Making the Act of Union 1707

An exhibition is being held at the Scottish Parliament between 21 September and 18 November 2007 to mark the union of the parliaments of Scotland and England in 1707. This exhibition contains two paintings and a display of five original documents, as well as two panels exploring the history of the union.

The exhibition is arranged to be explored from left to right, and the following provides the text of the panels, a note on the images and the text of the captions that accompany the documents on display.

HISTORY PANEL 1

THE UNION OF THE CROWNS

Queen Elizabeth I of England died childless in 1603. Her Stuart cousin James VI, King of Scotland since 1567, succeeded her, adding to his existing title that of James I of England. This united the Crowns of England and Scotland.

James' early ambitions to turn his kingdoms of England and Scotland into 'a perfect union' – a union of legislatures – were unsuccessful in an English Parliament strongly opposed to the loss of English identity at home and abroad. For the rest of the 17th century, England and Scotland, together with Ireland, remained separate and distinct kingdoms ruled by a single monarch.

The Stuart monarchs governed Scotland from London, rarely visiting Scotland themselves, and were helped by powerful Scotlish nobles who sent written instructions to officials in Scotland. As a result, many Scots felt that Scotlish interests were being ignored, and that the union of the Crowns was damaging Scotland's development as a nation.

Although both English and Scottish politicians often spoke of the two kingdoms as a 'British' state, Scotland avoided being reduced to the status of an English province.

The Scots retained a strong sense of their historic independence and nationhood.

The Union of the Crown section is illustrated by the following images, arranged from the top of the panel downwards:

- **James VI and I**, by John de Critz (courtesy of the Scottish National Portrait Gallery)
- Elizabeth I, by Marcus Gheeraerts the Younger (courtesy of the National Portrait Gallery, London)

 Designs for uniting the crosses of St Andrew and St George, dating from about 1604 (courtesy of the National Library of Scotland, MS 251). These designs were an early attempt to combine the flags of Scotland and England.

TWO KINGDOMS, TWO PEOPLES: ENGLAND AND SCOTLAND IN THE 17TH CENTURY

In both England and Scotland during the 17th century there were improvements in agriculture, an expansion of towns and inland trade, and the beginnings of manufacturing industry. But the great differences in their leading institutions – the church, law and education – did much to emphasise their separate identities, and Scots participated independently in European intellectual life.

Scotland benefited from trading and cultural links with the Netherlands, the Baltic, Germany and Poland, but later in the century it became clear that economic growth was slower than in other European states of similar size. There was always a risk that Scotland's economic ambitions would be subordinated to those of England, her bigger, more powerful neighbour.

English government was centred on London, where executive power was exercised by the king and his councillors, and Parliament was becoming increasingly powerful. In Scotland, government was made difficult by the fact that the king's chief Scottish advisers were often absent. Until 1690 its Parliament – based in Edinburgh from 1633 – was under the control of a committee nominated by the king. This state of affairs made it especially difficult to enforce law and authority in the Highlands.

As the century progressed, serious rifts emerged between the two kingdoms, particularly over matters of religion.

In 1637 the 'Covenanters', defenders of the self-governing traditions of the Scottish Presbyterian Kirk, fiercely resisted the attempt by Charles I to impose the English (or 'Anglican') liturgy and bishops. Inspired by national feeling, they overthrew royal power in Scotland as civil war engulfed the kingdoms in the 1640s.

The Two Kingdoms, Two peoples section is illustrated by the following images:

- Charles I, by Sir Anthony Van Dyck (top) (courtesy of the Palace of Westminster Collections)
- The 'riding' of the Scottish Parliament, 1685 (bottom) (courtesy of the Bank of Scotland). The Scottish Parliament sat as a single body of nobles, barons representing the shires, and burgesses from the royal burghs. Until 1689 it also included the bishops. The procession

illustrates the importance of this hierarchy in the parliament – and Scottish society.

RELATIONS BETWEEN ENGLAND AND SCOTLAND, 1603-89

After the execution of Charles I in 1649, the Covenanters proclaimed his son Charles II of Scotland. This prompted the invasion of Scotland in 1650 by Oliver Cromwell, whose short-lived military 'union' was much hated.

Following the Stuart restoration in 1660, Charles II's religious policy led to further conflict with the Scottish Presbyterians. Some were executed, and others driven into exile.

After 1685, James VII and II's efforts to secure toleration for his Catholic religion raised fears that both kingdoms were to be made Catholic and plunged him into deep political crisis. Late in 1688, with his authority in collapse, James fled to France with his infant son and heir. Meanwhile, the English Crown had been offered to his Protestant daughter Mary and her husband William of Orange as joint monarchs.

The Scots used the 'Glorious Revolution' of 1688 as an opportunity to assert their political views in the 'Claim of Right', as well as their attachment to Presbyterianism.

The Relations between England and Scotland section is illustrated by the following images:

- An engraving of Oliver Cromwell, by Houbraken (top) (courtesy of the Palace of Westminster Collections)
- Charles II, attributed to Thomas Hawker (bottom) courtesy of the National Portrait Gallery, London)

THE ROOTS OF UNION, 1688-1700

In 1689 the Scottish Parliament declared James VII deposed. It offered the Scottish Crown to William of Orange (already William III of England), on condition that he accepted Presbyterian church government and doctrine in the Church of Scotland. William had little choice, needing Presbyterian support to deal with Highland supporters of the exiled King James – the Jacobites.

At the same time, there were calls in Scotland for an 'entire' union, on the grounds that the two nations shared the same land mass, language and the Protestant religion. William and his ministers did not heed these calls, but soon found that infighting between senior peers and their factions in the Scottish Parliament made it almost impossible to govern Scotland. During the 1690s the case for union continued to gain favour as the Scottish economy

was hit by famine and declining exports. By 1700 William too began to push for full union – an 'incorporating' union of the kingdoms, with a single parliament.

However, the failure of the Darien colonial venture by 1700, for which the English and William were blamed, brought Anglo-Scottish relations to breaking point.

The Roots of Union section is illustrated by the following images, arranged from the top of the panel downwards:

- William and Mary being offered the English Crown, by James Northcote (top) (courtesy of the Palace of Westminster Collections)
- **William III**, attributed to Thomas Murray (centre left) (courtesy of the National Portrait Gallery, London)
- Minute book of the Directors of the Company of Scotland Trading to Africa and the Indies, 1696 (centre right) (reproduced by kind permission of the Royal Bank of Scotland Group © 2007)

The Darien Scheme

The Scots settlement in America called New Caledonia, 1699, by Herman Moll (bottom) (courtesy of the National Library of Scotland) In 1698 the Darien Company established a Scottish colony on the Isthmus of Panama. In 1700 it was abandoned because of disease, poor supplies and Spanish attacks. It had cost over 2000 lives and huge financial capital.

YEARS OF CRISIS, 1700-1705

In 1701 the English Parliament passed the Act of Settlement to settle the future royal line of succession on the German and Protestant House of Hanover. But with hostility towards England over Darien so intense, the Scottish Parliament refused to follow suit.

The regal union was in danger of breaking up. England was once more at war with France. If the Scottish Parliament were to choose the Stuarts – now under French protection – as Queen Anne's eventual successors, England would become vulnerable to Franco-Scottish invasion from the north. The Queen and the English ministry, anxious to avert this threat, attempted negotiations for a union during 1702–3.

However, the Scottish negotiators were determined that if they were to approve the Hanoverian succession, the Scots should be compensated for financial losses in the Darien disaster, and granted free trade with England and its colonies. Talks collapsed, and in 1704 the Scottish Parliament passed a law allowing it to choose its own nominee for the Scottish Crown unless the English granted key parliamentary, religious and trading concessions.

In response, Westminster passed its Alien Act (below) in 1705, barring Scots from all rights of property holding in England and banning Scottish exports, unless they agreed to adopt the Hanoverian succession and negotiate terms for union by December 1705.

The Years of Crisis section is illustrated by the following images, arranged from the top of the panel downwards:

- The Parliament House, Edinburgh, by James Gordon of Rothiemay, 1649 (courtesy of the National Archives of Scotland)
 - The parliament building was completed in 1639. The grand doorway led to the large hall in which Parliament met for the last time in 1707.
- Act of Security, 1704 (courtesy of the National Archives of Scotland)
 This Act of the Scottish Parliament placed in doubt the Hanoverian succession to the Scottish Crown on Queen Anne's death, and aimed to force England to grant Scotland freedom of trade.
- **The Alien Act, 1705** (courtesy of the Parliamentary Archives, HL/PO/PU/1/1704/3&4AN17)

To the right of History Panel 1 is the painting **The House of Commons in Session** – Oil on canvas, circa 1710, by Peter Tillemans (circa 1684-1734) (lent by the House of Commons)

Members are seated in the mediaeval Collegiate Chapel of St Stephen's at Westminster, which had served as their Debating Chamber since 1547. This view was painted only a few years after significant alterations, including the addition of side galleries, were carried out in 1707 by Sir Christopher Wren.

To the right of **The House of Commons in Session** is an image of **Sidney Godolphin**, **1**st **Earl of Godolphin**, by Sir Godfrey Kneller, Baronet (courtesy of the National Portrait Gallery, London)

Godolphin occupied the post of Lord Treasurer and was Queen Anne's leading minister. He played a central role in the negotiations for a union with Scotland and in the passing of the Act of Union.

The Earl of Goldolphin's words are quoted: "We are now in so critical a conjuncture with respect to other nations, that all Europe must in some measure be affected by the good or ill-ending of the Parliament of Scotland".

At the centre of the exhibition is the section headed **The Making of the Act of Union**, which contains the following text.

By the end of 1705, and despite much public opposition, Scotland's economic crisis pushed Scottish parliamentarians towards union. An almost entirely prounion body of Scottish commissioners met with English commissioners at Whitehall between April and July 1706 to settle the terms. The task was completed with little difficulty.

The English secured an incorporating union in which England and Scotland were 'united into one kingdom', with Scottish representation in a single parliament based at Westminster. They also secured agreement to the Hanoverian succession.

The Scots achieved most of the objectives that had proved stumbling blocks in 1702–3 including Scotland's long sought after status as an equal partner in English and colonial trade. The Presbyterian Kirk and the Scottish legal system, key features of Scottish civic society, were to be preserved.

The Articles were then considered and ratified by each parliament. In Edinburgh, the union was hotly debated between supporters and opponents, article by article, for three months. Public opposition was frequently demonstrated in petitions and in protest and violence in the streets. Nevertheless, final approval was given on 17 January 1707, and the old Scottish Parliament met for the last time on 25 March. At Westminster, the Articles were laid before the House of Lords for approval on 28 January 1707 and an Act incorporating them was passed in March.

The Making of the Act of Union section also contains the following:

 Queen Anne, from the Studio of John Closterman (courtesy of the National Portrait Gallery, London)

The younger daughter of James VII and II, Anne (1665-1714) succeeded to the throne in 1702 upon the death of William III. The device reproduced below her image is taken from the copy of the Articles of Union held by the Parliamentary Archives and includes the motto SemperEadem (always the same).

• The 'Exemplification' of the Act of Union, 7 March 1707 (courtesy of the National Archives of Scotland, SP 13/210)

In 1707 Queen Anne ordered a presentation copy of the English Act of Union to be sent to the Scottish Parliament. The first page is richly decorated with a portrait of the Queen, the royal arms and gold lettering. The gift symbolised royal approval of the creation of 'one kingdom by the name of Great Britain'.

All eleven pages, which are made of parchment, contain elaborately decorated borders. The illuminators used high quality pigments for much of the decoration, which still remains fresh.

The document contains the text of the whole of the English Act, with some additional passages in Latin. An official copy such as this made under the Great Seal of England was called an 'exemplification'.

Much of the document must have been prepared in advance and completed quickly. The Act received Royal Assent at Westminster on 6 March 1707, and the exemplification was passed under the Great Seal the next day. Only twelve days later, on 19 March, the arrival of the exemplification was announced in the Scottish Parliament in Edinburgh.

Three holes at the bottom of the front page show where the Great Seal originally hung by tags. In the early nineteenth century the parchment sheets were bound in a protective volume.

The Exemplification is still preserved with the public records of Scotland under the terms of the Treaty of Union.

To the right of the Making of the Union section is an image of **James Douglas, 2nd Duke of Queensberry**, by an unknown artist (courtesy of the National Portrait Gallery, London)

Queensberry led the ruling court party in Scotland, and ensured that opposition to Union was overcome.

The Duke of Queensberry's words are quoted: "My Lords and Gentlemen, The publick business of this session being over it is full time to put an end to it. I am persuaded that we and our Posterity will reap the benefit of the Union of the two Kingdoms ..."

To the right of the Duke of Queensberry section is the painting **Queen Anne** in the House of Lords – Oil on canvas, circa 1710, by Peter Tillemans (circa 1684-1734) (lent by Her Majesty The Queen)

Until 1801 the Parliament Chamber was the historic meeting place of the House of Lords at Westminster. This was the Chamber the Gunpowder Plot Conspirators had tried in vain to destroy in 1605. Around the walls hung richly-woven tapestries depicting the defeat of the Spanish Armada.

This painting and Peter Tilleman's sister canvas of the House of Commons (also in this exhibition), were completed only a few years after the Act of Union, and allow a unique glimpse of the two Houses of Parliament in the early years of the 18th century.

To the right of **Queen Anne in the House of Lords** is HISTORY PANEL 2.

HISTORY PANEL 2

SECURING THE UNION

After years of discussion and debate, England and Scotland became a single kingdom – the United Kingdom of Great Britain – on 1 May 1707. But although the way had been paved for 'a new national interest', it took several decades to consolidate the union.

By placing Scottish administration mainly in the hands of the Scottish elite, powerful magnates such as the 2nd Duke of Argyll and his brother, the Earl of Islay, were given a stake in supporting the union. Nevertheless, they struggled at times to maintain order, and there was widespread and violent opposition to the new taxes – and the customs and excise officers who collected them.

Support for the exiled Stuarts posed an ongoing threat to the stability of the British state through the 1715 and 1745 rebellions, especially in the Highlands. Only after the failure of the second rebellion did support for the Stuarts in the Highlands disintegrate in the face of brutal suppression.

For the rest of Scotland, the much promised economic benefits of union were at last beginning to appear by the 1740s, with significant increases in linen and tobacco trade. Trade, commerce and the expanding empire offered new opportunities to the enterprising and ambitious Scots.

The Securing the Union section is illustrated by the following images, arranged from the top of the panel downwards:

- Archibald Campbell, Earl of Islay, attributed to Allan Ramsay (top left) (courtesy of the Scottish National Portrait Gallery)
- Prince James Francis Edward Stuart, by E.Gill (top right) (courtesy
 of the Scottish National Portrait Gallery)
- House of Lords Journal, 23 October 1707 (centre left) (courtesy of the Parliamentary Archives, HL/PO/JO/1/79)
 - The first parliament of Great Britain met on 23rd October 1707. Under the terms of the Union Scotland sent 16 'representative peers' elected from the Scottish nobles, and 45 MPs representing all the shires and groups of burghs. The names of the 16 peers were read out at the first meeting.
- Andrew Fletcher of Saltoun, by an unknown artist (centre right, above) (courtesy of the Scottish National Portrait Gallery)
- John Hamilton, 2nd Baron Belhaven, by Sir John de Medina (centre right, below) (courtesy of the Scottish National Portrait Gallery)

 Address by the burgh of Stirling against the Union, 1706 (bottom left) (courtesy of the National Archives of Scotland, PA7/28/48)

The town council and people of Stirling objected to the proposed union, on grounds such as the tax burden, damage to trade, the threats to the established church, and the suppression of the ancient kingdom of Scotland. Other addresses from the burghs and counties raised similar objections, and proposed a federal union, as distinct from an incorporating union.

The Stirling address is one of the largest, bearing the signatures of many who did not even have a vote. The government treated such petitions as part of a hostile political campaign that did not reflect overall national opinion in favour of the Union.

 Sir Alexander MacDonald, 9th Baronet of Sleat, by Sir George Chalmers (bottom right) (courtesy of the Scottish National Portrait Gallery)

Opposition to union before 1707 had come from various quarters, including warnings of England's overbearing power and the arbitrary power of the crown made by Andrew Fletcher of Saltoun, an East Lothian laird. Another opponent, Lord Belhaven, made an impassioned and popular speech in the Scottish Parliament, for which he became famous. 'Shall we not find a tongue to implore mercy in behalf of our dying mother country?'. Resistance to the union helped lead to the Jacobite rebellion of 1715, which supported the claim to the British throne of James Francis Edward Stuart (1688-1766), the son and heir of James II and VII. By the 1760s the political classes supported the Union. Sir Alexander MacDonald (c1745-1795) the head of a branch of the clan Donald traditionally loyal to the Stuarts represents the transformation of the Highlanders into loyal fighters for Great Britain. He served in the Coldstream Guards and in the 1790s raised regiments for the government.

UNION AND BRITISHNESS

From the mid-18th century a greater sense of common identity between England and Scotland began to emerge.

The new regiments recruited for the British army in the formerly disaffected Highlands were prominent in the military and imperial conflicts in Europe, America, India and the Caribbean. War, empire and commerce brought English and Scots together in joint enterprise on an increasing scale, making the union a reality.

The intellectuals of the 18th century Scottish Enlightenment highlighted the role of the union in facilitating the emergence of Scotland as a modern and modernising nation.

Common endeavour and shared nationhood in the French Revolutionary and Napoleonic Wars, resulted in a new, stronger British patriotism.

The United Kingdom was formally extended again in 1801 by the union with Ireland. Nevertheless, the distinct identities of the component parts of the United Kingdom were not blurred – indeed, in the later nineteenth century they became if anything stronger.

As early as 1871 the Prime Minister, W.E. Gladstone, conceded that if home rule was ever granted to Ireland, it should be granted to Scotland as well. In the late 19th and early 20th centuries the House of Commons often debated Scottish as well as Irish home rule, although proposals for legislation were dropped following the outbreak of World War I in 1914. The establishment of the Irish Free State in 1922 further strengthened the calls for Scottish devolution. The topic continued to be debated at various times across the following years, and when the Labour Government came to office in 1997, devolution for both Scotland and Wales became a reality.

The Union and Britishness section is illustrated by the following images, arranged from the top of the panel downwards:

- The Entrance of George IV at Holyrood, by Sir David Wilkie (top) (courtesy of the Scottish National Portrait Gallery)
 - In 1822 George IV was the first reigning monarch to visit Scotland for 170 years. The event affirmed Scottish loyalty to the Crown and the union and this helped make Scotland's contribution to empire so powerful and influential.
- Henry Dundas, 1st Viscount Melville, by Sir Henry Raeburn (centre left) (courtesy of the Bank of Scotland)
 - Dundas dominated the political life of late eighteen century Scotland. He ensured that the Scots participated fully in the union and gained from their role in the growth and defence of the British Empire.
- David Hume by and published by David Martin, after Allan Ramsay (centre middle) (courtesy of the National Portrait Gallery, London)
 - Hume (1711-1776) was born in Edinburgh and attended the university there. His *A Treatise of Human Nature* was a milestone in his intellectual development and in his emergence as a leading Scottish philosopher and historian. His *History of England,* published between 1754 and 1763, was a remarkable enterprise which stood the test of time.
- The meeting of Wellington and Blucher after Waterloo, by Daniel Maclise (centre right) (courtesy of the Palace of Westminster)
- On the Quay of Leith, by David Octavius Hill (bottom left) (courtesy of the National Gallery of Scotland)
 - Trade between Scottish ports and the British colonies, especially the transatlantic tobacco trade, and the associated trade in enslaved

Africans, greatly benefited the Scottish economy in the eighteenth century, and later.

 Thomas Telford. Engraving by William Raddon after Samuel Lane (bottom centre) (courtesy of the National Gallery, London)

Thomas Telford (1757-1834) was born in Westerkirk, Dumfriesshire. He was a prolific civil engineer, responsible for the building of a number of significant roads, canals and bridges during his long career. His major achievements included the London to Holyhead road and the 579 ft span wrought iron Menai Suspension Bridge, which was begun in 1819 and completed seven years later. He was also jointly responsible for the 60 mile Caledonian Canal constructed across the highlands of Scotland between 1804 and 1822. His career was an outstanding example of the contribution made by Scots to the British industrial revolution.

 Your Country's Call c1914-1918 (bottom right) (courtesy of the Imperial war Museum)

DEVOLUTION

The Scotland Act 1998 re-established a Scottish Parliament, with power to develop its own social, education, environment and other policies. Other powers, for instance over defence, were reserved to the Westminster Parliament.

On 12 May 1999 the Scottish Parliament met, and Dr Winnie Ewing, the Acting Presiding Officer, opened proceedings with the words, 'the Scottish Parliament, which adjourned on 25 March 1707, is hereby reconvened.'

The Devolution section is illustrated by the following images, arranged from the top of the panel downwards:

 Donald Dewar, First Minister of the Scottish Parliament 1999-2000, photographer Adam Elder

The Scottish Parliament

Dr Winnie Ewing

The Scottish Parliament

The Scottish Parliament

 First sitting of the Scottish Parliament in the new parliament building, September 2004

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In addition to the 'Exemplification' of the Act of Union, the following documents are on display:

 Articles of Union between England and Scotland, 22 July 1706 (courtesy of the Parliamentary Archives, HL/PO/JO/10/6/106/2307).

The commissioners appointed to negotiate a union between England and Scotland agreed articles of union on 22 July 1706. This copy of the articles, which outline the terms of the union, was laid before the House of Lords on 28 January 1707. Two other copies were made: one which was considered by the Scottish Parliament, and another which was presented to Queen Anne.

Images of all the pages in this document can be viewed on the nearby monitor.

 An Act for the Union of the two Kingdoms of England and Scotland (courtesy of the Parliamentary Archives, HL/PO/PU/1/1706/5&6An14).

A Bill incorporating the Articles of Union was considered by the English Parliament between February and March 1707. The engrossed Bill, which is displayed here, received Royal Assent on 6 March, thereby becoming the Act.

• Act of the Scottish Parliament ratifying and approving the union of the two Kingdoms of Scotland and England, 16 January 1707 (courtesy of the National Archives of Scotland, PA6/34).

The Scottish parliament debated the 25 articles of the treaty from 3 October 1706 until 14 January 1707. The most important change in removing opposition was the inclusion in the Act of Union of the Act for securing the Protestant Religion and Presbyterian Church Government, which had been passed separately. 110 commissioners voted for the Act of Union, 67 against, and 46 were absent or abstained. The Act received the royal assent the next day, 17 January 1707. The Scottish Chancellor, the Earl of Seafield, authenticated each sheet of the paper document.

• Articles of Union between England Scotland, 22 July 1706 (courtesy of the National Archives of Scotland, SP13/209).

After three months of negotiations the Articles of Union between Scotland and England were signed on 22 July 1706. Fifteen of the twenty-five articles dealt with trade, while others proposed uniform taxation, weights, measures, coinages, customs and excise. This is the

Scottish copy of the treaty, bearing the signatures and seals of the 27 Scottish commissioners in the left column, and their English counterparts on the right.