers's *Life of Ruddiman* was less praise of Ruddiman himself, more of the strength of the perennial Jacobitism he symbolised.²³ This understanding is quite important for this present study. If we disregard the sentimental descriptions and phrases of Chalmers, and take no notice of present day rules for writing biography, the *Life of Ruddiman* can illuminate the patterns of the discussion between Ruddiman and Logan, as a reliable source for true information on both of them.

Through Ruddiman's publications, especially those produced during the long debate with Logan, one can better understand the extent of Ruddiman's scholarly talents and his importance for his period. As Duncan's book is an attempt to take a

²³ C.D.A. Leighton, "George Chalmers and the Reformation: Writing Scottish history in the Age of Counter-Revolution and Restoration." *Archivum Hibernicum*, 59 (2005): 290-305.

negative approach to Ruddiman, there is a need to consider the scholarly attributes of Ruddiman, as a complement. Duncan argued that Chalmers failed “to submit him [Ruddiman] to a proper critical test.”²⁴ A critical approach in biography might be necessary to reach a certain degree of credibility and readability. However, in political and intellectual history writing, it is indispensable. Apart from A. P. Woolrich’s biographical article, there are only two detailed studies on the life of Ruddiman, one an eighteenth-century work (Chalmers’s), and the other is now almost as dated in outlook (Duncan’s). Neither of them contains satisfactory comment about Ruddiman’s debate with Logan, and the significance of this in eighteenth-century discussion. Time and space are important determining an author’s works. Noting initially that Ruddiman ignited a debate, by a scholarly work, published in Edinburgh in the year of a Jacobite rebellion, provoking opposition from other scholars on the constitutional nature of the Scottish state and hereditary right, it is to be said that such local and temporal detail, which can be extracted by bringing together political and intellectual history, will help readers to understand the debate more clearly.

II.3 George Logan

In contrast to the high reputation of Ruddiman, and the quantity of comment on him, there is very limited amount of material about Logan. Interestingly, the data on Logan usually can be found in biographies of Ruddiman, as a figure in a part of his life. George Logan (1678-1755) was a Church of Scotland minister and religious controversialist, the son of George (or James) Logan who was a merchant and burgess of Glasgow, and Elizabeth, daughter of John Cunningham, minister of Old Cumnock. In 1693, he entered the Greek class at Glasgow University and received

²⁴ Duncan, *Ruddiman*, 9.

his MA in 1696. He went on to study divinity, preparing for the ministry. He was listed as a student of divinity at Glasgow in 1697. On 4 March 1703, he was licensed to preach by the presbytery of Glasgow. After that, he became chaplain to John, earl of Lauderdale. On 6 February 1707, he was called to Lauder, a parish in Berwickshire. He was ordained on 8 May 1707. His marriage to Anne Home, on 5 April 1711, produced a son and a daughter. On 16 October 1718, the duke of Roxburghe presented him to the parish of Sprouston in Roxburghshire. He was admitted to the parish on 22 January 1719. Having been presented by the duke of Roxburghe again, he was relocated to the parish of Dunbar in East Lothian, in 1722. In his new place, he published his first work, the *Essay upon Gospel and Legal Preaching*, in 1723.²⁵

Logan was called to Trinity parish in Edinburgh, on 31 August 1732, and admitted on 14 December. On 8 May 1740, he was elected moderator of the General Assembly which deposed dissident ministers, including Ebenezer Erskine, who would later become the chief founder of the Secession Church and who had strongly resisted the use of patronage in selecting parish ministers. The debated issue of patronage had motivated Logan to produce controversial publications. From 1732 to 1733, he published *A Modest and Humble Inquiry*, followed by separately published *Continuations*, one in each year. In 1736, he published *An Overture for a Right Constitution of the General Assembly*. In the following year, he published *The lawfulness and necessity of ministers their reading the act of parliament for bringing to justice the murderers of Captain John Porteous* (1737), supporting the government's interpretation of the Edinburgh riots of 1736. As a Whig and Presbyterian thinker, Logan naturally opposed Jacobitism. He argued that Edinburgh

²⁵ Alexander Du Toit, "Logan, George (1678-1755)," *New D.N.B.*

should be placed in a state of defence during the Jacobite rising of 1745. When the city was seized by Jacobite forces, Logan left the city. The Jacobite army used his house at Castlehill as a guardhouse. He spent the 1740s in the lively debate with Ruddiman. His last publication was a work published in 1749, in which he defended the reputation of the important Presbyterian figure, Alexander Henderson. He died in Edinburgh on 13 October 1755.²⁶

Logan contributed to the controversy between Whigs and Jacobites over Scotland's monarchy and indefeasible hereditary right and this gave him a certain reputation as a Whig political thinker. His ideas were centred on historiographical arguments that were thought to serve Whig claims against indefeasible hereditary right and favouring parliamentary legitimacy.²⁷ Logan's arguments revolve around *ius regni* in the Scottish hereditary line and historical proof for it. He represented the Whig Presbyterian case for a limited monarchy, not strictly hereditary by primogeniture, against Jacobites such as Ruddiman. In 1717, a group of Whigs, including the patriotic historian James Anderson, whose book was edited posthumously by Ruddiman under the title *Selectus Diplomatum et Numismatum Scotiae Thesaurus* (1739), formed the "Associated Critics" to engage in Whig-Jacobite controversy. Their main objective was to defend the reputation of Buchanan,²⁸ whose political and historical views were central to Scottish Whig-Presbyterian ideology, refuting the "slanders" of Ruddiman. Logan and his associates intended to deal with this edition of Buchanan's works from two points of view: Ruddiman carefully sorted out every single piece in Buchanan's *Opera Omnia* that might somehow serve Whig interests, especially Buchanan's passages attempting to

²⁶ Ibid.

²⁷ See Colin Kidd, *Subverting Scotland's Past: Scottish Whig Historians and the Creation of an Anglo-British identity, 1689-c. 1830* (Cambridge: Cambridge University Press, 1993), 84-5 and 88-95.

²⁸ "The standard Whig account of the Fergusian monarchy was derived from Buchanan." Ibid., 83.

provide historical evidence for anti-monarchical views; and he tried to strengthen his Jacobite position by attacking one of the most prominent figures in Scotland of its Whig interpretation of history. The Whig-Jacobite controversy had found itself some topics in this controversial work by Ruddiman. The aim of the “Associated Critics” was to produce another edition of Buchanan’s works that would be freed from Jacobite commentary, treating Buchanan as his importance to Whig ideology required. From one point of view, their goal was to “rehabilitate their clay-footed idol,” freeing him from the hands of a Jacobite critic.²⁹ They only managed to write eighty pages of notes against the criticisms of Ruddiman, but an edition of Buchanan’s works was begun. The project was never completed, but Logan himself entered a “lively literary combat”³⁰ with Ruddiman that spanned the 1740s. He produced his major studies in this period. His *Treatise on Government* (1746), which centred on the argument that the Scottish monarchy was not strictly hereditary in the manner Jacobites held it to be, was not a counter-argument to Ruddiman but an independent argument, following the same path as Buchanan’s. The others were *A Second Treatise on Government* (1747), *The Doctrine of the Jure-Divino-Ship of Hereditary Indefeasible Monarchy Enquired Into and Exploded, in a Letter to Mr Thomas Ruddiman* and *A Second Letter* (1749). As noted above, the period before he entered the debate with Ruddiman was not unfruitful though for Logan, and his earlier works aid the understanding of the debate with Ruddiman. The debate between Logan and Ruddiman comprehended religious disputes, one of which, for example, related to the seventeenth-century Presbyterian figure, Alexander Henderson. Other Episcopalian and Presbyterian points of views on different and divergent issues were also an important part in the debate, which can be seen more

²⁹ Ibid., 93.

³⁰ Du Toit, “Logan.”

fully in the arguments of Logan's "firm assertion" of the right of people to choose the ministers of their religion, and Ruddiman's counter-arguments and his commitment to "divinely ordained [ministerial] succession."³¹

The difficulty about clarifying the background information on Logan is that the secondary material on him is gathered together in the studies of Ruddiman. Apart from the data that can be collected from the *Oxford Dictionary of National Biography*, which is merely a collection from other secondary material, the two biographies of Ruddiman (Chalmers's and Duncan's) comprehend the densest information on Logan. Thus, Ruddiman, in the field of academic study seems to overshadow Logan. However, this leaves us to analyse Logan's own works once more, for understanding the influence of politics and religious stances on the interpretation of history and attempts to exploit history to find support for these different political positions.

Logan was not the only person who entered into controversy with Ruddiman. John Love, rector of Dalkeith Grammar School, and James Man, master of the Aberdeen Poor House, were two others who produced refutations of Ruddiman's works. Yet, after Ruddiman published counter-arguments to theirs, they did not seem, arguably, eager or competent to continue the debate. Though the debate with Man came later primarily to revolve around philological issues, the conflict centred on Ruddiman's provocative accounts on Buchanan's *History* and Anderson's *Diplomata*.³² There is no particular explanation of why Logan was the most important opponent of Ruddiman, although zeal and his ability to enter such lively debate, and the qualities of the works of Ruddiman while he was refuting Logan's

³¹ Duncan, *Ruddiman*, 136.

³² *Ibid.*, 135.

claims, which cannot be seen in his debate with Love,³³ can be cited as reasons for this “long war” between them. Furthermore, Logan found it absolutely necessary to protect Buchanan, who was of “canonical significance for Scottish Whigs” and to whom “Scottish whiggism in its anti-Jacobite and historical manifestation remained tied” in the intellectual battlefield.³⁴

According to Duncan, the debate in general can be explained as centred chiefly on three issues, though they cannot be separated from each other in a clear-cut way. One of them related to the arguments around the claims of Robert Bruce and John Balliol to the Scottish Crown. In this issue, Logan supported the claim of Balliol, arguing that the “exclusions of his descendents from the right to succeed” was a disregard of the hereditary principle, while Ruddiman preferred to support Bruce’s claim as being in accordance with proximity of blood, the constitution of the time and the laws of God. The second issue in their debate was the question of the legitimacy of Robert III. Logan tried to point out a break in the hereditary succession here by showing that the children of Robert II and his mistress Elizabeth Muir had been “legitimated by papal dispensation.” Ruddiman devoted 242 pages in his *Answer to Logan* on the legitimacy of Robert III. The third issue concerned the “pre-historic” Scottish kings and constituted the most confusing part in the debate. It was the point that both Logan and Ruddiman agreed upon: they both thought that the list of early monarchs presented by John of Fordun (d. c. 1384), the first chronicler to create a continuous history of Scotland, was unreliable. However, each approached the issue from his own point of view. Ruddiman argued the antiquity of the royal line, and Logan attempted to show that it contained bastards and usurpers.³⁵

³³ Love was once Ruddiman’s good friend and admirer of his Latin. See *ibid.*, 90 and 137.

³⁴ See Kidd, *Subverting Scotland’s Past*, 92.

³⁵ Duncan, *Ruddiman*, 136.

II.4 Specimens of Work

We may turn back to the earlier works of the two writers for the sake of ascertaining the scholarly attributes and political discourses of the debating parties, and separately comment on their intellectual abilities. It would be a useful attempt to consider both outside the context of their lively debate, in order to better comprehend their scholarly skills and their rhetoric. For Ruddiman, one can cite numerous works, including the studies of different scholars he favoured and published with his own introductory notes. These certainly show his scholarship, argumentation and rhetorical skill. Since the chief interest of this study is the debate of Ruddiman and Logan, we may concentrate on their works and be selective. To look at the works of Logan and try to understand his way of grasping a certain subject and speculating on it, we may either take his earlier works on church affairs, some of which are, for example, *A Modest and Humble Inquiry Concerning the Right and Power of Electing and Calling Ministers to Vacant Churches* (1732), or look at his *Treatise* of 1746, which occasioned conflict, but was not part of it. Ruddiman's *Vindication of Mr. George Buchanan's Paraphrase of the Book of Psalms* (1745) might also be noted, though, it is indeed part of a debate. However, the side of Ruddiman seen here is somewhat different from the one which is seen in his debate with Logan.

The title page of this work of Ruddiman includes a summary of the content of the book.³⁶ As it can thus be seen, Ruddiman deals with and criticises William Benson's (*bap.* 1682, *d.* 1754) edition of Arthur Johnston's (1587-1641) version of the Psalms. Johnston was a poet, born in Aberdeenshire, the son of a wealthy iron

³⁶ *A Vindication of Mr. George Buchanan's Paraphrase of the book of Psalms: From the Objections raised against it by William Benson...in the Supplement and Conclusion he has annexed to his Prefatory Discourse to his new edition of Dr. Arthur Johnston's Version of that sacred book. In which also, upon a Comparison of the Performances of those two Poets, the Superiority is demonstrated to belong to Buchanan....* (Edinburgh: W. and T. Ruddiman, 1745).

merchant. He had a chance to travel abroad to Hanover and Stockholm early in life, was rector of King's College, Aberdeen, and later on a professor in Heidelberg. When he produced a criticism of George Eglishem's criticisms of George Buchanan's translation of the Psalms, he developed an interest in such translations, and later on was encouraged by Archbishop William Laud to translate the Psalms himself. Benson was a Whig politician, a wealthy architect and a literary critic, who wrote a biography of Johnston. His commitment as a Whig was decided. He published a letter attacking a Tory member of parliament of Swedish birth, Sir Jacob Bankes, for his advocacy of passive obedience to monarchs. The pamphlet, which got him into trouble with the Swedish ambassador and led to his being summoned before the Privy Council, became a very famous one and sold over a hundred thousand copies in different languages.³⁷ For the new edition of the Latin Psalms of Johnston (1741), he wrote his *Prefatory Discourse* that summarised his views about Johnston's *Psalms*, comparing it with the work of Buchanan, and makes his points in favour of Johnston, whose writings and capacity he admired, especially for their sense of plainness.³⁸ The *Vindication* of Ruddiman starts with an introduction addressed to Benson, criticising him for praising so highly a work (Johnston's) that was certainly no better than that of Buchanan.

In the first part, beginning from the introductory chapter, Ruddiman draws the framework, explaining his intentions in writing and his opinions about Benson and his writings, sincerely and with courtesy. In the opening sentences, Ruddiman praises Benson's work and mentions his own great admiration for Johnston, frankly:

³⁷ Nicola Royan, "Johnston, Arthur (c.1579–1641)," *New D.N.B.*; Robert Crawford (ed.), *Apollos of the North: Selected Poems of George Buchanan and Arthur Johnston* (Edinburgh: Polygon, 2006), pp. xlii–liii.

³⁸ William Benson, *The Conclusion of the Prefatory Discourse to Dr. Johnston's Psalms...* (1741), 45–7.

It was a very sensible pleasure to me, when I first heard that you had conceived so high an opinion of the poetical performances of our countryman Dr. Arthur Johnston, particularly of his paraphrase of the Psalms of David that you had determined to publish to the world a new and handsome edition of that part of his works. I was always a great admirer of that excellent author, and, as a testimony thereof, I caused [to] be printed, upwards of thirty years ago, his *Paraphrase of the Song of Solomon*, which it would seem he published ...³⁹

However, these things, at the very beginning, might convey more than appreciation. Ruddiman, in this way, was able to mention immediately that he had enough acquaintance with Johnston to comment on his work. He declared himself to be a scholar who already knew a good deal of the value of Johnston, and so well able to offer criticism of Benson. At once, after his positive comments and declaration of his respect for both Benson and Johnston, he starts his criticisms, in the second paragraph.

But, worthy Sir, you will forgive me to tell you, that when it afterwards appeared, that the extreme fondness you had conceived for our Dr. Johnston had transported you so far, as in a separate treatise to undervalue [Buchanan], in comparison of him ... I frankly confess to you, I was not a little surprised.

Another important passage comes immediately afterwards:

Taste, I know, sir, is a very arbitrary thing; and it is almost incredible to what heights men, otherwise of great learning, have been carried, in their partial regards for some authors, to the disparagement of others, of as great and sometimes greater excellency than they. But as the truth of things is always the same, and cannot be in the least altered by the various opinions the most knowing men may possibly entertain concerning them; so it is to be wished that men would keep within due bounds, and not, by their ill-grounded prepossessions in favours of any writer, launch out into odious and slighting comparisons.⁴⁰

This passage can be examined in order to obtain a degree of knowledge about Ruddiman's approach to scholarship and his ideas of a true literary standard. There is almost no doubt that Ruddiman's views expressed here about the desirable kind of literary scholarship are his own. One can argue that he prefers certain discourses that

³⁹ Ruddiman, *Vindication*, 1.

⁴⁰ *Ibid.*, 2.

can fit into the general framework of the ongoing debate, or alternatively that he tries to support his stance and strengthen his arguments by making up grounds on which to justify his views. The quotation above more likely fits to the latter. However, leaving aside the criticism of Benson, Ruddiman's general views emerge quite comprehensively and clearly. Primarily, from the very beginning, Ruddiman draws the distinction between his approach to the subject and that of Benson. Benson's criticisms are generally oriented to the "taste" of the works, and thus his major criteria are aesthetics and the readability of the versions of the Psalms:

Buchanan's translation is a gaudy, pompous thing, with its outside show of a vast variety of metre; very fit to set the multitude of readers a staring, as the ornaments of majesty amuse the common people.⁴¹

Ruddiman stresses his own definition and nature of "taste" and "opinion" in a quite clear way. He holds that, these are free and arbitrary grounds on which it is impossible to determine the true quality of a work. By saying this, he apparently criticises Benson's pro-Johnston stance and blames him for a lack of a sense of objectivity. For Ruddiman, truth is always certain and there is no ground for opinion apart from that predetermined pattern of truth. In Ruddiman's *Vindication*, it is clearly observed that the universal objective rules for criticism are mainly technical.

Duncan, in his biography and criticism of Ruddiman, actually holds to this view, but criticises Ruddiman by drawing a distinction between Ruddiman and his contemporaries, by asserting the former's failure to follow the patterns of the Enlightenment.⁴² Duncan's criticism, as mentioned above, of Ruddiman's late eighteenth-century biographer (Chalmers) as well, is mainly inspired by his own bias in favour of the principles of the Enlightenment.⁴³ The bias is succinctly revealed in

⁴¹ Benson, *Discourse*, 47.

⁴² Duncan, *Ruddiman*, 118,146.

⁴³ See pp. 9-10 above. See also C.D.A. Leighton, "Chalmers."

one of the several comments of Duncan on the Enlightenment⁴⁴ and the stance of Ruddiman: Ruddiman, he thought, contrasted very badly with his successor in his position in the Advocates' Library of Edinburgh, David Hume, certainly a true figure of the Enlightenment.⁴⁵ The point that Duncan puts forward is interesting as a remarkable approach towards Ruddiman. Duncan criticises Ruddiman for leaving the notions "taste" and "opinion" somewhat blurred.

Taste being arbitrary, opinion being free, where were the absolute standards by which judgement could be formed, the certain principles from which true inferences could be drawn? It was important to thinkers of the Enlightenment to find such a standard and such a certainty.⁴⁶

In truth, Ruddiman was simply arguing that taste and opinion were often best left aside and that use be made of other kinds of criticism. The Enlightenment quest was unnecessary. Ruddiman can be criticised because of the use of rhetoric to assert his arguments and strengthen his propositions against those of his adversaries. However, one could hardly criticise him for not being aware of certain absolute and objective standards. He sets apart liking for an author or scholar on the one hand, and the rules of objective criticism on the other. Duncan also confirms that Ruddiman

... conducts his argument according to objective rules of criticism, focussing his attention strictly on the Latinity of the two texts [of Johnston and Buchanan] and on the peculiar decorum required for the translation of the Holy Writ.⁴⁷

Duncan confirms that Ruddiman has a ground for objective criticism, chiefly the Latinity of both texts, though unhappy with what he considers his frivolous approach to taste and opinion. We may leave aside the question of whether Ruddiman always sticks to his own objective criteria in his studies. However, he has them, mentioning

⁴⁴ There is, though, no unique single definition for such a pattern of the Enlightenment. The practices of it in the Isles differ and there are various patterns of Scottish Enlightenment. For a brief introduction, see Colin Kidd, "Gaelic Antiquity and National Identity in the Enlightenment Ireland and Scotland," *English Historical Review*, 109 (1994), 1198.

⁴⁵ Duncan, *Ruddiman*, 148. For Duncan's comments on Ruddiman's literary criticisms, see also pp. 97-121.

⁴⁶ *Ibid.*, 146.

⁴⁷ Duncan, *Ruddiman*, 117.

at the beginning of one of his most laborious and longest works that “the truth of things is always the same.” This point is important for understanding Ruddiman’s scholarship and his rhetoric. Indeed, one may well come to different conclusions about Ruddiman, regardless of his political scholarship and rhetoric, by approaching him in other ways.⁴⁸ In any case, his commitment to refrain from any “prepossessions in favour of any writer” is quite remarkable.⁴⁹

The introductory chapter of Ruddiman’s *Vindication* is mostly devoted to toning down Benson’s admiration for Johnston. Ruddiman, firstly, praises Johnston as “inferior to none, and superior to most of the age he lived in.”⁵⁰ However, Ruddiman continues noting that Johnston also had imperfections and blemishes and to represent him as having achieved perfection would be raising him “upon the ruins of others.”⁵¹ There is an interesting element here in Ruddiman’s approach: his criticism of Johnston serves as a mirror of his criticism of Benson. A common method in debate, it is certainly favoured by Ruddiman, who constantly uses it to strengthen his arguments against his opponent.

Despite his disapproval of both the character and doctrines of Buchanan, in his counter-argument, Ruddiman is clearly able to draw a distinction between his own sentiments about Buchanan and his literary criticism.

For my own part, though there are several things that might more prepossess in favour of Dr. Johnston than Buchanan, (the freedoms I have on former occasions taken with this last, being sufficient to vindicate me from all suspicion of being biased towards him) yet, as every equitable judge ought to separate the consideration of the person from that of the cause, and as here the question is not concerning the moral, but the intellectual endowments of those

⁴⁸ See, for example, David Allan, *Virtue, Learning and the Scottish Enlightenment* (Edinburgh: Edinburgh University Press, 1993), 177. Allan mentions Ruddiman as an “antiquarian” and a rhetorical voice with Scottish antecedents. According to the author, Ruddiman constitutes an example for the humanist understanding – a much less negative approach than Duncan’s.

⁴⁹ Ruddiman, *Vindication*, 2.

⁵⁰ Ibid.

⁵¹ Ibid.

great poets, I shall, with all the impartiality and candour I am capable of, endeavour to make it appear, that as your commendations of Dr. Johnston are too highly exaggerated, so the exceptions you make to Mr. Buchanan are for the most part trivial, and oftentimes without any foundation at all.⁵²

Moreover, continues Ruddiman:

[B]efore I proceed, I must beg leave to premise, that as nothing, but an inviolable regard to truth, has engaged me to enter upon this dispute; so I shall make it my business to preserve all along that decency that becometh, by avoiding all injurious and reproachful language, which is but too common in such controversies.⁵³

In this way, Ruddiman restricts himself to the bounds of impartiality, from the beginning of this study. Ruddiman's *Vindication* as an indication of ability in scholarly discourse, should be kept in mind in considering the debate with Logan. Clearly, Ruddiman's view of Buchanan is nuanced. When the Whig historical tradition and the works of Presbyterian scholars and writers, as will be noted from considering Logan, is observed, the importance and the controversial characteristics of Buchanan will be very obvious. However, that Buchanan could leave this aside and that two different approaches by Ruddiman to Buchanan, one political and one scholarly, existed is acknowledged in modern studies.⁵⁴ Ruddiman "admired Buchanan as a Latinist," as William Ferguson remarks, understanding the learned printer's view of one often acclaimed as the greatest of all Neo-Latin poets of the Renaissance. This commendation of Buchanan is clearer in the *Vindication*. The controversy between Ruddiman and Logan was exaggerated because of the intensity of the political tension in the years after the civil war of 1745-46. Ruddiman's edition of Buchanan's *Opera Omnia*, which "was scholarly but prone to set Buchanan in a

⁵² Ibid., 2-3.

⁵³ Ibid.

⁵⁴ William Ferguson, *The Identity of the Scottish Nation: An Historic Quest* (Edinburgh: Edinburgh University Press, 1998), 79, 83-4; Michael Lynch, *Scotland: A New History* (London: Pimlico, 1997), 346-7. See also Duncan, *Ruddiman*, chaps. 5 and 6, *passim*.

bad light”,⁵⁵ aroused a great reaction from Whig Presbyterian circles, appearing at the time of the previous civil war. In the *Vindication*, he is trying only to restore esteem for Buchanan’s paraphrase of the Psalms, and sticks to the Latinity and the technical qualities of Buchanan. This attitude can barely be seen in his *Vindication*.⁵⁶

Other methods that Ruddiman uses for criticising Benson are somewhat peculiar to his *Vindication*, and can rarely be seen in his debate with Logan. However, there may be some useful point in mentioning them briefly. One instance is his attempt to set Benson apart from Johnston. He points out how much Johnston admired Buchanan. He carefully quoted a poem that Johnston quotes from Dr. Eglesham, an admirer of Buchanan.⁵⁷ Ruddiman argues that if Johnston quoted a poem praising Buchanan, it also reflects Johnston’s own feelings about Buchanan. Another argument of Ruddiman against Benson is that the “faults and defects” of Buchanan were already known from his own work.⁵⁸ Moreover, in his *Vindication*, Ruddiman successfully disciplines himself for approaching the study in three different respects. Firstly, he comments on whether or not the choice of verse form is appropriate. Secondly, he analyses the “justness” of the texts in expressing the meaning of the divine original. Finally, he focuses on the poetical expressions and ability displayed in both texts. From the beginning of his extensive study to the last chapter, he successfully remains faithful to his declared intentions. However, the greater part of the work consists of technical consideration of the skills of a Latinist. Additionally, Ruddiman is not unwilling to accept Buchanan’s imperfections. Though lacking a knowledge of Hebrew for measuring the accuracy of the Latin

⁵⁵ Ibid., 84.

⁵⁶ Ruddiman, *Vindication*, from Sect I onwards. See especially pp. 20-5, 247-50 for technical details on misplaced and misused words.

⁵⁷ Ibid., 5-6.

⁵⁸ Ibid., 6-7.

translation of the Psalms, he sometimes criticises both Buchanan and Johnston for their inability to give the true meaning of the verses, by giving certain “[e]xamples where Johnston, and sometimes Buchanan, have mistaken or misapplied the words of the original.”⁵⁹ What is best is the comparative approach to Johnston, using his own knowledge of Latin poetry.⁶⁰ In his reaction to Benson, much evidence can be collected for acknowledging the quality of Ruddiman’s scholarship and his ability to act as Buchanan’s advocate.⁶¹ In contrast to his debate with Logan, which is observed in this study more thoroughly, Ruddiman’s counter-arguments to Benson have no political bias or purpose at all. Hence, the suitability of the *Vindication* to observe the actual scholarly attributes and Ruddiman’s mere scholarship can be obviously observed in his *Vindication*.

Unlike Ruddiman, one cannot find Logan in debate with an individual, before his lively debate with Ruddiman. His various publications before this dealt mostly with ecclesiastical politics. It cannot be argued that Logan turned his direction towards politics after he started to produce works against Ruddiman, but he did produce many works for either justification of certain measures, or a political reorganisation of the Scottish Church. Generally speaking, one cannot separate religion and politics from each other in observing the intellectual environment of the eighteenth century, since there were few merely secular political inquiries in that century. Logan’s arguments concerning the way to be followed in electing and sending ministers to the vacant churches can be put side by side with his suppositions and historical inquiries on the true way of kingship and hereditary succession. Thus,

⁵⁹ Ibid., 247-8.

⁶⁰ Ruddiman makes extensive use of his knowledge of Ovid, who chiefly provided Johnston’s models. See *ibid.*, 377-9.

⁶¹ Duncan, *Ruddiman*, 113. See also Colin Kidd, “The Ideological Significance of Scottish Jacobite Latinity,” in *Culture, Politics and Society in Britain, 1600-1800* (Manchester & New York: Manchester University Press, 1991), 123.

for drawing the framework correctly about the literary abilities, in both political and religious sense from today's perspective, and success in rhetoric of Logan in comparison with those of Ruddiman, one has to evaluate his religious political philosophy together with his debating abilities. Therefore, along with one of his earlier works, his *Inquiry* (1732), the *Treatise* (1746) is again important for finding out how he handles a debate against an opponent.

A Presbyterian thinker, Logan's ability to comment on aspects of government of the Church of Scotland is significant. We may turn to his *Inquiry*, which does not promise more than various restatements of well-known positions. In this recitation and reflection on pieces from Holy Scripture, he successfully restricts his subject mainly around the reason and causes for the patterns of spiritual government and the principle of *ius populi* in the decision-making processes of the Church.⁶² In summary, there are three major points that Logan emphasises in his *Inquiry*. He cites certain necessities that should be followed for a just decision for the calling of ministers. Firstly, in the process of ministerial election the preferences of parishioners who are in the rank of mere hearers must not determine the outcome by themselves; so, they should be somehow excluded from the decision-making process. Secondly, and similarly, the people should not decide who are to be ordained to the ministry. Thirdly, he claims it was abundantly evident that in the history of the New Testament, Apostles elected pastors to the several churches, ordained and installed them in their office. However, Logan completes his argument by stressing the falseness of establishing a direct metaphor between those practices and contemporary practices, mentioning the necessity of proposing the ministers to the consent of the

⁶² George Logan, *A Modest and Humble Inquiry Concerning the Right and Power of Electing and Calling Ministers to Vacant Churches* (Edinburgh, 1732), *passim*.

wisdom of the Kirk session.⁶³ To strengthen this argument, he cites Scripture as establishing a ground for congregations electing and choosing their own pastor. He thus acknowledges some fundamental validity in the popular case, in which it

...is loudly said to be a Presbyterian principle, a principle of the Church of Scotland, and a Reformation principle; and this is contended for in our days with great warmth and keen zeal, in opposition to an act and overture of the last assembly, concerning the method of planting vacant churches; by which act is declared, that the planting of these parishes that shall fall into the hands of presbyteries *tanquam jure devoluro*, shall be by the heritors, being protestants, and the elders who represent the people.⁶⁴

Logan was, of course, writing against the popular case, and thus emphasised clerical rather than lay power, declaring that

the right of election belongs still to the Church Representative or the Presbytery; it is being reasonable to suppose that such an assembly has more learning, wisdom and prudence, than a congregation of illiterate persons, and are more able to judge of the abilities and qualifications of persons for the ministry, an election that is made with judgement and knowledge is surely to be preferred...⁶⁵

The actual disagreement here that Logan mentions, carefully and indirectly, is related to the difference between *ius populi* and *ius populi divinum*. Patronage had long been a source of conflict for the Church of Scotland. Logan successfully clarifies the distinction between the interference of laity through patronage to the decision-making process of the Church, and the importance of the right of Church's ministry and eldership in choosing new ministers.⁶⁶ In defence of the latter, he offers various arguments. However, his ultimate solution is the preservation of the right of both Presbyteries and people to choose their ministers together, with certain restrictions for patronage.⁶⁷ He was certainly for patronage, which provided the political and economic foundation of the Church. However, his emphasis is on clerical authority.

⁶³ Ibid., 1, 4-5, 7-8.

⁶⁴ Ibid., 4-5.

⁶⁵ Ibid., 7.

⁶⁶ Ibid., 12.

⁶⁷ Ibid., 17.

His careful interpretation of *ius populi divinum* comprehends the right of election, always within the framework of apostolic succession.

Concerning *ius populi* principle, the right to choose ministers should belong to the congregation to a certain degree, a congregation that is regarded as being primarily composed of members of the elite. Balancing this is the *ius populi divinum*, is the right of judgement of the Presbytery to appoint a minister. Logan's *Inquiry* is centred on and evolving around the checks and balances between *ius populi* and *ius populi divinum*, between the congregation and the assembly. Apart from Scripture, the source Logan mostly uses is *The Two Books of Discipline* (1561-1581), especially the *First Book*, both of which served as a standard for the ecclesiastical order in the Presbyterian Church of Scotland, and which was constituted upon the ground plan of John Knox on the Geneva model.⁶⁸

The methodology of Logan in the *Inquiry* is quite successful in reaching the ends. He explains what is to be explained without much speculation, but with extensive references of the earlier and later sources. Especially, the long historical accounts and biblical passages in the third section of his work are fruitful pieces showing his ability to strengthen his arguments with intensive use of quotations, which comes to a conclusion on biblical precedents.⁶⁹ The only speculation that can be found in the *Inquiry* is in his references to the issue of patronage and the pressure of the nobility on the congregation, with regard to the decisions of the session. He does not tackle very directly the issue of patronage, but rather conceals his support of the system of benefices and patrons. In any case, again, there is a system of checks and balances in the matter of benefices, in that "whensoever her Majesty, or any

⁶⁸ Ibid., 8 "... And first in the book of common order, or the order of the English Church of Geneva, whereof John Knox was a minister..."

⁶⁹ Ibid., 44-52, 76-9.

other patron do present any person to a benefice, that the person presented should be tried and examined by the judgement of learned men” of the Church.⁷⁰ Through the *Inquiry*, he seems to accept the contention that the right of election belongs to the people is a major Presbyterian principle, but asks how the truth about *ius populi* should be discovered, in order to “prevent confusion and mistakes.”⁷¹ He uses the Scripture to assert clerical power and support this with the practices of the Primitive Church and its canons. Finally, he considers similar practices in the Protestant churches after the Reformation. Although his arguments vary through the course of his *Inquiry*, he carefully argues from the form for appointing ministers as laid down.

The ministers and elders at such time as there wanted a minister, assemble the whole congregation, exhorting them to advise and consider who may best serve in their room and office: and if there be choice, the Church appoints two or three upon some certain day to be examined by the ministers and elders. ...and they [decide] whose gifts they found most meet and profitable for the ministry. ...Then the minister that is to preach, [is] presented ... to the church [the most suitable of them all] and then [the] afternoon the sermon being ended, the minister exhort[s] them to the election. ...and after the election is over ...he is appointed Minister.⁷²

The right of electing ministers is shared by people and presbytery together, “by the judgement of the eldership and consent of the congregation.”⁷³

Logan’s *Inquiry*, which mainly embraces the questions about the practices of the Church of Scotland on the issues of electing or desposing ministers, is a good source for understanding the identity between his political thought and his religious inquiries. His success in reconciling different and divergent demands, as observed in balancing landowner and clergy, is observed elsewhere in his study. His *Inquiry* is certainly a good reference for his emphasis on the extent of the rights of people in

⁷⁰ Ibid., 15.

⁷¹ Ibid. By mentioning “confusion and mistakes”, Logan carefully interprets the problem of *ius populi* without touching provokingly to the problematic major questions like the balance of power between lay patrons’ decisions and the decisions of the assembly.

⁷² *Disciplines*, Chap. 1, Art. 3., cited in Logan, *Inquiry*, 8-9.

⁷³ Ibid., 12.

choosing their political or spiritual rulers – a very limited extent it is – and his use of the sources and his practice of speculating on them. However, regarding his literary abilities and capability in rhetoric, both his *Inquiry* and his *Treatises* should be evaluated together. Logan's *Inquiry* is a controversial tract around the issue of patronage, whether directly or not, given that it addresses the opponents of patronage in general. Since there is no debate with an individual in the *Inquiry*, one should look at his *Treatise* to see more clearly Logan's abilities in debating and to note the parallelism between the arguments in the *Treatise* and the *Inquiry*. On the other hand, the *Vindication* allows readers to see a good piece of Ruddiman's argumentation not mingled with political discourse and thus serves as a useful preview of his further publications. In addition, his literary criticism dealing with the "stuff of literature," which is language and rhetoric, and often allows subjectivity, can also be utilised in examining political thought, which might well be considered an important part of the "stuff of history."⁷⁴ If "rhetoric" is a literary phenomenon, and "argument" is a historical one, the successful use of rhetoric in historical argumentations in both Ruddiman and Logan would be a blending of literary and historical disciplines.⁷⁵ Both Ruddiman and Logan might be accused of engaging in conflict with each other without solid bases, merely expressing ideological prejudices; but the slight difference between rhetoric and argumentation indicates the quality of their works, which are important pieces of argumentation about the dynastic history of Scotland, both medieval and early modern. There is, however, also a need to note that these two scholars and their works reflect the eighteenth century, a different environment

⁷⁴ Russell Jacoby, "A New Intellectual History," *American Historical Review* 97 (1992), 408. For brief accounts on realism and objectivity in history, see Kenneth Cmiel, "After Objectivity: What Comes Next in History?" *American Literary History* 2 (1990), 170-181.

⁷⁵ For brief analyses of the difference between the disciplines of history and literature, see Nancy S. Struever, "Topics in History," *History and Theory* 19 (1980), *passim*; Linda Orr, "The Revenge of Literature: A History of History," *New Literary History* 18 (1986), 2-9, 16.

that cannot simply be criticised for its use of rhetoric and for differences of style, which may not meet the understandings and conventions of the following centuries. In eighteenth-century Scotland's scholarly environment, the exact difference or intersection between literature and history is obscure and ill defined. Evaluation of the styles of both writers by anachronistic criteria will mislead.

CHAPTER III

THE QUESTION OF HEREDITARY SUCCESSION: THE TWO TREATISES OF LOGAN

Offering a general framework for the whole debate between Logan and Ruddiman will draw attention to the central matters and patterns of argument. As mentioned before,⁷⁶ the three major points are the rival dynastic claims of Bruce and Balliol, the question of the legitimacy of Robert III, and the lineage of the Scottish kings. In brief, Logan defends revolutionary principles, but not strictly and steadily in accordance with Buchananite-Whig political thought. He firmly asserts the right of the people to take a position on high politics and confessional issues. This includes the people's right to choose their own kings if necessity requires, and to determine who should be their ministers of religion. Even if his interpretation of these doctrines very much dilutes them, he is in a sense revolutionary, opening both the political and religious sphere to public opinion. He is, more or less, an advocate of Whig ideas, although in certain points he differs from the main lines of Whig political thought. These notions were countered by Ruddiman, who argued against any kind of revolution in any circumstances. He insists on the hereditary principle in the succession to the throne and a divinely ordained succession of bishops. Whiggism

⁷⁶ See pp. 16-17 above.

and Presbyterianism unite, as do Jacobitism and Episcopalianism. At the climax of their disagreement on these main subjects, they both appeal to history. Ruddiman seeks to show with certain evidence that the succession to the throne of the Scottish kings had always been hereditary. Logan argues that the throne had obviously been regarded as elective on several occasions. They both try to clarify their points and cast light on the obscurities of their topics by exploiting medieval history. Generally speaking, on the issue of the rival claims of Bruce and Balliol to the Crown in the year 1291, and on the principle of succession among the Scottish kings of more obscure times, Ruddiman can be said to have had the “more difficult side to maintain.”⁷⁷ However, Ruddiman is more successful in producing rhetorical arguments against the assertions of Logan on these very issues. Logan’s central issue is the problem of the legitimacy of Robert III, upon which Ruddiman wrote his *Answer*. Logan’s arguments on Robert III are sometimes weak in comparison to those of Ruddiman. Both parties seem careful to avoid from strictly religious issues. In other words, they do not engage in explicit theological argument. At most, their comments on those issues are mere statements of their positions. Though occasionally, there is a loss of courtesy, their debate is generally dignified, remaining firmly on the ground of dynastic history.

III.1 First Treatise

Logan published his first *Treatise* on the hereditary principle of the kingship of Scotland in 1746, under the patronage of Lord Somerville.⁷⁸ His work was not only addressed to Ruddiman, but also to two other adversaries he considered in need of a reply. They were George Mackenzie (1630-1714), the third earl of Cromarty, a

⁷⁷ Duncan, *Ruddiman*, 137.

⁷⁸ George Logan, *A Treatise on Government; Shewing that the Right of the Kings of Scotland to the Crown was not Strictly and Absolutely Hereditary...* (Edinburgh and Glasgow, 1746).

Jacobite army officer of a distinguished family⁷⁹ and one of the foremost Jacobite activists of the 1745 rising, and John Sage (1652-1711), a renowned Episcopal bishop and writer of the late seventeenth and early eighteenth century, known as “the Cyprianic Doctor.” From the first sentence of his book onwards, Logan straightforwardly cited his criticisms of indefeasible hereditary succession and accused those who differed of treason. The opinion that the right to the Crown of Scotland is by indefeasibly hereditary right was the propaganda of the “adherents and friends of the pretender to the Crown.” Since it was carefully propagated “among old and young, men and woman... with great success,” public opinion had changed in their favour. Consequently,

[those] persons, who otherwise would have been good and peaceable subjects to King George, have their judgements greatly puzzled, and their consciences held in bondage about his right. Others are seduced into disaffection to his Majesty’s person and government, and have risen up in open rebellion...⁸⁰

Logan’s view of the matter doubtless indicates a certain truth about the importance of argument in this period, often overlooked by historians; but, of course, it was simplistic to go directly from public propaganda to an “open rebellion.” Jacobitism had a complex web of causes ending in rebellion. Logan might seem to restrict himself substantially to the central matter in political thought with regard to his opening explanation of the cause of Jacobitism. He does not assert that a complete explanation of Jacobitism is offered in his introduction. The political and intellectual bases of Jacobitism were various. His purpose in thus explaining Jacobitism, that the conspiracy derived from insistent propaganda is his own concern with historical argumentation. However, as Logan emphasised, public opinion was becoming a more important factor in politics in the period, in accordance with the changing

⁷⁹ Rosalind Mitchison, *A History of Scotland*, 2nd ed. (London and New York: Methuen, 1982), 82, 172-4. For a detailed view of Cromarty’s arguments, see Colin Kidd, “North Britishness and the Nature of Eighteenth-Century British Patriotisms,” *The Historical Journal* 39 (1996), 368.

⁸⁰ Logan, *Treatise*, iii.

political and intellectual environment throughout Europe.⁸¹ We may see Logan's choice as a reflection of this.

Logan firmly asserted that there was no foundation in the Scottish constitution for an indefeasible hereditary right to the throne. In addition, he denied any divine constitution establishing hereditary monarchical government. A monarchical government can only be realised in the form of a civil government, as a form of that government "that men have established, agreeable to the dictates of right reason, so as to answer the valuable ends of it." It was hardly possible that "God intended there should be a hereditary indefeasible succession of kings as His ordinance," unless the kings are ordained "with hereditary wisdom, justice, goodness, and all other necessary qualifications for right administration of government."⁸² Logan's stress upon "civil government" and "reason" is very similar to that of the main lines of Whig thought. The idea that men are furnished with reason and capable of forming a civil government is most familiar John Locke, and his ideas on civil society,⁸³ though Logan probably derives much from Buchanan.

When Logan turned to Scotland, he of course maintained that the nation's government was not by indefeasible hereditary right from the beginning. Rather, it was a sort of aristocratic government founded upon the consent of the chieftains and tribes in the days of Fergus I. The chieftains of the Scottish colonists sent for Fergus, because of his virtues, and elected him their king by unanimous vote.⁸⁴ The event, narrated in detail by Logan, was the generally accepted Whig account on the origin

⁸¹ For a comprehensive account on "public opinion" supported by historical facts, see Gunn, *Beyond Liberty and Property*, 261-315.

⁸² Logan, *Treatise*, vi-vii.

⁸³ Dickinson, *Liberty and Property*, 65-8; John Locke, *Second Treatise of Government*, ed. C. B. Macpherson, (Indianapolis: Hackett Publishing, 1980), 42-50; Skinner, *Modern Political Thought*, 239-40.

⁸⁴ Logan, *Treatise*, vii-viii, 28-36.

of the Fergusian monarchy, derived from Buchanan.⁸⁵ Logan's account of the Fergusian monarchy continues with Buchanan's historical arguments, destructive of the absolute hereditary principle and succession by proximity of blood. Upon the death of Fergus I, Logan indicates,

...his two sons being young, and unfit for the government, the magnates, i.e. the great men, laid down a plan for the succession, that it should not go by proximity of blood, but by ability and qualification for government; and accordingly *Ferlegus*, the eldest Son of *Fergus*, did not succeed, but *Feritharis* his father's brother; and the foresaid law continued in force, till the days of *Kenneth III*.⁸⁶

Logan argues that until the reign of Kenneth III, succession to the throne of Scotland was elective and the only restriction to the throne was membership of the ruling dynasty. He does not press the point to require a choice between election and proximity of blood, but found Gaelic succession practices sufficient to defend what had taken place in 1689. Since the main argument is the right of the kings to the Crown being not strictly hereditary, Logan constructs his argument on the interruptions in the strict lineal succession. He strengthens his point that usurpations and cross-elections were the reality of the Scottish Crown. He argues that "ability and qualification for government" had been taken as the only measure to establish the legitimacy of a government, not mere "proximity of blood," during the reigns of the first eighty kings – according to the list vouched for by Buchanan – from Fergus I to Kenneth III. The latter "abrogated this law, and made it [the Crown] successive in his family."⁸⁷ However, he also mentions that there was no very clear shift to the rule of strict hereditary succession from Kenneth III (the eightieth king) onwards either,

⁸⁵ Kidd, *Subverting Scotland's Past*, 83.

⁸⁶ Logan, *Treatise*, viii.

⁸⁷ *Ibid*.

by giving the example of his heir, Constantine IV (the eighty-first king), who was the son of Culenus (the seventy-ninth king).⁸⁸

Before continuing with Logan's historical interpretations, resting on the Forty Kings doctrine, the problem of the unreliability of this Buchananite doctrine should be emphasised. It should be noted too that when, using data from various sources in arguing extensively on the lineage of his patron, Lord Sommerville, Logan eliminates or favours historical sources by referring to Buchanan's accounts. In other words, Logan's criterion of criticism of contemporary or earlier studies is whether they agree with the narrations of Buchanan or not. Here he also makes use of the esteem in which the poet and pamphleteer, William Drummond of Hawthornden (1585-1649), was held by seventeenth-century Royalists and eighteenth-century Jacobites.

I chose to represent it [the reliability of data about the lineage of Sommerville] in the words of Drummond of Ha[w]thornden, because they confirm the narration of Buchanan, and our other historians; surely this celebrated historian and poet would not relate falsehood and scandal against the royal family, nor transmit to posterity such a heavy imputation, unless he thought it true in fact.⁸⁹

Although in eighteenth-century Scotland Buchanan's historical interpretations, which were of canonical importance for Scottish Whigs like Logan, were well trusted, they were criticised by many scholars, notably James Anderson, Robert Fleming and Thomas Innes. The most influential of those who produced works criticising this legendary account of the Scottish past was Father Thomas Innes (1662-1744), writing in his historical inquiry, *A Critical Essay on the Ancient Inhabitants of the Northern Parts of Britain* (1729). His work was accepted and appreciated by many prominent scholars of his age, such as Francis Atterbury,

⁸⁸ Ibid.

⁸⁹ Ibid., xix.

Thiery Ruinart, Archibald Campbell, Robert Keith, and Ruddiman himself. Duncan argues that Innes's work brought a "spirit of calm French scepticism" to bear on the difficult-to-demolish belief in the Forty (non-existent) Kings inherited from medieval chroniclers by Buchanan.⁹⁰ Innes stayed in France almost all his life, except for some visits to Scotland.⁹¹ He was among many scholars who produced criticism of "history stuffed with fables" and employed the "probable conjecture" in ancient studies.⁹² After his influential *Critical Essay*, Enlightenment scholarship in Scotland became indebted to his approach. For instance, both Ruddiman and Logan seem to have agreed on the questionable character and the lack of reliability of Fordun's chronicle, his Forty Kings doctrine in particular, and entertained a certain amount of suspicion about the first kings of Scotland.⁹³ Nevertheless, thanks to the level of political tension, scholarship was subject to the politics of the period. Because of the consequential effects of historical inquiry, Innes's critical approach did not quickly displace Buchanan's. Logan, too, managed to ignore the arguments of his contemporaries on the reliability of the Forty Kings doctrine as a basis of constitutional theory, and stuck to Buchanan, a point that can be observed through the rest of this study, especially in discussion of Ruddiman's answers and his *Second Treatise*.

Logan's assertion in his *Treatise* was that the succession had been interrupted every two or three generations for various reasons. Historically, he refers to certain chronological tables some of which were doubtful in touching the core of the matter. Logan chiefly used the chronological table licensed by Charles II for constructing his

⁹⁰ Duncan, *Ruddiman*, 131. See also Mark Goldie, "The Scottish Catholic Enlightenment," *The Journal of British Studies* 30 (1991), 21.

⁹¹ Brian M. Halloran, "Innes, Thomas (1662–1744)," in *Oxford DNB*.

⁹² Allan, *Virtue, Learning*, 149 and 153.

⁹³ Duncan, *Ruddiman*, 136.

argument. The other two sources for the hereditary line of the Scottish kings cited in his introduction are *Oceana* (1656), by James Harrington, the political theorist, and *Collections concerning the Scottish History* (1705) by James Dalrymple. Neither of these men were historians. Harrington's *Oceana* was one of the most controversial works of his century, a heavy exposition of an ideal constitution centred on agrarian law, which was censored by Oliver Cromwell and never obtained widespread support from the political nation. On the other hand, Dalrymple's work mainly concerns the jurisdiction of the Scottish Church. Significantly, Dalrymple is remembered for his pro-Union stance, and Whig politics and had moderate Presbyterian commitments.⁹⁴ Dalrymple's argument concerning the elective monarchy, from one family, is directly borrowed by Logan, as he acknowledges in his work. Nevertheless, Logan gives this argument an extensive historical context, regardless of the doubtful reliability of the sources mentioned in the dedication. His main purposes in his work can be categorised under three main arguments. Firstly, he argues that the "eminent virtues" of some of the kings determined their succession to the throne regardless of their proximity of blood. This argument, especially the phylarchical account of the Fergusian election, is an idealisation as if every succession by election was done with regard to the virtues of the heirs. The idealisation of election can also be found in the works of other Whig scholars, such as Rev. David Malcolme and William Jameson, who were following the Buchananite account of the Fergusian monarchy, as Logan did.⁹⁵ Secondly, he mentions that bastards became kings with no hereditary right at all. Thirdly and finally, when the reigning king died without a male heir, females, who had the proximity of blood, were, despite this, isolated from the succession.⁹⁶

⁹⁴ David Allan, "Dalrymple, Sir James, of Borthwick, first baronet (1650–1719)," in *Oxford DNB*; H. M. Höpfl, "Harrington, James (1611–1677)," in *Oxford DNB*.

⁹⁵ See Kidd, *Subverting Scotland's Past*, 83–4.

⁹⁶ Logan, *Treatise*, ix.

These three points are given as the centre of his main argument that hereditary succession had been interrupted several times for various reasons. Apart from these major points, he pays special attention to the case of Robert Bruce and John Balliol on the hereditary right to the Scottish throne. This part of the study does serve Logan's intentions; but his special interest in this subject is partly derived from the genealogy of his patron, Lord Somerville, with his ancestral ties with Bruce. A very detailed genealogical study of the ties of the Somerville family to Bruce can be found in the dedication of the *Treatise*.⁹⁷ The presence of this interest in a noble family should be noted; but it hardly dominated this influential piece of anti-Jacobite scholarship.

In comparing the intellectual ability and rhetoric of the two scholars, Ruddiman and Logan, we see that the fundamental matter that relates to Jacobite ideology is a historical quest of Logan to make clear the *ius regni* and its operation. Primarily, Logan opposes the arguments of the Jacobites on absolute and indefeasible hereditary monarchy. From the first page of his *Introduction* onwards, Logan draws a broad and well-defined legal and historical framework. He constructs his argument about the constitution on his argument about the history of the dynasties. For example, to the origin of the discussion, he successfully grasps the core argument expressed in his first fundamental opposition to the Jacobite understanding of the dynastic history: briefly, he discredits the Jacobite claims that the law of Kenneth III had restored the ancient hereditary monarchy with all its principles, which was rightfully still to continue. Logan argues that even Kenneth's son did not succeed him, and this was only one of various examples he went on to offer. This is a deconstruction of the Jacobite arguments on the *ius regni*. Apart from

⁹⁷ Ibid., ix-xxxi.

this major objection concerning the filial succession after Kenneth III, Logan gives various examples of interruptions of the strict hereditary succession in the royal line, like the preference for adult uncles over minors, bastards' successions, and exclusion of daughters from the throne. So, Kenneth's revival of the Fergusian tradition was not a restoration of the fundamental *ius regni*, but a repeal of the law without considering the limitations of kingship. This historical rejection of absolute hereditary right, in the discussion of Kenneth III, was a definitive way of refuting Jacobite claims.⁹⁸

Logan's counter-arguments in his *Treatise* addresses certain Jacobite pamphlets ready to defend the right of the House of Stuart to the Crown of Scotland. These pamphlets were produced in order to argue against Whig tracts which showed

...the inexpediency of altering the present settlement of the Crown in the illustrious house of Hanover, in favour of the Pretender (...) the arguments and topics advanced in them, give full satisfaction to Whigs: but as for the Jacobites, who stiffly contend for the absolute, indefeasible, hereditary right of the Kings of Scotland and England, there is no convincing of them, unless it be shown that there is no foundation for such a right, in the constitution of these kingdoms, or in the law of nature, or in any positive law recorded in the holy scriptures...⁹⁹

Logan's intention in his *Treatise* is to show that the "Pretender's" right to the throne has no foundation in the constitution of the Kingdom of Scotland. The quotation above is from a passage of Logan refuting a particular pamphlet of one of his contemporaries whose name is not mentioned in the *Treatise*.

He starts his treatise by mentioning, at the very beginning, the pamphlet, *The Right of the House of Stewart to the Crown of Scotland* (1746), of Alexander Tait, a member of the Select Society (*act.* 1754-1764), an Edinburgh debating club for

⁹⁸ Ibid., 43, 46; see also Kidd, *Subverting Scotland's Past*, 84.

⁹⁹ Logan, *Treatise*, 1.

socially prominent members of the intellectual elites of the city.¹⁰⁰ Dealing with the issue of indefeasible hereditary succession, Logan's argument centres on the interruptions in the hereditary succession. He asserts that, from the succession of Robert Bruce, from whom the Stuarts were descended, there was no absolute hereditary right of the House of Stewart to the throne. The better hereditary right belonged to John Balliol. Indeed, he does not reveal his own ideas about the succession, arbitrating between Bruce and Balliol. Rather, he prefers to recite historical events and speak of a constitutional phenomenon deducible from them: that proximity of blood did not necessarily prevail. Logan tells the sequence of events after the death of Margaret, the Maid of Norway, grand-daughter of Alexander III (1241-1286), who died without a male heir, as the origin of the conflict between Bruce and Balliol. As the clear successor, there was David, Earl of Huntington. The claims put forward by John of Scotland (Balliol) and Robert the Bruce rested on their kinship with David of Huntington. Balliol's claim was that he was the eldest son of Dornagilla, daughter of Margaret of Huntington, who was the eldest daughter of David of Huntington. On the other hand, Bruce claimed that he was the eldest son of Isabel of Huntington, of the second daughter of David. Bruce's claim to the throne was according to proximity of blood, whereas Balliol's claim rested on primogeniture and was stronger since successions for about two hundred years had been by the law of the first-born.

After giving this panorama, Logan continues with the sequence of events, which ended in the decision of Edward I, king of England, in favour of Balliol for the crown of Scotland. Logan's interest in the decision of Edward I is about the "custom of Scotland" of choosing the claimant by primogeniture, the law of succession

¹⁰⁰ Roger L. Emerson, "Select Society," *Oxford D.N.B.*

favouring the first-born to the throne.¹⁰¹ Logan mentions the question about Bruce and Balliol, and the theories of hereditary succession, in that respect, for asserting that the hereditary succession is neither determined by proximity of blood, nor by primogeniture. Staying away from supporting any of the claims for the throne, and any justifications by primogeniture or proximity of blood, his only intention is to show that the succession in Scotland was not strictly hereditary. Therefore, he focuses on the sequence of events after Edward I interfered in the cause, and particularly after the decision was taken in favour of Balliol.

The obscurity attending the Great Cause produced a power vacuum that allowed grounds for the interference of Edward I, inserting a claim of overlordship into the competition for the throne of Scotland. Simply, the competition for the throne reached such a level of tension that Edward I, who sought increased influence in the affairs of Scotland, stepped in and seized the opportunity to gain something he had long wanted – recognition that the crown of Scotland was held as dependant on the crown of England, though uninvited to arbitrate by any of the claimants. As a politically motivated arbitrator, Edward I, in 1292, organised a court of Scottish aristocrats who would decide among the claimants on the right to the throne. The court took a decision in favour of Balliol, whose claim rested on the rule of primogeniture. Balliol was, indeed, in a more advantageous position, since primogeniture had been used in Scotland for some two hundred years, whereas Bruce was asserting the nearness of generation, significant according to the “ancient Celtic method;” and that was not unimportant either.¹⁰²

¹⁰¹ Ibid., 2-3.

¹⁰² For some modern accounts see Mitchison, *History of Scotland*, 40; Norman Davies, *The Isles: A History* (London: Papermac, 2000), 317-9; Perry Anderson, *Lineages of the Absolutist State* (London: NLB, 1977), 115-6; and P. Hume Brown, *History of Scotland to the Present Time*, vol. 1, *To the Accession of Mary Stewart* (Cambridge: Cambridge University Press, 1911), 110-13.

Logan's argument is a series of comments on the constitutional law of the hereditary monarchy, especially referring to the different practices of primogeniture and tanistry. At the end of his introduction, he briefly mentions that hereditary monarchy, according to some scholars,

...is that which descends from father to son by the right of primogeniture; and failing a son, the succession is to go to the next male-heir, to the exclusion of a daughter. And thus it obtains in France by the *salique* law. But according to others, hereditary monarchy is that which descends by proximity of blood, whether this proximity be in a son or a daughter; and so the succession goes in Britain, and so it went in Queen Mary's time in Scotland.¹⁰³

Logan's *Treatise* is a scholarly inquiry. He neither favours tanistry, a system of life tenure whereby the succession was granted by election upon the eldest and worthiest among the surviving relatives of the deceased lord,¹⁰⁴ nor condemns the succession according to primogeniture. He only argues that succession might be either by primogeniture or by tanistry, flexibly, and that there had been no strict and indefeasible hereditary succession to the Scottish throne. By using this argument, he could avoid theory, but state his Whig position and his own point of view, and use historical data to prove it. By the decision of the court of Edward I, Balliol was adjudged to be king:

...[b]ut Balliol not long after falling out with Edward, and being overcome by him, the estates of Scotland revived Bruce's title, and in a convention held at A[y]r, anno 1315, declared Robert (the grandson of that Robert Bruce, who had competed with Balliol) king. He got into the throne even while Balliol was alive...¹⁰⁵

Indeed, Bruce became king, as Balliol did, because of the circumstances of the day. Neither Bruce nor Balliol can be said to have had an irrefutable claim according to the constitution. Balliol as been elected by primogeniture, with the negative point that he *de facto* admitted Edward I as his feudal superior. Again, for Bruce, if he had

¹⁰³ Logan, *Treatise*, 9.

¹⁰⁴ *Oxford English Dictionary*, s.v. "Tanistry."

¹⁰⁵ Logan, *Treatise*, 3.

a right according to proximity of blood and the importance tanistry, he nevertheless accepted Plantagenet suzerainty.¹⁰⁶ The elective capacity of the court can be doubted too. Logan's stance concerning this problem can be said to be impartial to a certain degree. He only focuses on this historical problem, which in itself he has no concern to settle, to prove the irregularity of the succession. A strict and indefeasible primogeniture was not present. Logan again uses this historical assertion to attack the Jacobite argument on behalf of the uninterrupted hereditary succession.

Edward having, according to the custom of Scotland in other heritages, determined in favour of Bal[l]iol, all the kings descending from Bruce, must have been usurpers, as wanting the hereditary right, or they mounted the throne on the principles of the Revolution, viz. that it is in the power of the estates or parliament to alter, fix, and limit the succession.¹⁰⁷

The argument, simply showing that there cannot be only one principle in the constitution by which a claimant should be granted the throne in the constitution, in Logan's *Treatise* was used elsewhere in the treatise to establish other possible grounds for succession. By referring to history and by establishing a successful reasoning between events and constitutional phenomena, he is capable of drawing a framework freed from explicit appeal to the Buchananite *ius regni* and the elective *ius populi*. The only thing he does is to put the relevant historical data into the correct place in his work. This does give his work a level of interest and readability, which sometimes dissolves in his later works. Nevertheless, in his *Treatise*, there are various general arguments that there had never been a strict hereditary monarchy and an uninterrupted continuation of government in the world, in the sense Jacobites believed. Some of the examples were from very early times.

Monarchy, is the government of one man over a great body of people, or numerous subjects. These who are for the patriarchal scheme... make Adam the supreme civil governor or monarch of the world, as long as he lived, which was 930 years, and Noah, for the space of 350 years after the Flood:

¹⁰⁶ See Kidd, *Subverting Scotland's Past*, 87

¹⁰⁷ Logan, *Treatise*, 3-4.

but after him, they are obliged to own, that the empire of kings was not so extensive; for tho' the Assyrian, Persian, Grecian and Roman monarchies were very large, and were called universal, and particularly the Roman Empire... Yet, in strict propriety of language, they were no more universal, than the King of Spain can be properly called a Catholic King, or the Church of Rome the Catholic Church. The Roman Empire came to be divided into eastern and western, and then afterwards lesser Governments sprung out of them. The government of Scotland was, and now of Great Britain, is monarchical.¹⁰⁸

Logan had the necessary talent and the ability in rhetoric to produce counterarguments against the Jacobite thinkers. However, in the *Treatise*, one can hardly find any salvos or long passages of polemic. His work is mainly composed of modest argumentation that cannot be used to extreme ends: it is hardly possible either to find an argument that could favour popular election or come across a passage that could legitimise king-killing doctrines. Logan's argument is about the relationship of an elite to the monarchy.

A striking passage at the very beginning of Logan's *Treatise* is a courtesy to Ruddiman, mentioned by name, speaking of his valuable contributions to the study of Buchanan. The work which Logan appreciated is Ruddiman's previously examined work with comments on Benson's English paraphrase of Johnston's *Psalms*, comparing Johnston's work with that of Buchanan, in favour of Buchanan.

[A]nd here with gratitude I must acknowledge, that I have been greatly instructed in a good many things by his [Ruddiman's] writings; and particularly by the valuable present he honoured me with, of his unanswerable defence of Buchanan's paraphrase of the Book of Psalms, from the objections raised against it, by William Benson, Esq; in which, upon a comparison of the performances of Mr. Buchanan and Dr. Arthur Johnston, he demonstrates the Superiority to belong to Buchanan. But as to the hereditary right of the kings of Scotland, in the strict sense, I cannot be of his mind; it is his favourite opinion, of which he is so excessively fond (he will forgive me) that he has fallen into several mistakes, not wilfully, I am persuaded, but by taking too many things upon trust, without due examination, and relying upon a train of high flying writers in his annotations.¹⁰⁹

¹⁰⁸ Ibid., 8.

¹⁰⁹ Ibid., 11.

Logan and Ruddiman, representing conflicting parties in a scholarly debate, neither brought forward contradictions over facts nor did they ignore each other. Buchanan's works constituted major source for both camps, from which both Logan and Ruddiman borrowed something.¹¹⁰ In fact, there was no problem about the sources for interpretation; but there was the matter of how to interpret it. Moreover, it was not their literary and scholarly abilities in writing history, but their motivations, that complicated matters in the tense environment of the mid-eighteenth century. Partisanship and political passion on both sides resulted in interpretation of the same sources in different ways. It can be also asserted that the tension, which produced this partisanship, between the Whigs on one side and Jacobites on the other, was added to, to some extent, by the atmosphere of after the Forty-Five Rebellion.¹¹¹

The most significant and probably, still arguably, the most important thing in the *Treatise* is that Logan provides a new interpretation of Buchanan, trying to free him from any sort of radicalism. Buchanan's political views, especially those relating to kingship, needed to be adapted to the intellectual environment of the eighteenth century. As a Gallicised Scot, Buchanan reflects the Huguenot thought of his age, apart from certain differences in relation to *lex regia*, on the character of legitimacy in political society. Besides, Buchanan's radicalism is revealed in that he asserts that the people merely delegate their authority to a king, whose status is not the same of an absolute sovereign, a *maior universis* and *legibus solutus*, but "is rather that of a *minister* who remains *minor universis* and in consequence bound by the positive laws of the commonwealth."¹¹² Generally speaking, Buchanan's "king" is extremely restricted by the bounds of constitutional law. He is also required to be a man of

¹¹⁰ See *ibid.*, 21-2.

¹¹¹ Kidd, *Subverting Scotland's Past*, 87,93.

¹¹² Quentin Skinner, *The Foundations of Modern Political Thought, Volume Two: The Age of Reformation* (Cambridge: Cambridge University Press, 1990), 340-2.

outstanding virtue – and may somehow resemble Plato’s “philosopher-king” or Aristotle’s “one best man”. In addition, the “king”, who is a “law-speaking silent king,” should be subject to popular will.¹¹³ Buchanan tended to reduce the king to a position with no clear judicial and governmental function. Logan’s main concern, in explaining Buchanan, is to affirm that he demonstrated that the Scottish monarchy was neither an elective monarchy dependant to popular support, nor a strictly hereditary monarchy, but was something between the two.¹¹⁴ Without referring to the Buchananite theory of resistance, Logan starts his argument by explaining Buchanan’s account of the choice of Fergus I, where he points out the determination of the chiefs of the Scottish clans for the coronation of Fergus. Simply, Logan makes the distinction clear between the “people” who elect the king, and the “chiefs of the people”, the *optimates*, the *primores* who made Fergus I king.¹¹⁵ Buchanan use the term “the suffrages of the people,” according to Logan’s interpretation of him, for referring to the consent of the “representatives” of the people. Thus, he makes an important reinterpretation of Buchanan’s constitutional theory, and perhaps a clarification of his ideas. It is also possible to argue that Buchanan reduced the power of the royal office to something resembling that of the doge of Venice. Thus, it would be considered as a mere practical institution.¹¹⁶ Logan is not at that extreme either. He was a founding member of the Associated Critics society, which was established to defend the reputation of Buchanan against Ruddiman and Freebairn. Here, he was trying to defend the reputation of Buchanan by reinterpreting his views, and modifying them into less provocative ideas on the kingship in Scotland. The two

¹¹³ Roger A. Mason and Martin S. Smith (eds.), *A Dialogue on the Law of Kingship among the Scots: A Critical Edition and Translation of George Buchanan’s De Iure Regni apud Scotos Dialogus* (Hampshire: Ashgate, 2004), pp. liii-liv. See also J.H. Burns, *The True Law of Kingship: Concepts of Monarchy in Early-Modern Scotland* (Oxford: Clarendon Press, 1996), 208, 289-90.

¹¹⁴ Kidd, *Subverting Scotland’s Past*, 95.

¹¹⁵ Logan, *Treatise*, 36.

¹¹⁶ J.H. Burns, *Lordship, Kingship and Empire: The Idea of Monarchy, 1400-1525* (Oxford: Clarendon Press, 1992), 152-3.

main aims in the *Treatise*, in dealing with Buchanan's political views, are firstly to rescue him from those who criticised him on the grounds of hostility to hereditary monarchy and support for popular resistance, and, in the final analysis, to defend the Scottish Whig tradition. Moreover, his tradition was required to be a suitable vehicle of loyalty to the Hanoverian establishment.¹¹⁷ That hardly suggested the defence of Buchanan's radicalism.

Logan can be criticised for avoiding or obscuring some aspects of Buchanan's theory of resistance.¹¹⁸ Furthermore, he argues that Buchanan did not actually favour a strictly elective method of succession to the throne. In Logan's interpretation, Buchanan's history showed that Scotland was neither a purely elective nor a purely hereditary monarchy.¹¹⁹ Logan devotes a considerable part in his work to describe the period from Fergus I to Fergus II, and thus for mentioning the interruptions in the royal line.¹²⁰

In the *Treatise* one can come across many instances when Logan switches from one topic to another, not inconsistently, but producing a certain amount of confusion in terms of the readability and thoroughness of the text. This is because he devotes long passages including long quotations from various sources – books, speeches in parliament, poems, sermons, articles and pamphlets – that constitute nearly the half of the *Treatise*, for refuting and deconstructing the Jacobite arguments about the disputed points in the dynastic history of Scotland.¹²¹ However, the discussions related to his argumentation, with their many direct quotations and

¹¹⁷ Kidd, *Subverting Scotland's Past*, 92-3.

¹¹⁸ Ibid.

¹¹⁹ Ibid., 93-4.

¹²⁰ Logan, *Treatise*, 36-50.

¹²¹ Logan, *Treatise*, *passim*. See especially pp. 6, 13-21, 46-8, 50-61, 87-9. For the full text of *Charta Roberti Seneschalli Scotiae*, see pp. 83-5. For the table of a part of the family tree of Robert II down to his grandchildren, see p. 175.

substantial footnotes with long Latin passages, are related to his central points, do not significantly distract the reader; rather, they make it a more fruitful and entertaining study. In addition, his main points are not lost: one can look at his brief explanation, where he puts forward historical proof providing reasonable grounds for refuting Jacobite assertions. In order to make his argument safer, since the period from Fergus I to Fergus II was doubtful, especially in the light of Innes's *Critical Essay*,¹²² he offers a short outline of what happened after Fergus II down to Robert Bruce, a clearer scene for Logan's inquiries, into interruption of the hereditary line:

I shall now show from Fergus II down to Robert Bruce, there have been many interruptions of the hereditary lineal succession. Congallus I did not succeed his father Dongardus, till Constantine I had reigned full 22 years. Aidanus did not succeed his father Goranus, till Eugenius III and Congallus II and Kinnatillus had amongst them reigned full 35 years. Eugenius IV did not succeed his father; but Kenneth I did. Mulduinus did not succeed his father Donald, till Donald's brother had reigned more than 17 years. Eugenius VI did not immediately succeed his father Ferchard; but the reigns of Malduine and Eugenius V did intervene. Murdacus did not immediately succeed his father, but Eugenius VII did, who reigned 17 years. Etsinus did not immediately succeed his father Eugenius VII till Murdacus had reigned 15 years. Achaius did not succeed his brother Fergus III till Solvathius had reigned full 19 years. Alpinus did not succeed his father Achaius, till Congallus, Achaius's father's brother's son, and Dongallus the son of Solvathius, had between them reigned eleven years. Constantine II did not succeed his father Kenneth II but Donald V did. Malcolm I did not succeed his father Donald VI but Constantine III did. Duffus did not succeed his father Malcolm immediately, but Indulphus did. Constantine IV did not immediately succeed his father Culenus, but Kenneth III did. Malcolm II did not immediately succeed his father Kenneth, but the reigns of Constantine IV and Grimus did intervene. Malcolm Kenmoir did not succeed his father Duncan I but MacBeth did. Edgar did not succeed his father, till the reigns of Donald VII and Duncan II did intervene.¹²³

Such straightforward accumulation clearly strengthened his argument. After giving enough such historical proof, he cites his sources:

My vouchers, for the above account of the Succession of our kings, are the table of the kings of Scotland, printed with Sir John Skeen's edition of the acts of Parliament, Sir Thomas Murray's chronological table, licensed by

¹²² Ibid., 50.

¹²³ Ibid., 50-1.

Charles II printed anno 1681. These two tables agree *in omnibus*... and lastly Mr. Ruddiman's own table prefixed to his edition of Buchanan's *History*.¹²⁴

Logan then offers his final historical evidence against indefeasible succession, seeking to prove that there had never been a direct hereditary succession *continuo in genere proximos*, freed from violations of principle. He gives a long list of usurpations and bastards in the hereditary line, in the same way he had given the list of interruptions.¹²⁵ He also criticises the patriarchal scheme, especially as stated by Ruddiman, for giving the hereditary right to the male heirs only. He here refers to Scriptures, and especially focuses on the Old Testament.¹²⁶ The important point here is that Logan does not offer a theoretical criticism of the patriarchal theory, but rather he tries to use their defence of Queen Mary of Scots. Of course, Buchanan had been a notable opponent of the queen. Logan devotes long passages,¹²⁷ including discussion of the arguments of John Knox and French Salic law, reminding the Jacobites of their attacks on Buchanan on the matter of the government of women. However, Logan manages to keep the appearance of disinterested scholarship on the matter of government by women:

There are some few instances of the government of women that have proved to be a blessing and happiness to a nation, as Queen Elisabeth to England, and Queen Anne to Britain; yet it is certain, that the arguments against g[y]narchy are so strong, and the inconveniencies attending it are so many...¹²⁸

Such moderation in argument can be again observed in his quotation from Buchanan, giving an account on the reputed bastardy of Robert III, referring the series of events involving Robert's partners Elisabeth Mure and Euphemia Ross. Logan does not use this account merely to support his thesis; rather, he puts

¹²⁴ Ibid., 52.

¹²⁵ Ibid., 52-4.

¹²⁶ Ibid., 56.

¹²⁷ Ibid., 56-9.

¹²⁸ Ibid., 57.

Buchanan's views and Ruddiman's comments side-by-side, and explains to the reader the problem with Ruddiman's criticisms. Ruddiman's annotations declared that Buchanan's "whole narration concerning Robert's wives and children, is a collection of lies badly put together."¹²⁹ Frequently, Logan selects passages from Buchanan that include serious historical arguments, which he juxtaposes with the reactions of Ruddiman to them, which are immoderate and inequitable.

Many pages of the *Treatise* are devoted to the question of the bastardy of Robert III. However, the material on this is scattered by Logan, and no systematic discussion can be found.¹³⁰ He criticises Ruddiman's *Annotationes* in *Historia* of Buchanan for the unreliability of his sources and evidence,¹³¹ focuses on the questions on the papal right to dispense marriages,¹³² and relates it to the question of Elisabeth Mure's marriage,¹³³ points out the differences between different editions of Sir George MacKenzie's *Jus Regium*, offers the full-text Latin version of the parliamentary act in 1371 for vindicating Robert III's legitimacy, shows the material and temporal errors of Ruddiman.¹³⁴ Logan confuses the reader, talking about different and divergent issues as if they were complements of each other. Therefore, it becomes difficult to understand the whole picture from his scattered arguments.

The most interesting point he makes is a religious one, to put forward to claim the immorality of papal approval of the marriage of Robert II to Elisabeth Mure, Robert III's mother.

The Bishop of Rome, and his pretended delegate the Bishop of Glasgow had no just power to dispense with a consanguinity forbidden by the divine law...

¹²⁹ Ibid., 60-1.

¹³⁰ Ibid., from p. 59 onwards.

¹³¹ Ibid., 89-91.

¹³² Ibid., 98, 101 and 105.

¹³³ Ibid., 139.

¹³⁴ Ibid., 150-4.

[though] Pope of Rome has assumed such a power to dispense with the law of God, as to making of marriages within the degrees forbidden by the law of God.¹³⁵

Logan appeals to Ruddiman:

...in this, I hope Mr. Ruddiman will agree with me... [and] will not deny: If there was a dispensation granted by the Pope, that Robert might marry a woman within the forbidden degrees, no power upon earth, whether ecclesiastical or civil, had a right to grant it...¹³⁶

Logan's attempts on the matter of Robert III's reputed bastardy appear decidedly weak as a piece of anti-Jacobite argumentation. Duncan thought little of Logan's treatment of the matter of Robert III in general. He disliked the mere moralizing and found it ineffective. However, Logan's points are not without some rhetorical merit. Firstly, by claiming that the papal action had been against the divine law, Logan is able to use anti-Catholic belief and sentiment in a historical discussion of the Stuarts, in other words, to call on the core of anti-Jacobite sentiment. Secondly, Logan, lacking the ability to substantiate his case using relevant historical evidence, offered a mere expression of moral sentiment – a prudent action – when the opposing side in the debate was stronger in historical proof. Lastly, Logan in addressing Ruddiman, indicates expectation of general approval of his own moral attitude – describing the papal action as a willingness “to give licence to sin, nay, to live in a state condemned by God.”¹³⁷ Logan may have hoped to induce the Episcopalian Ruddiman to yield to an anti-Catholic moral position or, at least, be distracted from the historical strength of the Jacobite position on this topic by moral argumentation. In any case, with the tack Ruddiman took, noted later in this study, Logan was not criticised for his personal comments on the issue of the bastardy of

¹³⁵ Ibid., 177.

¹³⁶ Ibid., 177.

¹³⁷ Ibid., 177.

Robert III, but because of his sources, especially his use of Buchanan, and judged on a matter of historiography.

The method Logan followed in this matter was not always constant. There was his moralistic approach, mentioned above; but generally, he preferred to produce argumentation on historical sources and accounts.

Mr. Ruddiman maintains, with some late writers since the year 1680, to wit, the Earl of Cromarty, Sir George Mackenzie, Mr. Sage, George Crawford and others, that Elisabeth Muir was Robert's first wife[.] Upon the other hand, I assert with our historians, that lived nearest to the reign of Robert II, to wit, Boethius, [John] Major, [Charles] Lesly, Buchanan, and Ha[w]thornden, Scottish historians; and [Raphael] Hollinshed, [Robert] Saunderson, English historians; Sir John Skeen and Sir Thomas Murray, two of our celebrated lawyers, that Eu[ph]em[ia] Ross was Robert's first wife, none of which was ever suspected to have a turn to serve by th[e]ir narrations, but George Buchanan...¹³⁸

As indicated, Logan's style of refuting Ruddiman emphasises rejection of Ruddiman's authorities, used to oppose him in both of the treatises. He does, of course, lack precision and accuracy in this. His *Second Treatise*, too, includes large-scale refutation of Ruddiman's authorities, serving to refute Ruddiman's prefatory notes to Buchanan's *Opera Omnia*.

In summary, Logan's major purpose in his *Treatise* is to deny any 'indefeasible' feature of hereditary succession. The *Treatise* can be regarded, noting its shortcomings in narrative and rhetorical competence, as a serious scholarly work, neither advocating a perfectly civil government, established merely by parliamentary legitimacy nor a divine-right monarchy with strict hereditary succession, but something in between. Besides, although a Whig, he did not maintain a clear Lockean or Buchananite position: he certainly did not advocate an elective monarchy, but argues merely for a possibility of slight regulation of the law of

¹³⁸ Ibid., 176.

succession. His main idea developed through his work, was that the Scottish law of succession could, have a certain degree of flexibility for tolerating unusual circumstances, within a hereditary framework.

III.2 Second Treatise

Logan's published *A Second Treatise on Government* in 1747, a year after he published his first, before any comprehensive criticism of his work came from Ruddiman. So, to some extent, this treatise was a continuation of the first, and an attempt to strengthen its arguments, by filling the gaps in the argumentation on certain topics, such as the question of the bastardy of Robert III. Although Logan's *Second Treatise* is not an answer to Ruddiman, it was a reaction to many pamphlets and letters, and these included attacks on Logan for his first *Treatise*. On the other hand, in characterising the *Second Treatise*, we may say that it is neither a short answer to adversaries, known and anonymous, nor a longer, enhanced version of the first *Treatise*. Although the two books are approximately the same in length, the second work runs to 140 pages without appendices, and has the character of a continuation of the original *Treatise*. The *Second Treatise* covers much the same ground as the first, broadening aspects of it. It can hardly be appraised as an independent study, as carefully produced as the first one, which constitutes an important anti-Jacobite scholarly inquiry. Logan himself declares that his main purpose in producing the *Second Treatise* is to complete argumentation of what he said against the strictness of the hereditary right to the crown of Scotland.¹³⁹ The driving force of the second work are Logan's anger at the anonymous letters criticising his anti-Jacobite treatise and his enthusiasm to prepare and finish his work before Ruddiman published a refutation.

¹³⁹ George Logan, *Second Treatise on Government: Shewing that the Right to the Crown of Scotland was not Hereditary in the Sense of Jacobites* (Edinburgh, 1747), unpaginated dedication.

...being apprised of Mr. Ruddiman's intention of making a reply to my first treatise on government; I would in this, which is a continuation of the former, give him a full view of what I have to say against the pretended hereditary right to the crown of Scotland, in a strict sense.¹⁴⁰

He declares his keenness to get a response from Ruddiman:

...I desired the publisher, after my first sheet was cast off the press, to send it, with my compliments to him [Ruddiman], and to do in like manner with the following sheets, till he should have the whole performance: hereby I have laid myself open; but having acted such a candid, but uncommon part, he has all advantages, *veritas non querit latebras*, and I contend not for victory, but for truth. As yet I have not heard from Mr. Ruddiman himself; nor have I received one sheet of a reply, tho' his was in the press before this; but I make no question of having the favour of a present with the first.¹⁴¹

This is a crucial point. The character of the *Second Treatise* derived from the urgency Logan felt to address Ruddiman fully before he published his answer; and this made it a better study, if we leave out the emotional expressions and distractingly negative tone of the introduction. With regard to the improvement of the *Second Treatise*, in comparison with the first, one can observe that there are fewer direct quotations running to several pages, less confusion in argumentation, more successfully shortened explanations, and a very useful table of all the kings of Scotland with concise historical accounts of their successions and reigns.

Logan's *Second Treatise* is dedicated to Lord Andrew Fletcher of Milton (1691/2- 1766), judge, one of the senators of the College of Justice in Edinburgh. The dedication of the book is instructive, offering a nearly complete summary of the purpose and context of the whole work. The important points are as follows. Firstly, at the beginning, he notes that the reliability of the charters, which had been used in inquiries into the nature of the Scottish constitution, is doubtful. As an example, he mentions that the public registers, which include charters of constitutional interest, had been subject to partial reproductions and replacements, noting especially that

¹⁴⁰ Ibid., 133.

¹⁴¹ Ibid., 133-4.

they are incomplete – and the consequences, the reduction of their dependability and confusion. Logan notes that the public registers from the reign of King Robert I to that of King James I, especially *Codex Davidis* and the rolls of Robert II contain “defects and nullities”, which he discovered in the course of his own writing. We cannot easily decide what Logan’s implicit intentions, if any, are by mentioning this matter. Logan, at the very beginning, might merely have wanted to state that there is no flawless primary source for the study of the history of the Scottish constitution by him or by other scholars. The task was a difficult one. If Logan was seeking to strengthen his hand against Ruddiman, he was pointing out that Ruddiman referred to the same sources as he did. He was pointing out that the argument was open to distortion, and he had confidence in his own ‘credit’ – as it was put in the period – his reputation for honesty. However, more reasonably, it can be asserted that Logan’s remarks about the omitted words and sentences, the inconsistencies in dates in comparison to the originals of the charters, page confusions, lost passages, and all other defects in the registers serve only to convince the reader of the scholarly character of his *Second Treatise*.¹⁴²

In his second point in the Dedication, Logan clarifies the difference between “next heir” and “next in proximity of blood” with the simplest and most unsophisticated examples, paraphrasing his complicated explanations about hereditary succession found in his first *Treatise*. However, that simple explanation, distinguishing the right of the eldest son of a king from the right of other members of the dynasty, serves to confirm Logan’s criticism of the former principle. This provided support to for justification of the *ius divinum*. He offered the example of the reign of James VI. He emphasised the absolutism practiced in the reign. Arbitrariness

¹⁴² Ibid., unpaginated dedication.

in succession, by proximity of blood, influenced the whole system and encouraged the “slavish doctrines of non-resistance and passive obedience... given out to be law by courtiers”. Supporting doctrines of *ius divinum*, primogeniture allowed “many acts to mancipate the liberties and persons” of the subjects and bring them “to their [government’s] devotion and service”. The example he gives is a short passage from a declaration of Parliaments in 1685 in favour of James VII, a declaration that it “firmly resolve[d] to give entire obedience to his majesty without reserve”.¹⁴³

Next, the Dedication indicates that he intends to use the phrase “limited monarchy” and the word “liberties” more extensively than he had previously. This is particularly appropriate, as the uncle of Logan’s patron was the famous Andrew Fletcher of Saltoun (1653-1716), whose speeches and political works in support of Whiggish Scottish patriotism mainly centred on the notion of liberty. Logan declared that the name of Fletcher had strong connotations of liberty, and that Fletcher of Saltoun’s “darling principles were a limited monarchy and the liberties of the people”.¹⁴⁴

Next, he speaks of the invaluable nature of Buchanan’s “unanswerable book,” *De Iure Regni*, in support of “the happy revolution establishment, the limited power of the prince and the liberties of the people.” He attacks all those who do not favour these principles, especially the Jacobite intellectuals who had “an uncommon zeal” both for indefeasible hereditary right and defaming Buchanan. He points out the origins of Ruddiman’s attack on Buchanan, placing it in the context of Jacobite

¹⁴³ Ibid., unpaginated dedication.

¹⁴⁴ Ibid., unpaginated dedication. For Saltoun’s political views, see Kidd, *loc.cit.*

literature of the final years of Queen Anne, as Jacobites anticipated an early restoration.¹⁴⁵

Logan gives a panorama of the anti-Buchananite camp of Jacobite writers from 1711 onwards. He speaks of George Mackenzie, a medical doctor, and author of *The Lives and Characters of the most Eminent Writers of the Scots Nation* (1722); of John Sage and his introduction to the *History of the ... Five King James's* by William Drummond of Hawthornden (1711); of George Mackenzie, the earl of Cromarty and his *Vindication of Robert III* (1695); of Patrick Abercromby and his most important work, the *Martial Atchievements [sic] of the Scots Nation*, published in Edinburgh in 1711 by Robert Freebairn, and in 1715 by Freebairn and Ruddiman; of John Hay of Drumboote's *Vindication* (1723); and finally, the preface to Buchanan's *Opera Omnia* (1715), published by Ruddiman. He adds that, all these people "agree in the main for supporting [indefeasible] hereditary right, and the legitimacy of Robert III."¹⁴⁶

We can see, at a glance, Logan's *Second Treatise* is more concise and precise, but has a decidedly negative tone, in comparison to the first *Treatise*. The later work shows the change of his temper and his style of writing when he receives a criticism. After his comprehensive but concise dedication, his introduction displays preoccupation with personal attacks on himself. These, according to Logan, were extreme: he declared, "they threaten to make attempts upon my life, and on my character, which is dearer to me than life itself." He observed that "their angry

¹⁴⁵ Ibid., unpaginated dedication.

¹⁴⁶ Ibid., unpaginated dedication.

passions are in a violent fermentation” and their spite directed at him “for publishing the truth”.¹⁴⁷ He was particularly distressed by an anonymous letter.

An anonymous Jacobite has been pleased to print a letter with this direction, *To the Reverend Mr. G. Logan, A.M. one of the Ministers of Edinburgh*. He had not the civility to send it me, till eight days after he had communicated it to his friends, or those of his own kidney.¹⁴⁸

...

I am not to make a reply to the letters of one that keeps himself behind the curtain, having done him the honour, as fairly to make my compliments to him for his letters: but I shall satisfy myself, by giving an account of his dexterity in making his attacks upon me, and shifting the evidence I had advanced for my assertions.¹⁴⁹

...

The next thing the letter writer quarrels me for, is in p.9 and it is “for my violent passion with the whole race of our Scots kings”: but this is not [the] fact, I am unwilling to use harsh words; I observed in my treatise...that several of them were raised to the throne for their rare virtues and excellent qualifications for government.¹⁵⁰

...

The author of the printed letter, p.16, complains, “that I have given partial citations of my authorities, as best suited my purpose.” It is good that he owns, that I have cited authorities which suited my purpose; but it was his business to have shown the partiality, by bringing forth citations from my authorities, that either contradict or overthrow the purpose for which I brought my citations; till this is done, my citations must bear faith.¹⁵¹

The overreaction to the anonymous letter-writer, to whom he devotes a number of pages, refuting him, makes an awkward introduction to the main subject. The anonymous letter-writer would have been better mentioned elsewhere, in a few sentences, if at all. The discussion in the *Second Treatise*, which is mainly about the legitimacy of the marriage of the first Stuart king, Robert II, and the bastardy of the second Stuart king, Robert III, is somewhat diminished by this display of personal grievance. Reacting to criticism in this nervous way, the *Second Treatise* refers

¹⁴⁷ Ibid., 1-2.

¹⁴⁸ Ibid., 2.

¹⁴⁹ Ibid., 4.

¹⁵⁰ Ibid., 6.

¹⁵¹ Ibid., 12-3.

continually to his former work, which, according to Logan, had already disposed of the Jacobites' objections.¹⁵²

The Whig discussion of the question of the legitimacy of Robert III mainly centred on parliamentary legitimisation. Colin Kidd, who studied the nature of Scottish Whig historiography, states that Whig historians concerned with the dynastic history of Scotland, as well as "waging their own debates over national contracts and conquests," had their own ancient version of the "warming pan myth" in the supposed bastardy of Robert III. According to Kidd, Whig historians found the whole Stuart monarchy rested on a parliamentary basis – like the Revolution of 1688. If the Scottish parliament had not legitimated Robert III, the whole line of kings descended from Robert III would have been mere pretenders. The claim of Robert III to succeed his father, Robert II, was realised by a parliamentary act of legitimisation, in 1371. Parliament had the power to secure the Stuarts, the prince and princess of Orange, Queen Anne, and the heirs of Princess Sophia of Hanover.¹⁵³ Logan, as a representative of the Whig interpreters of this question, tells the whole story thus: Robert II married Euphemia, daughter of the earl of Ross, and had three children, among whom were Walter earl of Athol and David earl of Strathern. The problem occurred because Robert II, before that marriage, had as a mistress Elizabeth Mure, daughter of Sir Adam Mure, and by her had three sons and two daughters. The eldest of these children, John, succeeded him as Robert III. John changed his name because of its association with Balliol. Its "unpatriotic desecration" required him to do so. Later, Elisabeth Mure married one Gifford, who died at about the same time as Queen Euphemia. Now, Robert II was inclined to marry Elisabeth Mure, mother of his children, among whom John was the eldest and, if legitimate, the nearest heir to

¹⁵² Ibid., especially pp. 6, 20-1, 84 and 133-5

¹⁵³ Kidd, *Subverting Scotland's Past*, 89-90.

the throne. After his second union with Elisabeth, Robert II bestowed honours on her children, by making John earl of Carrick and his brothers earls of Buchan and Monteith. In order to overcome the problem of legitimacy, he asked the parliament to pass over his sons by Euphemia Ross and legitimise his eldest son John (later, Robert III), making him heir to the throne. This is done, as he wanted, despite the fact that Robert III was his bastard son and rescued by the parliamentary legitimisation regardless of his problematic situation.¹⁵⁴

The story, which Logan tells as the foundation of his argument that strict hereditary succession was interrupted by the coronation of a bastard, on the strength of parliamentary election, in 1371, was very weak, indeed, in comparison to the Jacobite vindications of Robert III.¹⁵⁵ However, it would be inappropriate to criticise Logan mere because he inherited a bad historical argument. His approach can be evaluated with reference to two different matters. Firstly, he was not bound by the pattern of discussion determined by Jacobites; one can observe him in opening a new approach to the discussion. He had argued in his former *Treatise*, leaving aside parliament's declaration of legitimacy, that the clerical approval of the marriage of Robert II to Elisabeth Mure was against the law of God.¹⁵⁶ However, in the later *Treatise* there is hardly any reference to this, but many references to charters and parliamentary acts. This change of approach can be variously examined, in many ways, for example, with reference to a change in the quality of scholarship.

One of Logan's motivations for writing another treatise was doubtlessly his wish to strengthen his historical arguments. However, the weakness of the

¹⁵⁴ Logan, *Second Treatise*, *passim*. Logan cites frequently many charters that partially and indirectly refer to the question of the legitimacy of Robert III, see especially pp. 19-94; Kidd, *Subverting Scotland's Past*, 90-1.

¹⁵⁵ See Kidd, *Subverting Scotland's Past*, 87-8 and 92.

¹⁵⁶ See above pp. 56-7.

argumentation, especially on the legitimacy of Robert III, in his *Second Treatise*, is more marked than even that of the first *Treatise*. Duncan criticises Logan for his emphasis on the papal dispensation. He disapproves of Logan's "naïve and totally unphilosophic acceptance of items of faith,"¹⁵⁷ and criticises him for trying to "appeal against a watertight historical verdict,"¹⁵⁸ and devoting long passages to prove the illegitimacy of the Stuart line. The legitimacy of Robert III had been proven conclusively by many Jacobites. Duncan lists them, as given on the title pages of Logan's two treatises, Sage, Cromarty, etc. The criticism of Logan by Duncan, however, reveals a secular bias, in keeping with his general enthusiasm for the Enlightenment. Eighteenth-century Scotland would have appreciated Logan's arguments.¹⁵⁹ All in all, we can conclude that Logan was attempting to supplement his former treatise, with more sophisticated inquiries into controversial issues like that of Robert III's legitimacy. He was no doubt self-conscious of his inadequacy in plausibly dealing with the Jacobite scholars: Duncan's criticism that Logan's inquiry was vague on the bastardy of Robert III is in part true.¹⁶⁰ Leaving aside the religious argument, his treatment of the matter is weak.¹⁶¹

As indicated, Logan's purpose in writing the *Second Treatise* was to produce a more sophisticated work, which would weaken the hand of the scholars of the Jacobite cause, and might save Whig scholarship from an appearance of inertia, after a half-century in which Jacobite scholarship had not encountered a serious scholarly blow from any adversaries. The interesting point in the both treatises is that Logan addresses Ruddiman insistently even though there was no work by Ruddiman from

¹⁵⁷ Duncan, *Ruddiman*, 137.

¹⁵⁸ Kidd, *Subverting Scotland's Past*, 91-2. See also Duncan, *Ruddiman*, 136-7.

¹⁵⁹ See p.10 above.

¹⁶⁰ Logan, *First Treatise*, 177.

¹⁶¹ See *ibid.*, 59.

the time Logan wrote. One has to go back to Ruddiman's *Annotiones* in his edition of Buchanan's *Opera Omnia*, which had been produced in 1715. Buchanan's enemy is his target. On the other hand, his chief concern is to combat belief in strict hereditary right: he does not apparently write to rescue Buchanan; but he defends his most valuable heritage. Both treatises deal with the core question of hereditary succession. As Logan himself indicates, the *Second Treatise* is an "impartial" review of his former *Treatise* to make his view of the nature of the hereditary succession more acceptable.¹⁶² However, on the whole, he was less than successful. The *Second Treatise* was not especially convincing in its argumentation. Many examples could be cited from the *Second Treatise* which reveal Logan's inability to produce effective counter-arguments to those of Jacobite scholars. Some of them are significant, like his attempt to refute the criticism of John Hay of Drumboote concerning the inconsistency between Buchanan's accounts and a charter of October 19, 1378. Logan quotes Hay:

...Queen Euph[e]m[ia] was alive anno 1378, which was five years after Buchanan puts her in the grave, and consequently, that the marriage he patches up betwixt Elisabeth and King Robert, the third year of his reign, is inconsistent with the truth...¹⁶³

Logan answers this criticism by questioning the charter's reliability.

Mr. Hay's argument much depends upon the authenticity of the Parisian charter... I have fully shown that it is a forgery. As to this charter now produced, it is not an original, it is transcribed from we do not know what...¹⁶⁴

There is no other reference to the charter, let alone a passage questioning the reliability with sound points, in the course of the *Second Treatise*. All that might support Logan in his refusal to acknowledge the errors in Buchanan's accounts are is

¹⁶² Logan, *Second Treatise*, 19.

¹⁶³ Quoted in *ibid.*, 84.

¹⁶⁴ *Ibid.*, 85.

the previously mentioned comments at the very beginning of the treatise on the questionable character of almost all of the charters of the fourteenth century.¹⁶⁵

There are, of course, many passages questioning strict hereditary succession in the *Second Treatise*. However, these are generally mere speculations and displays of wordiness on the disputed points. For example, according to one paragraph,

[a]n hereditary indefeasible succession of kings has never actually taken place in any one kingdom of the universe: it is an Chimera, having only as ideal existence in the irregular imaginations of a party, who are for supporting the unlimited and arbitrary power of the prince. This succession in monarchy can no more be proved, than that of the hierarchy, or of popes from St. Peter, (absurdly called the first Pope of Rome) down to his present Holiness, is proved by the learned Italian antiquaries.¹⁶⁶

The scattered reasoning in Logan's *Second Treatise* is far more disturbing than his failures in the former one. His later work does not offer any new insight to the controversial issues, but is merely a faint repetition of the *Treatise*, despite his attempt to produce a more secular discussion by focusing on the charters and offering a detailed table of the kings in the appendix.

The chief characteristic of Logan's *Second Treatise* is that it replaces elaboration of argument with an emphasis on sources. Although the arguments he puts forward are far from being strong and decisive, there is an attempt to strengthen them with what later generations would value more – an emphasis on mere events, rather than the historian's comments on them.

¹⁶⁵ Ibid., 94

¹⁶⁶ Ibid., 134.

CHAPTER IV

IN RESPONSE TO LOGAN: RUDDIMAN'S ANSWER AND THE *DISSERTATION*

There may be several reasons why Ruddiman was the most prominent scholar to produce refutations to Logan's works, all of which have some significance. However, the main reason of the production of two important studies by Ruddiman, his *Answer to the Reverend Mr. George Logan's late Treatise of Government* (1747) and the *Dissertation concerning the Competition for the Crown of Scotland* (1748), is no doubt the impact of Logan's works. Although these were not perfect pieces of accomplished scholarship, they were good enough to create a question mark on certain issues, and these matters became the core of the debate between them. Before these tracts of Ruddiman's only anti-Whig work was his *Annotations* affixed to Buchanan's *Opera Omnia*. After the appearance of the two treatises of Logan, Ruddiman began to conduct debates and refutations with Whig-Presbyterian thinkers, which were "ostensibly historical" and on political allegiance.¹⁶⁷ Apart from the two works examined in this study thoroughly, he also produced *Anticrisis* (1754) and *Audi Alteram Partem* (1756) against James Man (1700?-1761), a Presbyterian philologist from Aberdeen, in response to his abusive work, *A Censure*

¹⁶⁷ Duncan, *Ruddiman*, 5, 65-7.

and Examination (1753), harshly criticising Ruddiman on his philological and political notes damaging to the reputation of Buchanan. Ruddiman also produced his controversial work, *Animadversions* (1749), against the *Vindication of Mr. George Buchanan* (1749) of John Love (1695-1750), a critic of Ruddiman both in Latin grammar and political thinking. However, among all of the studies by Ruddiman, the most valuable can be said to be those two works produced in response to Logan.¹⁶⁸ Moreover, his debate with Logan contributed highly to his reputation, which continues to be that of a notable cornerstone of Scottish Jacobite historiography of his age.¹⁶⁹ While examining his works, the *Answer to Logan* and the *Dissertation*, it is better to avoid the long and detailed explanations in the works, speculations on diverse issues that are not directly related to his debate with Logan, long accounts of his detailed notes on previous historiography, and passages that are mere repetition and rhetorical elaborations.

IV.1 *Answer to Logan*

Logan received, as he expected, a full-scale reply from Ruddiman, which was published in 1747.¹⁷⁰ Ruddiman's *Answer* was a large book, a comprehensive scholarly inquiry approximately four hundred pages in length. The main intention of the *Answer* is demonstrating with clarity the legitimacy of King Robert III, and discovering and rectifying "several considerable mistakes and falsehoods" in the works of common historians and others of his age.¹⁷¹ One can say that the book is a

¹⁶⁸ Woolrich, *Ruddiman*, in *Oxford DNB*; Duncan, *Ruddiman*, 137.

¹⁶⁹ Bruce Lenman, "Reinterpreting Scotland's Last Two Centuries of Independence," *Historical Journal* 25 (1982), 218; Murray G. H. Pittock, *The Invention of Scotland: The Stuart Myth and the Scottish Identity, 1638 to the Present* (London: Routledge, 1991), 36-58; Kidd, *Subverting Scotland's Past*, 88; Duncan, *Ruddiman*, *passim*.

¹⁷⁰ Thomas Ruddiman, *Answer to the Reverend Mr. George Logan's Late Treatise on Government: in which (Contrary to the manifold Errors and Misrepresentations of that Author) the Ancient Constitution of the Crown and Kingdom of Scotland, and the Hereditary Succession of its Monarchs are Asserted and Vindicated...* (Edinburgh: W. and T. Ruddiman, 1747)

¹⁷¹ *Ibid.*, i.

recapitulation of the earlier works of many Jacobite scholars, with no hesitation in repeating what had been already said.¹⁷²

Ruddiman addresses “the candid and impartial reader,” in his preface of the *Answer*. This is, in comparison to Logan’s openings, more straightforward and purposeful. He had no need to praise a patron or to declare reasons for a patron’s support of the work. Ruddiman, sure of the significance of his work, firstly explains his preface.

Although the following treatise has, contrary to my first intention, swelled to too great a bulk already; yet as there are some things that may be thought necessary for the readers farther information and satisfaction in the matter, which could not so conveniently be brought into the body of the book itself, I am obliged to give them a place here by way of preface...

Then he declares himself no controversialist:

I never had an inclination to debates of any kind, so this I am now engaged in had not its rise from any writings of mine own upon controversial subjects; but from some annotations, prefaces and the like, which I was desired to make on the writings of others.¹⁷³

Ruddiman declares that he did not intend to blacken the reputation of Buchanan. He recounts that he was employed to oversee the edition of Buchanan’s *Opera* by Freebairn, and he only desired to have it published more appropriately by rendering it as correct as possible. He mentions that he especially studied the *Rerum Scoticarum Historia* (the second volume of the *Opera*), which was the most considerable work of “that great man’s performances.”¹⁷⁴ His intention was not to attack Buchanan but to make his works more acceptable and entertainable, by making certain corrections in the light of other historical documents, i.e. public records, ancient manuscripts, and other collections, which contradicted the writings

¹⁷² Duncan criticises Ruddiman for devoting 242 pages to the defence of the legitimacy of Robert III, which was already proven by many other scholars, such as Drumboote, Earl of Cromarty, Sage, Hay and Ruddiman himself. See Duncan, *Ruddiman*, 137.

¹⁷³ Ruddiman, *Answer to Logan*, iii.

¹⁷⁴ *Ibid.*, iv.

of Buchanan. He praises Buchanan as a truly “celebrated historian,” and claims to have prevented him falling into inferior estimation by dealing with the errors in his *Opera* and the – especially politically imbued – points in his works by producing his preface to them.¹⁷⁵ By doing this he admits he attracted the hostility of many, such as Logan; but their hostility had no just foundation.¹⁷⁶ Ruddiman also accuses Logan of being the aggressor in the debate and complains of his anticipating his own answer. As previously mentioned,¹⁷⁷ Logan was aware that Ruddiman was writing a refutation of his first treatise, and would not wait to receive it. Ruddiman sees Logan spoiling for a fight, not looking for scholarly discussion.¹⁷⁸ All this was certainly disingenuous, but not false.

The influence of Logan’s “impatience” on Ruddiman’s work is clear. A glance at the *Answer* of Ruddiman reveals that the work consists of two parts, not clearly divided, but different in style. The first part is on the debate over the claims of Bruce and Balliol and second half deals mainly with the legitimacy of Robert III. This gives an extremely detailed, but straightforward explanation, running to several pages. It is quite clear that Ruddiman started writing a refutation of Logan’s first treatise and altered his course when he received the *Second Treatise*.¹⁷⁹ However, this was hardly a just cause for complaint. After all, Logan’s *Second Treatise* broadly speaking contained nothing not previously examined and the urgency felt by Ruddiman to produce his refutation as quickly as possible was not increased. Ruddiman sought merely to say he might have done better and blame Logan for his not doing so. By merging his earlier writings answering Logan’s first treatise with

¹⁷⁵ Ibid., iv-v.

¹⁷⁶ Ibid., v. and 66. See also Logan, *Treatise*, p.24.

¹⁷⁷ See p.59 above.

¹⁷⁸ Ruddiman, *Answer to Logan*, v.

¹⁷⁹ For the continuing complaints of Ruddiman on this issue see p. vi.

those he added after he received his second treatise, Ruddiman was able to produce a very comprehensive study, and had a chance to produce a refutation of Logan's two treatises in a one-volume study. On the other hand, Logan was able to interrupt the process of Ruddiman's by writing another treatise. As Ruddiman complains about the "impatience", it becomes more obvious that Logan was successful in annoying him. It was all part of the tactics of debate.

Ruddiman addresses Logan reproachfully, finding Logan very harsh on him. He mentions two things insistently in his preface: one is the accusation that he abused the favours of his supporters in producing the edition of Buchanan's works and the second that he was successful in the "nicking of the time" in publishing his prefaced edition of *Opera Omnia* in the year of an almost successful Jacobite rising.¹⁸⁰ Ruddiman, of course, rejects both of these claims. He mentions that Lord Advocate Sir David Dalrymple and Andrew Fletcher of Saltoun only provided the material, books etc., used in the preparation of his edition of *Opera*, were intelligent enough to know his own views about Buchanan, and sophisticated enough not to be overly concerned about what they might take to be his failings.¹⁸¹ Again, he denies that the writing of his annotations on Buchanan were politically timed, asserting that most of them "were written when there was not the least appearance of any rebellion" and adding that what he had done constituted nothing more than a search for truth.¹⁸² Ruddiman gained from Logan's presenting of his own judgements about him as fact, and successfully made use of this accusation by mirroring it back on Logan, who is not, he suggests, politically up to date:

¹⁸⁰ Ibid., vii-viii. See also Logan, *Second Treatise*, p.12, "it may be said that [Ruddiman's] preface and annotations, tho' printed in the year 1715, yet he had prepared them in some years proceeding: but was not this nicking the time..."

¹⁸¹ Ibid.

¹⁸² Ibid., viii.

I am confident they can give none [offence] to the true and steady friends of his present majesty, whose title and that of his posterity to the throne of Britain is founded upon the principles I maintain. Our author may think he has nicked the time of ingratiating himself with his majesty's government, in asserting the contrary: but I have great reason to believe he will find himself much mistaken.¹⁸³

Getting closer to the subject of debate, Ruddiman expresses his contentment that he was treated “in a decent and civil manner” in Logan’s “small treatise” which came forth in the beginning of that year, although, he observes, the subject of the government of Scotland was by that time quite exhausted: there had already been many works published. It was useless to attempt to deal with a well explained subject, contending against the respectable historians, i.e. Sage, Mackenzie. He criticises Logan, again in a striking way as he did in the discussion about “nicking the time,” for addressing and criticising writers, who, except Ruddiman himself, were, being dead, unable to reply to his criticisms. Thus, he asserts his responsibility to restore the esteem in which they are held.¹⁸⁴

Ruddiman’s argument is straightforward: “the Crown of Scotland was hereditary, and did not depend on the suffrages of the people.” However, the discussion he undertook is not so easily presented. Logan, also, was not a supporter of suffrage-based, quasi-democratic structures. He appeals to the moderation of Logan’s position. Again, Logan is made to appear anxious for a fight.

Where is my fault in so saying? I do not say whether [the Crown of Scotland] was strictly and absolutely hereditary, but simply that it was hereditary. And was not this the constitution or rule of succession in this kingdom, from the days at least of Kenneth III as is agreed on by all our historians.¹⁸⁵

Ruddiman makes much of Logan’s historical argumentation, asserting that the hereditary succession can be interrupted; but no interruptions do “absolutely overturn

¹⁸³ Ibid., ix.

¹⁸⁴ Ibid., 1-2.

¹⁸⁵ Ibid., 4.

and destroy the constitution, or hinder it from running into the same channel again”.¹⁸⁶ Rebellions and usurpations there always had been, in Scotland and in other hereditary kingdoms; but the law of succession did not necessarily change however frequently and decisively it had been violated.

On the competition between Bruce and Balliol, Ruddiman did not have the easy side of the debate. It might well be asserted that Jacobite historians had the question as a constant burden on the shoulder. Only one of them, George Mackenzie (1669-1725), freed himself from that burden by arguing straightforwardly that Bruce held Scotland by right of conquest. Then again, Jacobites who claimed that Balliol had been selected not on the grounds of constitutional right, but because of his readiness to accept Edward I as his superior feudal lord, ignored or overlooked the fact that Bruce the Competitor had also acknowledged Plantagenet suzerainty and was ready to accept the feudal overlordship of Edward, the moderator of their competition.¹⁸⁷ Ruddiman, despite the difficulty of offering an explanation of the Great Cause as a refutation of Logan, showed himself as the abler debater, by using his talents of rhetoric.¹⁸⁸

Ruddiman states that there had been an established rule of succession by proximity of blood. He stresses that both claimants’ competition for the crown was proper: they had their constitutional right, in that the constitution required as simply *continuo in genere proximos*. By stressing the importance of the established character of this provision, Ruddiman consciously ignores Logan’s overstressed interest in parliamentary legitimacy. The important point for Ruddiman is that “the son of a second daughter, or the grandson of the eldest daughter, ought to be

¹⁸⁶ Ibid., 5.

¹⁸⁷ Kidd, *Subverting Scotland’s Past*, 87.

¹⁸⁸ Duncan, *Ruddiman*, 137.

preferred.”¹⁸⁹ Further, he agrees that accepting the intervention of Edward was a great mistake, but turns the point to an argument against belief in a tendency to election.

I hope the of Scotland did not remit it to King Edward to ch[oo]se a king for them; for what would have both been attended with dangerous consequences, and (if mere election was the rule) could more easily and regularly have been executed by themselves at home.¹⁹⁰

Ruddiman argues that if the landowners had the ability to eliminate the other claimants to the throne, leaving the two strongest, then they should have chosen the most suitable for the throne, according to the tradition of *lex regni*, by themselves. He rejects any elective power in the parliament convened under the auspices of Edward I. The judges in that parliament “had merely been judges of the facts of the issue” – and not reluctant to transfer to Edward I’s side.¹⁹¹ The only problem with his account, which was of central importance, is that it does not clarify or even mention the distinction between primogeniture and tanistry, which provided the basis of the claims of Balliol and Bruce, respectively. Logan had insistently stressed the importance of primogeniture as the true *lex regia* of the time.¹⁹² If it was not, there had been no violation. Nevertheless, this point hardly suited Ruddiman either. Another matter disagreed by Ruddiman was the right of the son of Balliol in his *Answer*. Robert Bruce, the grandson of the Competitor, had the same generational proximity to David of Huntingdon as Balliol’s son. Besides, Colin Kidd points out, with reference to contemporary argument, that the “Jacobite gloss” on the removal of the John of Balliol as “self-deposition” did not explain how this could prevent a claim by his son.¹⁹³

¹⁸⁹ Ruddiman, *Answer to Logan*, 5.

¹⁹⁰ *Ibid.*, 7.

¹⁹¹ Kidd, *Subverting Scotland’s Past*, 87-8.

¹⁹² See above pp. 44-62.

¹⁹³ Kidd, *Subverting Scotland’s Past*, 88.

Ruddiman argues that it was far from being certain that Balliol had the right to the throne. His argument to support this doubt is weak. The justification given for the action of Edward I and the parliament he convened in adjudicating in favour of Balliol was that they behaved according to laws and customs of both kingdoms. However, it was doubtful whether Scotland had such a legal tradition. This argument of Ruddiman is odd. Since he did not argue on clear legal grounds and did not prove that the legal practices of the two kingdoms were fundamentally different from each other, his argument was not able to prove anything about the problem of legal right to the throne. It is also unclear whether he accuses Balliol of disregarding the customs of his people or accuses Edward I for doing so. This makes the whole argument a more confused one. Ruddiman did state that “the right to a crown does not descend the same way as it does in private estates”.¹⁹⁴ This might have been a good starting point for examining the whole question of fourteenth-century Scottish political right, if he had continued to speculate and argue on this matter. However, there is no other reference in his *Answer* to it.

Ruddiman’s account of the Fergusian monarchy undermines Buchanan and consequently Logan. Ruddiman uses the *Chronica* of Fordun as a way of repudiating Buchanan. Although both Ruddiman and Logan agreed that the *Chronica* was not reliable enough to produce sound arguments,¹⁹⁵ they both made use of it quite extensively, interpreting it as they desired. In this case, Ruddiman opted for it. It had, after all, “assisted royalists in its account of the Fergusian monarchy.”¹⁹⁶ The main argument derives from the account given by Fordun of the Fergusian election, where

¹⁹⁴ Ruddiman, *Answer to Logan*, 8.

¹⁹⁵ See p.18 above.

¹⁹⁶ Kidd, *Subverting Scotland’s Past*, 83.

he asserted that Fergus had made himself king over the Scots.¹⁹⁷ Logan and Ruddiman interpreted the election, or accession, of Fergus in different ways. As mentioned before, Logan relies upon the account of Buchanan, which explains the succession as an election by the chieftains of the most suitable candidate for kingship.¹⁹⁸ Ruddiman approaches the issue, conversely, not focusing on the succession, but on dethronement. It was a clever approach to the issue, since it would be much more illuminating to consider the power of *ius populi* when popular dethronements took place. Ruddiman argues that, according to Fordun, there were no such dethronements, though there were circumstances that might have justified it, had it been though possible.¹⁹⁹ Ruddiman asserts that there is no sign of a popular power superior to the power of the king. However, he does accept that the king was chosen with the consent of chieftains: he merely asserts that there was no occasion in the history of the Scottish kings that one of them was deposed by popular will or by the will of the nobility. He makes reference to the wishes of the clergy, which he held to have influence on the consent of the nobility; but he is not clear to what extent the clergy used its power.²⁰⁰

The summary of Ruddiman's account on the power structure in the very early days of the line of the Scottish kings and onwards included a refutation of Buchanan in famous king-killing doctrine. It is not possible to kill a king by popular will. Kings might have been killed, but not for political reasons.

And yet [Fordun] adds, that, notwithstanding his great wickedness, he was slain, not by a council of his nobles, but, by one great man among them named Hadardus, whose daughter he had ravished.²⁰¹

¹⁹⁷ Ibid. In Kidd's quotation from Fordun's *Chronica*, p. 28, the original phrase is "*Super eos se regem constituit*". Ruddiman also Logan gives the same description as "*Super eos regem primum se constituit*." See Logan, *Treatise*, pp.32-3.

¹⁹⁸ See p. 37 above. See also Logan, *Treatise*, vii-viii, 28-36.

¹⁹⁹ Rudiman, *Answer to Logan*, 60.

²⁰⁰ Ibid., 60-1.

²⁰¹ Ibid., 60.

Ruddiman, however, points out that Buchanan was not the originator of the king-killing doctrine, but was inspired by the anti-monarchical principles set forth by Hector Boethius (c.1465-1536), the author of the famous *Scotorum Historiae* (1527).²⁰² He also notes that

...as the people could judge and punish our lawful kings for their faults, Buchanan did not take his pattern from them, but from the Roman and other ancient histories, in which kings are treated very contemptuously...²⁰³

He remarks too that not only at the beginning of the royal line, but later, Scottish kings exercised absolute authority, unbounded by any restriction by the nobility. The most significant example he gives is the ability of King Malcolm to distribute the whole territory of Scotland among his followers.²⁰⁴ Though this account of the introduction of feudalism was doubtful, Ruddiman did not hesitate to use it in strengthening his case.

The Jacobite case on the question of the reputed bastardy of Robert III, was good and consequently accepted even by some Whigs like James Dalrymple and Clerk of Penicuik.²⁰⁵ Jacobites, including Ruddiman, agree that Buchanan's patron, the Earl of Murray and the bastard half-brother of Mary, Queen of Scots, influenced the content of Buchanan's account. Originally, Robert III's bastardy was a positive precedent. If one bastard might become king, so might another. Buchanan turned an historical error into an ideology and was responsible for the general belief of the bastardy of Robert III. The discovery of a charter dated 12 January 1364 in Glasgow Cathedral, mentioning the approval of the marriage of Robert II, proved that there

²⁰² Nicola Royan, *Boece, Hector (c.1465–1536)*, in *New DNB*. For related theoretical arguments, see Ferguson, *The Identity of the Scottish Nation*, 79 and 83-4; Lynch, *Scotland*, 346-7 and Allan, *Virtue, Learning and the Scottish Enlightenment*, 149, 150-3, and 177.

²⁰³ Ruddiman, *Answer to Logan*, 62.

²⁰⁴ *Ibid.*, 83, 86-7; Kidd, *Subverting Scotland's Past*, 85. Kidd cites the original phrase, "*Dominus rex Malcolmus dedit et distribuit omnem terram Scotiae hominibus suis*," from John Skene, *Regiam Majestatem Scotiae, Veteres Leges et Constitutiones* (London, 1613), p. 1.

²⁰⁵ Kidd, *Subverting Scotland's Past*, 90-1.

was a chronological error in Buchanan. According to that document, Robert II had first married Elisabeth Mure. Only after the death of Elisabeth, the mother of John, who would become Robert III later, Robert II married Euphemia Ross. The charter was sure evidence that Elisabeth Mure died before 1364, against the account of Buchanan that she married Robert II formally in 1374.²⁰⁶ The charter, cited fully by Ruddiman and many other scholars, demonstrated the error in Buchanan's account, which was directly borrowed by Logan. Logan ignored the presence of the charter, and it is unlikely that he was not aware of it. If so, he had not read any of the Jacobite historical studies mentioning the problem of Robert II's marriages. Thus, Logan tried to approach the subject not historically, but morally, from the perspective of the reliability of Buchanan's account.

Ruddiman's *Answer* has a long and detailed discussion of this earlier marriage of Elisabeth and Robert II. However, the greatest part of his account is mere speculation and rhetoric. He may have thought that even if his position was far stronger than Logan's in view of the 1364 Charter, it might appear weak without extensive discussion. With extensive use of other sources and accounts which make clear the errors in the chronology of the Buchananite account of the matter of Robert III, Ruddiman establishes a supremacy over Logan.

IV.2 The Dissertation

Ruddiman was in a more advantageous position than Logan on the issue of Robert III. However, his weakness in supporting the claim of Bruce in the Great Cause, and his slightly confused inquiries in his *Answer to Logan* on the subject may have motivated him to produce another work. Ruddiman was conscious of the lack of

²⁰⁶ Ruddiman, *Answer to Logan*, pp. 158-399. See especially pp. 200-1, 261, 296-7, 346-8 and 387. For the original charter see the first appendix, p. 394-6; Kidd, *Subverting Scotland's Past*, 90-1; Duncan, *Ruddiman*, 135-7. See also Logan, *Treatise*, 89-91 and 177.

the comprehensiveness in his *Answer*. Thus, he resolved to concentrate on the competition of Bruce and Balliol. His *Dissertation Concerning the Competition for the Crown of Scotland, betwixt Lord Robert Bruce and Lord John Balliol, in the Year 1291* (1748) is a work of 123 pages in length, more systematically examining the issue. It can be taken as a compensation of his passing over the ‘matter of the fact’, taking into account his previous *Answer*. This work was to show

That by the laws of God and of nature, by the civil and feudal laws, and particularly by the fundamental law and constitution of Scotland, at that time, and ever since, the right of Robert Bruce was preferable to that of John Baliol.²⁰⁷

Ruddiman’s preface to the *Dissertation* is not directly related to what is discussed in the body of his work. In the preface, he offers a general picture of when and how he was criticised; he mentions power and politics of the age in general, including short references to male-administration and gynarchy. He draws attention to his objectivity, as one who could criticise Buchanan for his political works, but praise him for his paraphrase of the Psalms.²⁰⁸ Still attempting to communicate his objectivity, he indicates that it was difficult to form judgements about the complex controversies over the principle of hereditary right, and the problems in the political reasoning of Buchanan’s *De Iure Regni* in general. By the way, he expresses some political principles, such as the king’s right being *jure divino*.²⁰⁹ A significant point in the preface is the indication that Jacobites and Whigs shared a common political tradition, of asserting the subjects’ rights. He rejects Logan’s anti-Jacobite rhetoric,

²⁰⁷ Thomas Ruddiman, *Dissertation Concerning the Competition for the Crown of Scotland, betwixt Lord Robert Bruce and Lord John Balliol, in the Year 1291* (Edinburgh: T. and W. Ruddiman, 1748), i.

²⁰⁸ Ruddiman makes extensive use of his work on the criticism of Psalms in answer to Benson to refute any claim that he had been biased against Buchanan. See *ibid.*, ix, preface.

²⁰⁹ *Ibid.*, vii-ix.

denying an extreme belief in non-resistance or adherence to any 'slavish doctrines'.²¹⁰

Ruddiman considered that his *Answer to Logan* had indeed been a comprehensive work, which dealt with the nature and the history of the Scottish dynasty, in a degree sufficient to satisfy a reasonable reader.

Altho[ugh] in my answer to Reverend Mr. Logan, I persuaded myself, that, to the conviction of all the unbiased part of my readers, I had so fully established the truth of the principle I was by that author called upon to defend...²¹¹

There was, no doubt, little willingness on Ruddiman's part to review the "fully established truth" contained in the *Dissertation* later in his *Answer*. However, he did want to fill the gaps now apparent in his argumentation and produce a more sophisticated work. Moreover, it may well be that failing to receive the approval he expected, he decided, like a patient teacher, to explain the whole matter again. Logan was in a more advantageous position than Ruddiman in the matter of criticism. The *Scots Magazine* – certainly important to both authors – was, for example, under Whig control. To persuade this predominantly Whig intellectual community, or to defeat it, Ruddiman decided to produce a thorough analytical study that would attract the attention of, for example, the *British Magazine* and the *Scots Magazine*, and strengthen his previous arguments.²¹² It seemed necessary to cover the whole argument again.

Duncan was of the not unjustified view that Ruddiman's *Answer to Logan* was an over-laborious study, too long, certainly in relation to its content. Certainly,

²¹⁰ Ibid., xi. See also Logan, *Treatise*, 9; Ruddiman, *Answer to Logan*, 14.

²¹¹ Ibid., 1.

²¹² For the dominance of Whigs in the intellectual environment, see Kidd, *Subverting Scotland's Past*, 86-9. See also Gunn, *Beyond Liberty and Property*, 120 and Dickinson, *Liberty and Property*, 59.

his *Dissertation* is much more a laborious study than the *Answer to Logan*. From page 3 onwards, Ruddiman buries his reader in details, directly related to the core of the discussion or not, and the main arguments are lost. No doubt, the feeling Ruddiman had at being on disadvantageous ground in this debate, shared by many Jacobites,²¹³ made it comforting to bring forward as much auxiliary support as he could.

One central argument in the *Dissertation* is a rejection of the claim that “it was merely by the election of the people that the prince came to the throne”. In dealing with this argument, he introduces the reader to an anonymous pamphlet, *The Right of the House of Stewart considered*, which approved the decision of Edward I in the dispute between Bruce and Balliol, “because it was in just agreement with the custom of Scotland”.²¹⁴ By the way, though particular circumstances may explain this case, Ruddiman seems to have been much less upset by anonymous opponents, like this one, than Logan.²¹⁵ He offered no criticism and did not complain about any unpleasantness of style or antagonism. He merely used the arguments of his opponent as starting points for his own.

After making extensive direct quotations from his anonymous adversary, he explains the shortcomings in the opponents’ arguments. He declined to accept that the right belonged to Balliol, because of the strength of the claims of both sides. The pamphleteer had, of course, argued that the election of the parliament determined the right to the throne decisively. Thus, indeed, had Robert I himself come to the throne. Ruddiman here tackled the matter quite well, with the most straightforward passage

²¹³ For the difficulty of the Jacobite camp with the debate on the dispute between Bruce and Balliol, see p. 78 above. See also Kidd, *Subverting Scotland’s Past*, 87.

²¹⁴ Ruddiman, *Dissertation*, 3.

²¹⁵ See above pp. 59-65.

to be found in his works. Here, the *Dissertation* reads like a shortened and simplified form of his *Answer*.

At the beginning, Ruddiman stresses the oddity in Logan's conclusion, as a conclusion, where he asserted that usurpations happened quite frequently in the line of succession. He acknowledges that Robert I's succession can be questioned as Logan does, but that this case is singular.²¹⁶ The whole argument in the following pages is concerned with the error of Logan in questioning and opposing the Bruce claim. It is interesting to note the style of Ruddiman here, as he develops his arguments. Almost constantly, he dwells on the counter-arguments of his opponents and produces his own argument in response to their weaknesses. Therefore, his *Dissertation* is also an 'answer', like his previous study, for little new emerges.

As an introductory summary – as the core of the matter – we can state that the main discussion is about the difference between the *right* of succession to the throne and being *elected* to the throne. Ruddiman constructs his first counter-attack on the intersection between those two elements of legitimacy. He cleverly asks if the *right* was the matter in the case of the succession of Robert I, then what reason was there for attempting to establish legitimacy based on election covered, but the dubious nature of John's claim, patronised by Edward of England.²¹⁷ He affirms that the legitimacy was only provided by the "point of [having] right," which is was not known in this case. King Edward was "peremptory" in his decision. In fact, there was no place for allowing election to legitimise succession.²¹⁸ In this perspective, Ruddiman starts to develop his own arguments against the foundations of the opposing case, the arguments in which he labels as "the most captious and fallacious

²¹⁶ Ruddiman, *Dissertation*, 2.

²¹⁷ *Ibid.*, 4-5.

²¹⁸ *Ibid.*, 5-6.

of all kind of reasoning.”²¹⁹ Ruddiman argues, firstly, that if the crown of Scotland was considered a heritage, the right of John Baliol to it was nullified and by given to Bruce, by virtue of Balliol’s abandonment of the throne to Edward.

Suppose [t]his first observation should be granted, that John Baliol had once a right to the succession, as the nearest heir; yet (not to speak that the states and people of Scotland were persuaded of the contrary) he had several years before Robert I mounted the throne, not only abdicated the government, but resigned and given up all the title and right he had to it, in the hands of the King of England. Robert I therefore could do him no injury in taking up that which he had laid down; or (which is the same) had given away from him. For, I hope, it will not be controverted, that when two or more are instituted heirs to an estate, if the first shall not accept it, or afterwards renounce all title to it, the second may lawfully enter upon possession. Robert Bruce was, if not the first, incontestably the second heir to the crown; and what should hinder him, after John Baliol had abandoned it, to claim it as now having become his just property? ²²⁰

Finding it difficult to deny Balliol’s claim, he does not do so, but argues on the basis of his surrender of it. He continues, it should be noted, to regard the throne as a heritage, like a landed estate, or other sorts of private property. Secondly, he challenges the assertion that according to the doctrine of divine, hereditary and indefeasible right, Balliol’s son Edward ought to have succeeded him. Ruddiman explains this matter in three steps.

For [first], if the abdication or the resignation of the father did include that of the son, then Edward Baliol was divested of the crown by that his father John Baliol’s deed. This is certain that in the succession of the private estates (which our authors will have to be the rule in the succession to a crown) the resignation or alienation of them to others than the next heir, will effectually cut off all pretensions these heirs could make to them. Whether this will hold with respect to the heirs of a kingdom is indeed by many controverted, but never, that I could learn, by the strenuous defenders of the late revolution. But [secondly], as this Edward Baliol did never otherwise claim right to the Crown of Scotland, but as a fee-liege of the Crown of England, he thereby destroyed his own title, tho’ it had been otherwise just and good. I hope there is no true-hearted Scotsman, who will not maintain, that the Crown of Scotland then and always was imperial, sovereign and independent; and that consequently the king, who subjected himself and it to another, did upon the matter un-king himself, and forfeit all right that he otherwise might have pretended to have to the sovereignty. But this is not all; for [thirdly], this

²¹⁹ Ibid., 7.

²²⁰ Ibid., 8.

same Edward (in imitation of his father, who had resigned whatever right he had to the crown, to Edward I of England) did likewise resign his title to it in the hands of Edward III. This then being the case, it is plain, that whatever right either of the Baliols might otherwise pretend to the Scottish Crown, it was now as effectually extinguished, as if they never had existed; unless our author will be so absurd as to say, that one still retains a right to that which he has freely and voluntarily given away.²²¹

The discussion by Ruddiman above relates only tangentially to the core of the matter, that filial succession had or had not been interrupted. The second passage quoted above is mere rhetoric. However, Ruddiman convinces both his audience and himself that once the constitutional right was somehow, willingly or compulsorily, bestowed upon another, then the whole issue is changed into one about which one cannot easily speculate, with reference to the customs and tradition of the hereditary succession.

The issue of ‘resignation’ from the right to the throne is fruitful for Ruddiman; but it is barely seen in these passages. However, when he begins to deal with the assertion that Robert Bruce, his son David and his descendents were all usurpers, he uses the theme of ‘resignation’ again.

For if the two Baliols either never had, or, which is sufficient for my purpose, if they did absolutely and [e]ntirely give up and relinquish what right they might pretend to have to the Crown of Scotland, then it is as clear as meridian light can make it, that the reigns of Robert and David Bruces, and of the family of Steward, who derived right from them, were no usurpations, but as true and lawful an hereditary succession ... If there was any usurpation in the case, it was upon the rights of the kings of England, to whom the Baliols had resigned theirs ... These of the Baliol family having given up their title, and it being incompatible with the sovereignty of the kingdom, that a foreign prince could acquire a right to it.²²²

To clarify again the purpose of this work, in view of criticisms of Ruddiman: our focus is the ability of Ruddiman and Logan in analytical reasoning and ability in rhetoric. Thus, the reliability of the historical information they give, the accuracy displayed in their works and their overcoming of anachronism are, partially,

²²¹ Ibid., 9.

²²² Ibid., 10.

irrelevant here. Our present question is about the success of Ruddiman in finding ways of defeating an opponent's argument. The 'resignation' argument was certainly flawed as an account of 'how it actually happened', but that was not primarily history's business. Morality and politics was; and Ruddiman's moral and political reasoning was successful. As Ruddiman himself says, he looked at the issues "according to the rules of just reasoning".²²³ In the quotations above, for example, he constructs his argument on a "maxim in law, that possession gives right, when none other can show a better right".²²⁴ Bruce came to possess the throne; Balliol could show no better claim and, in any case, had surrendered it. Although it is very questionable indeed, it serves as a sound basis for Ruddiman's moral and political argument. Through his *Dissertation* effective arguments of this kind can be found frequently, whereas Logan is much weaker in convincing his audience. In other words, Ruddiman's ability in scholarship is stronger both in reasoning and rhetoric. Moreover, there is no effort on Ruddiman's part to prove that he is perfectly impartial in the matter of the competition between Bruce and Baliol. He plainly defends Bruce in the *Dissertation*. This considerably improves his arguments.²²⁵ He is no impartial judge of the events – and this brought him credit for his frankness.

Ruddiman held that, the right of representation was a rather recent phenomenon and one misunderstood by his contemporaries. He held that there was no "fixed general law, which had always and everywhere obtained in the world to this day" in the matter of succession.²²⁶ Representation was throughout much of the world's history; but "proximity of blood was the only rule by which not only

²²³ Ibid., 11.

²²⁴ Ibid.

²²⁵ See *ibid.*, 16.

²²⁶ Ibid.

moveable, but immoveable goods and possessions were transmitted”.²²⁷ At first sight, these two assertions seem contradictory. However, the contradiction is removed when it is understood that his term ‘fixed general law’ refers only to human law. Succession by proximity of blood was, on the contrary, divine law. This is a law above all other laws, which “was established by Almighty God himself.”²²⁸ Citing Scripture, in particular the Old Testament, he turns the *jus repræsentationis* into a right obtained only by proximity of blood. The right of representation, allowing the concept of election, was thus far inferior to right by proximity of blood and dispensable. In practice it was often dispensed with. He cites historical examples.

Tacitus informs us, that the same rule was observed among the ancient Germans. And it appears from the laws of the [V]isigoths... The right of representation did not take place in the German Empire till the time of Ot[t]o I. *anno* 942; but that in after ages was quite abolished, till it was re-established by Maximilian I, *anno* 1500... [A]mong the French, in the succession to the grandfather’s inheritance, the uncle was constantly preferred to the grandson... [T]hroughout most of the low countries, as Holland, Flanders, Guelderland, the Dioces[e] of Utrecht, Hainault, Artois, Zealand, Overysse, and others, the right of succession to their fiefs does not descend by representation, but by proximity of blood only.²²⁹

Ruddiman argues that the succession to the Scottish crown was regulated according to the rules governing succession to feudal tenures, after the time of Kenneth III.²³⁰ However, before feudal practices influenced the constitution, proximity of blood was accepted as of divine institution. He notes the difference between higher and lower fiefs.²³¹ Of course, the right to the throne could not be governed by rules regulating *feuda inferiora*. Thus, Ruddiman explains the system of

²²⁷ Ibid., 17.

²²⁸ Ibid. Ruddiman refers to the Old Testament, regarding especially that God bestowed the right to the power by proximity of blood upon His own peculiar people, the Israelites.

²²⁹ Ibid.

²³⁰ Ibid., 18.

²³¹ Ibid., 21-2.

succession as a product of divine law, with an adumbration of feudal law. In his formulation, there is no place for representation at all.

Neither Ruddiman nor Logan offers an ideal system of succession; nor do they press their cases to extremes. They are not at the opposite extremes of their respective ideologies. In any case, these ideologies themselves had common ground on the thought of eighteenth-century Britons.²³² Ruddiman allows for flexibility. Feudal law relating to private inheritance is frequently used and spoken of, because it serves his thesis. This is the reason he insists on feudal law with its insistence on proximity of blood to be the universally accepted law of succession. However, he does not argue for a rigid law that does not allow for anything extraordinary. He does not advocate feudal law as the only regulator of succession to the throne. The foundation of his argument, though, must be preserved and there is absolute rejection of the view that “the succession to private inheritances cannot be a rule to that of sovereign kingdoms.” Still, he is willing to accept the degree of flexibility expressed in the statement that “the right to a crown does not, or may not, descend the same way as it does in some of these private estates.”²³³

In certain sections of the *Dissertation*, Ruddiman complains of being misunderstood by his antagonists. No doubt he was, often wilfully. He insisted that he was arguing for a general principle: that the throne of Scotland was not elective, but hereditary. His opponents were unjust in drawing other opinions, which he never held, from his statements. He had never claimed that the right of kings over their subjects were the same as any man’s rights over his private property – that all

²³² See above, p.6. See also Gunn, *Beyond Liberty and Property*, 120-1; Dickinson, *Liberty and Property*, 13-59, 124.

²³³ Ruddiman, *Dissertation*, 25.

hereditary rights were the same.²³⁴ He was speaking of a hereditary right “in general, as it is distinguished from election, without respect to the various manners in which it is, by law or custom, particularly conveyed.”²³⁵ What he opposed was election – in particular, that election he believed to have taken place in 1689. In this, he was not too far from his opponents, who denied that an election had taken place in 1689. Whigs and Jacobites had common ground. It became visible only a few decades later, in the reign of George III. In the days after the ’45, when Ruddiman and Logan were writing, that common ground was hard to see.

²³⁴ Ibid., 28-9. See also Ruddiman, *Answer to Logan*, 37, 41.

²³⁵ Ruddiman, *Dissertation*, 29.

CHAPTER V

CONCLUSION

Logan and Ruddiman were not mere intellectuals. They did have certain political intentions in producing their works. They sometimes used mere rhetoric to make their assertions. Thus, they were politically biased; their works are not objective and impartial ones. However, this does not mean that they did not produce considerable studies valuable to the readers and writers of Scottish history in their period and afterwards. For one who studies intellectual and political history, two necessary phenomena, historical accuracy, within a coherent theoretical framework can be found in their works.

In the preceding chapters, a judgement has been made about who was the better debater on the topic of the constitutional and dynastic history of Scotland. Certainly, both scholars have strong or weak points in comparison to the other. However, in general, neither of them can be dismissed as a mere pamphleteer. Logan's two treatises, for example, offer a Whig explanation of the nation's dynastic history with reference to respected chronicles and the works of its rightly esteemed historians, such as Boece, Buchanan, Fordun, etc. He produced Whig history, not merely bulky political pamphlets. Ruddiman refers to the same authorities as Logan

does. The difference between them lies in their judgements of these sources. Ruddiman, albeit a Jacobite partisan, was not merely destructive in his approach to Whig sources and arguments. He successfully, certainly more competently than Logan, produced historical inquiries – regardless of the extent they may be called biased – justifying well his religion, morality and politics. In fact, both authors strike us as more akin to moral philosophers than to later historians. Such was the character of eighteenth-century history writing. The very lack of clear-cut distinction between politics and morality, between religion and politics, and between history and all three, allows these texts to present a panorama which greatly aids understanding of the period as a whole.

This study, centred on the debate of Logan and Ruddiman, has a large measure of literary criticism. It is hoped that this study indicates how such an approach to these analytical works assists historical understanding. Indeed, conventional categorisations in the study of eighteenth-century Scotland seem unsatisfactory if we take into account the course of the arguments of Ruddiman and Logan. Common patterns of thought, and not mere contrast, appear. For example, as a Whig, Logan never favoured a parliamentary democracy in which the hereditary monarchy was reduced to insignificance, and never adhered to the Buchananite king-killing doctrines. On the other hand, Ruddiman, as a Jacobite, never argued that the succession to the throne of Scotland had always been strictly hereditary, but merely argued that it could not be asserted that disruptions in the royal line could be taken as substantial changes, which altered the constitution. Their discussion is far from using crude and extreme arguments.

In fact, the difference between the two is a disagreement about the matter of flexibility. Logan is more flexible on the question of hereditary succession, Ruddiman much less so. In this, they reflect the politics of their time and display their links to political events. Logan obviously wrote studies which he expected to be well received by the Hanoverian regime; and Ruddiman was essentially influenced by the Jacobite rebellions, which came close to overthrowing the regime. However, politics, Whig and Jacobite, sought consensus in the political nation and the slightness of difference between their approaches reflects this too.

Historical, particularly political, narrative is inadequate. One may too easily interpret what is referred to in the narrative in anachronistic, modern terms and thus relate the past to the present in a superficial, simplistic and false way. The study of intellectual history contributes to a correction of this. In the study of these contemporary authors, Ruddiman and Logan, we see indeed the conflicts of eighteenth-century Scotland, which take centre stage in political narrative. However, we also inevitably note the similarities of their thought in response to the world around them, a shared world. Thus the conflicts are brought into perspective and their distance from our world a little better perceived.

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This is the first biography of Ruddiman. Chalmers's biography, though panegyrical, gives a complete panorama of Ruddiman's life and works with detail and accuracy. Chalmers was decidedly monarchist in his politics and admired the Jacobitism Ruddiman symbolised. The eulogistic character of the work was criticised by contemporaries.

Logan, George. *A Modest and Humble Inquiry Concerning the Right and Power of Electing and Calling Ministers to Vacant Churches.* Edinburgh: 1732.

This is an ecclesiastic/political inquiry, in which Logan essentially explains his understanding of the role of the *ius populi* in the decision-making processes of the Scottish church. Ministerial election and patronage are the main topics of his work. His main concern is the defence of patronage and restriction of the influence of parishioners in the election process.

Logan, George. *A Treatise on Government; Shewing that the Right of the Kings of Scotland to the Crown was not Strictly and Absolutely Hereditary...* Edinburgh and Glasgow: 1746.

This is the most significant work of Logan, which aims to refute major Jacobite interpretations of Scottish dynastic history, directed against a number of Jacobites, including Ruddiman. Though weak in achieving its aims, it is a reputable scholarly inquiry. The core of the arguments and related material in this work constitutes a criticism of the notion of strict and indefeasible hereditary succession. The work represents a Whig interpretation of Scottish dynastic history.

Logan, George. *Second Treatise on Government: Shewing that the Right to the Crown of Scotland was not Hereditary in the Sense of Jacobites.* Edinburgh: 1747.

Logan's *Second Treatise* is quite a continuation of his first, listed above. According to Logan's account, it aimed to give a complete and comprehensive panorama of the question of hereditary succession in

Scotland. Actually, it derived from the urgency Logan felt to address Ruddiman fully before the latter published his answer. It argues that Scotland never had an indefeasible hereditary succession, in contradiction of the Jacobites. Though adds relevant historical information, it does not offer much by the way of new arguments and is mostly a repetition of what was said in the first *Treatise*.

Ruddiman, Thomas. *Answer to the Reverend Mr. George Logan's Late Treatise on Government: In which (Contrary to the manifold Errors and Misrepresentations of that Author) the Ancient Constitution of the Crown and Kingdom of Scotland, and the Hereditary Succession of its Monarchs are Asserted and Vindicated...* Edinburgh: W. and T. Ruddiman, 1747.

This book is a comprehensive answer to Logan's two treatises. It is composed of two parts, unevenly divided. The first part deals with the debate about the conflict between Bruce and Balliol for the Scottish crown and second deals mainly with the question of the legitimacy of Robert III. This work is more successful, by virtue of its content and style than Logan's contributions.

Ruddiman, Thomas. *A Vindication of Mr. George Buchanan's Paraphrase of the book of Psalms: From the Objections Raised against it by William Benson...in the Supplement and Conclusion he has Annexed to his Prefatory Discourse to his New Edition of Dr. Arthur Johnston's Version of that Sacred Book. In which also, upon a Comparison of the Performances of those Two Poets, the Superiority is Demonstrated to Belong to Buchanan...* Edinburgh: 1745.

In this work Ruddiman criticises William Benson's comments included in his edition of Arthur Johnston's version of the Psalms. It is a professional study, a detailed criticism of the Latinity of both Johnston's and Buchanan's translations of the Psalms. It is a pro-Buchanan study, praising his talents as a Latin poet.

Ruddiman, Thomas. *Dissertation Concerning the Competition for the Crown of Scotland, betwixt Lord Robert Bruce and Lord John Balliol, in the Year 1291.* Edinburgh: 1748.

Ruddiman's weakness in supporting the claim of Bruce in the Great Cause, and his somewhat perplexed inquiries in his *Answer to Logan* may have motivated him to produce this *Dissertation*. It is a short, but a more systematic work than the above. It speaks interestingly of power and politics of the age in general and includes short references to the notion and practice of gynarchy. Much accurate historical evidence and successful rhetoric is contained in it.

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APPENDIX

GENEALOGICAL LIST OF THE KINGS OF SCOTLAND

The following is a composite genealogical depiction of the Scottish succession, taken from the following sources: Norman Davies, *The Isles: A History* (London: Papermac, 2000); Charles Petrie, *The Jacobite Movement* (London: Eyre & Spottiswoode Publishers, 1932); G. W. S. Barrow, *Robert Bruce and the Community of the Realm of Scotland*, (Edinburgh: Edinburgh University Press, 1982).



