



Volume 4
Borders in Early Medieval Britain

Edited by Ben Guy, Howard Williams and Liam Delaney

Aims and Scope

Offa's Dyke Journal is a peer-reviewed venue for the publication of high-quality research on the archaeology, history and heritage of frontiers and borderlands focusing on the Anglo-Welsh border. The editors invite submissions that explore dimensions of Offa's Dyke, Wat's Dyke and the 'short dykes' of western Britain, including their life-histories and landscape contexts. ODJ will also consider comparative studies on the material culture and monumentality of frontiers and borderlands from elsewhere in Britain, Europe and beyond. We accept:

- 1. Notes and Reviews of up to 3,000 words
- 2. Interim reports on fieldwork of up to 5,000 words
- 3. Original discussions, syntheses and analyses of up to 10,000 words

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Editors

Dr Ben Guy BA MA PhD (Research Associate, Cardiff University)

Email: guybl@cardiff.ac.uk

Professor Howard Williams BSc MA PhD FSA (Professor of Archaeology, University of Chester) Email: howard.williams@chester.ac.uk

Liam Delaney BA MA MCIfA (Doctoral Researcher, University of Chester)

Email: 1816919@chester.ac.uk

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Submissions: odj@chester.ac.uk Copyright © 2022 Authors

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Donation and Conquest: The Formation of Lothian and the Origins of the Anglo-Scottish Border

Neil McGuigan

Various 'donation' accounts of the twelfth century attempted to explain Scottish rule of 'Lothian' as the outcome of grants from English rulers to Scottish kings. Until relatively recently historians of both Scotland and England tended to accept these accounts. However, 'Lothian' was a politically sensitive topic in the twelfth and thirteenth centuries, and the value of these accounts for an earlier period is low. There is a variety of evidence of better value, and although the guidance of strictly contemporary sources is very poor prior to the later eleventh century, continuous Scottish rule south of the Forth cannot be traced prior to the reign of Máel Coluim III (r. 1058–1093), and in the case of some areas David his son (r. 1113/24–1153). It is suggested that the emergence of 'Lothian' as a jurisdiction is a response to the political changes of that era, an important development in its own right but also a critical intermediate development for the emergence of the familiar Anglo-Scottish border.

Keywords: Anglo-Scottish, Bamburgh, Cumbria, Lothian, Strathclyde

Introduction: appearance of an Anglo-Scottish border

On 24 August 1093 the court of William II Rufus (r. 1087-1100) at Gloucester was visited by a Scottish embassy, possibly invited earlier in the year when illness had threatened Rufus' life. The Anglo-Normans facilitated the Scottish king's personal presence by sending hostages to Scotland, but as things transpired Máel Coluim III (r. 1058-1093) departed with renewed resentment. As part of the fallout, the Scottish ruler led a winter invasion that got him killed in a skirmish at Alnmouth (Northumberland) (ASC, MS E, s.a. 1093: 103; ASC: 170). Rufus himself appears to have been annoyed at Máel Coluim's refusal to do homage anywhere but 'on the frontier of their kingdoms where Scottish kings had done in the past, and in accordance with the judgement of the chief men of both realms' (Chron. ex chron., vol. 3, s.a. 1093: 64–65). Among the 1093 entries of Chronicon ex chronicis (now associated with 'John of Worcester'), this passage seems to be one of the two earliest references to something we might properly call an Anglo-Scottish frontier — that is to say, reference to a place where the frontiers of the English and Scottish kingdoms met. Chronicon ex chronicis is in part a Latin translation of a variant of the Anglo-Saxon Chronicle that for the second half of the eleventh century is often superior in detail and integrity to the surviving vernacular alternatives. Although the precise boundary is not stated explicitly in the 1093 account, we have a good general idea where earlier Scoto-Norman summits had occurred. The Scots and Anglo-Normans had assembled together at Falkirk, near the Forth, in 1080 (HR, s.a. 1080: 210-211); and the two armies met again nearby when

in 1091 Máel Coluim led his forces 'out of Scotland into Lothian in England', and met the Norman forces led by Robert Curthose and William Rufus (ASC, MS E, s.a. 1091: 102; ASC: 169). Since 'Lothian' appears as the name for the southern side of the Forth, it is another suggestion that the frontier lay along that body of water.

The significance of these passages has not been widely recognised because scholarly engagement with the pre-twelfth century Scottish border has tended to consist of little more than brief discussion of two short accounts from twelfth-century sources, part of a general tendency to see the Scottish and Northumbrian past through a twelfth-century lens. In what follows I will discuss these accounts, before setting out a broader picture of the evidence. I will try to explain how the twelfth-century accounts fit into the picture presented by the best, and most contemporary evidence. I suggest that the accounts are probably best understood not as a reliable record of the 'Viking Age' past but as an expression of twelfth-century Anglo-Scottish relations. From this point of view, it is the emergence of 'Lothian' itself that is significant, coinciding with the beginning of continuous, documented Scottish overlordship south of the Forth.

Donations

In several twelfth-century sources the Scottish king's control of Lothian is explained as the outcome of single-transaction gifts by English rulers. For clarity of analysis, I have named the two most influential 'donation' accounts 'Edgar's Beneficence' and 'Eadwulf's Cowardice' (for reasons that will become apparent). The former appears within a foundation legend of the earldoms of Northumbria in a tract commonly today called *De primo Saxonum adventu* (sometimes also called *Libellus de regibus Saxonicis*), seemingly produced at Durham between 1123 and 1128 (*DPSA*: 381, 384; Rollason 2000: lxxix; Kennedy 2010). It relates how the former Northumbrian kingdom was divided between two earls, Eadwulf Evil-Child receiving the north and Oslac the south; we are subsequently told that:

These two earls along with Ælfsige (who was bishop of St Cuthbert) conducted Cinaed, king of the Scots, to King Edgar. And when he had done homage to him, King Edgar gave him Lothian; and with great honour sent him back to his own.¹

The episode is included in the annals associated with Roger of Wendover, added to King Edgar's obit s.a. 975 (RW, vol. 1, s.a. 975: 416). In the work of John of Wallingford, c. 1220, the account is significantly elaborated, either using *De primo Saxonum adventu* itself or common source material (*Chron. Wall.*: 55). The same Northumbrian earldom foundation legend without 'Edgar's Beneficence' occurs in the Anglo-Latin annals

¹ Isti duo comites cum Elfisio, qui apud Sanctum Cuthbertum episcopus fuerat, perduxerunt Kyneth regem Scottorum ad regem Eadgarum. Qui, cum illi fecisset hominium, dedit ei rex Eadgarus Lodoneium, et multo cum honore remisit ad propria (DPSA: 382–383; SAEC: 77).

known as Historia Regum (or sometimes Historia de regibus Anglorum et Dacorum), with an 'interpolation' entered sub anno (s.a.) 1072.²

We owe the other 'donation' narrative, 'Eadwulf's Cowardice', to a separate Durham tract, *De obsessione Dunelmi et de probitate Ucthredi comitis* ('On the Siege of Durham and on the prowess of Earl Uhtred'). Although Eadwulf Evil-Child is not mentioned, we are given stories about his successors, i.e. Earl Waltheof of Bamburgh and his sons. We are told how one son, Earl Uhtred, vanquished the Scots in battle; but that:

After [Uhtred's] death, his brother Eadwulf, known as 'Cuttlefish' (*Cudel*), a very lazy and cowardly man, succeeded to the earldom. Fearful lest the Scots whom his brother had slaughtered as aforesaid would avenge these deaths upon him, he ceded to them by treaty the whole of Lothian to make amends. In this way Lothian was joined to the kingdom of the Scots.³

Geoffrey Barrow noted that Scottish historians tended to prefer 'Eadwulf's Cowardice', English historians 'Edgar's Beneficence' and explained the difference as national vanity (Barrow 2003: 121).

Historiographic reaction

English historical luminaries like Edward Freeman (1867–79, vol. 1: 133–139), and in Barrow's own day Frank Stenton (1971: 370) and Dorothy Whitelock (1959: 77) did rely on 'Edgar's Beneficence' for their understanding of the issue, ignoring 'Eadwulf's Cowardice'. By contrast, 'Eadwulf's Cowardice' was the main explanation for George Chalmers, W.F. Skene and E.W. Robertson, authors of perhaps the three most important nineteenth-century works on early Scotland (Chalmers 1807–24, vol. 1: 369; Robertson 1862, vol. 1: 95–96; Skene 1876-80, vol. 2: 336-337). Scottish historians were also keen to link 'Eadwulf's Cowardice' to the battle of Carham, with Robertson claiming that it is 'impossible to doubt that the cession of Lothian by Eadwulf Cudel was the result of the battle' (Robertson 1862, vol. 1: 96). Marjorie Anderson (1960), seemingly in reaction to English scholarship, published 'Lothian and the Early Scottish Kings' and attempted to reconcile the two traditions. She was willing to admit the credibility of 'Edgar's Beneficence', but suggested that a known Scottish defeat in 1006 (AU, s.a. 1006.5) allowed Uhtred to retake the province, subsequently reversed after the earl's death; and thus, she declared, 'there seems... to be no external reason why we should not accept as valid... that Lothian had passed (permanently) into Scottish hands after the death of Earl Uhtred' (Anderson 1960: 111).

² The tract, *De omnibus comitibus Northimbrensibus*, is interpolated in HR, s.a. 1072: 196–198.

³ Quo occiso, frater ipsius Eadulf, cognomento Cudel, ignavus valde et timidus ei successit in comitatum. Timens autem ne Scotti mortem suorum, quos frater eius, ut supradictum est, occiderat, in se vindicarent, totum Lodoneium ob satisfactionem et firmam concordiam eis donauit. Hoc modo Lodoneium adjectum est regno Scottorum (DOD: 218; Morris 1992: 3).

⁴ This is despite the fact that it had been circulating since at least the early eighteenth century (Collins 1714: 243; Hutchinson 1785–94, vol. 1: 92; Palgrave 1832: 477). Incidentally, it was also known to Scottish historians of the era, or at least to Pinkerton (Pinkerton 1789, vol. 2: 208).

Commentators like Anderson and Stenton were concerned with some of the potential weaknesses of these sources, but not to the extent we might expect today.⁵ For 'Edgar's Beneficence', as we have seen, our passage is first evident in a text composed only in the 1120s. There is an outside possibility that *De obsessio Dunelmi* might date as early as 1073 (Meehan 1976: 18–19; Morris 1992: 7–10), but such an early date is very unlikely and the possibility of a date as late as the 1160s has recently arisen (MacLean 2012: 674-675). There is also no clear sign of reliable underlying source material. In 'Edgar's Beneficence', we are presented with a series of synchronisms that despite some potential can be explained reasonably without relying on early material.⁶ At surface level, *De obsessione* Dunelmi is much less credible still, a highly confused account even by twelfth-century standards. For instance, the tract's author provides an AD date of 969, but the English hero of the siege is Earl Uhtred, whose career was in the first two decades of the eleventh century; and the 'siege' itself was probably that led by the Scottish king Donnchad I in 1039. The text's author was less interested in sieges than fabricating historical evidence in pursuit of estates that the church of Durham sought to 'recover' from rival post-Conquest landlords (Woolf 2007: 233; McGuigan 2022: 18-19). Ironically perhaps, the poor historical judgment of its creator may actually lend credibility to 'Eadwulf's Cowardice', as it means we can probably be quite confident that the story came from some earlier tradition — but how early is no clearer.⁷

Perhaps the most influential discussion of the twentieth century was G.W.S. Barrow's study of the pre-thirteenth-century Anglo-Scottish border (Barrow 1966, reprinted Barrow 2003: 112–129). In a four-page consideration of the pre-twelfth-century 'east march' Barrow conjectured a very early chronology for Scottish expansion south of the Forth. On analogy with the expansion of Alfred the Great further south, he suggested Viking attacks (on Northumbria) as the cause. Cinaed mac Ailpín's attacks on Dunbar and Melrose, reported in the *Chronicle of the Kings of Alba (CKA*: 148, 152–153), were

Anderson did think that twelfth-century writers would be interested in the status of Lothian, and identified anachronisms in the account but nonetheless was still 'inclined to think that there was a written source' behind it (Anderson 1960: 106). Stenton noted that 'Edgar's Beneficence' is not supported by any contemporary sources, but set this source of scepticism aside because the account was 'set down as a simple matter of fact', because the names within it 'raise no chronological difficulties' and because it 'ignores the historical significance of the grant' (Stenton 1971: 370). Although Freeman did not dispute the accuracy of the grant, he is open to the possibility that the king behind it was different (Freeman 1867–79, vol. 1: 138).

It was not immediately obvious how an Anglo-Norman writer could have synchronised Cinaed with King Edgar the Peace-maker or with the earls and the bishop of the foundation legend, synchronisms that are plausible. But Cinaed's synchronism can be explained by the widespread availability of information recounting his appearance at Chester with other Insular rulers during Edgar's reign (*Chron.ex.chron.*, vol. 2, s.a. 973: 422–425; WM, *GRA*, vol. 1, \$148: 238–241; for the episode in question, see also Thornton 2003; Williams 2004; and Barrow 2001). It should be noted that Cinaed's appearance is not entirely unproblematic. The issue is that Cinaed may not have succeeded until after 977, but this depends on the reality of the kingship of his kinsman Amlaíb (for argument, see Duncan 2002: 21–22; discussed also by Woolf 2007: 205–206). Amlaíb does not occur in the king-lists and I am not convinced by Duncan's argument (McGuigan 2021: 56, n. 24).

⁷ One point worth reflecting on is that the two Bamburgh 'earls' involved were called Eadwulf, which might have caused confusion at some part of the process by which these 'donation' accounts were formulated.

signals of the 'pressure' that led to such territorial change in the mid-ninth(!) century. Barrow selected and interpreted every other piece of evidence in a way that favoured his chronology, and so the 'donation' accounts discussed above were at best long-overdue diplomatic acknowledgments of a *fait accompli*. Relying on Edmund Craster's (then-recent) theory about an 'early core' of the *Historia de Sancto Cuthberto* composed c. 945 (Craster 1954: 177–178ff.; see also Rozier 2020: 50–62), Barrow cited as supporting evidence a reference to the Scots 'cross[ing] the Tweed' during a conflict with the ninth-century Anglo-Danish ruler Guthred (d. 895). This idea is very problematic to say the least, and some of Barrow's other ideas have become even more difficult today. His view of the 'west march' was based on the 'Fordunian' model of Strathclyde history that has since been discredited, and for the 'east march' he relied on speculation and narrative-making (Hudson 1988; MacQuarrie 1998; Broun 2004; Edmonds 2015).

Although expressed early in Barrow's career, because the subject was not revisited in any depth for the rest of the century his remained a default position for many commentators. For instance, it was echoed by his compatriot Archie Duncan (Duncan 1975: 94-98; Duncan 2002: 24–26). David Rollason also followed Barrow (Rollason 2003: 274–282), even suggesting that the Scots held the whole Forth-Tweed area before 914 (Rollason 2003: 276). With that said, opinions on the matter became more diverse towards the end of the century. Benjamin Hudson in 1994 saw the reign of Ildulb mac Causantín as the beginning of Scottish expansion beyond the Forth, first into East Lothian and further still after the battle of Carham (Hudson 1994: 89-90, 100-101). Oram in 2002 thought that Carham had seen the Scottish expansion to the Tweed, but also conjectured that the area south of the Lammermuir was temporarily lost in the time of Siward and only recovered in 1061 by Máel Coluim III (Oram 2004: 21-22).9 There was also increasing unease at the low quality of the source material discussed above, which came to the fore in 2007 with Alex Woolf's volume in the New Edinburgh History of Scotland. Woolf (2007: 232-240) argued that theories about significant pre-eleventh-century expansion ran against the evidence, and pointed out that the attested movement of relics in either the 1020s or 1030s from places like Tyninghame, Coldingham and Melrose to Durham (LDE iii.7: 162-167) seemed to suggest Northumbrian continuity far into the eleventh century — though he also saw the 1010s as an era of 'opportunity' for Scottish expansion.

The text in question is HSC, \$33 (pp. 68–69). The Tweed appears as a geographical reference point, possibly mentioned as a border of a local ecclesiastical jurisdiction or perhaps as an indication that the army was bearing down on the island; but there is no claim that it is a political frontier, and indeed the text elsewhere takes the territory of the church to the mouth of the (East Lothian) Esk. Another point is that HSC, as a whole, dates to the eleventh century, perhaps even as late as 1100; and Barrow fails to note that the extract in question, what Ted Johnson South called 'King Guthred's Dream' (South 2002: 116), was not part of Craster's 'early core' of the 940s, but what Craster regarded as an interpolation dating 'probably quite late in the eleventh century' (Craster 1954: 199).

⁹ His argument is not explained in detail, nevertheless he has recently relied upon it (Oram 2020: 3–4); it may be inspired by a similarly very speculative argument presented by Kapelle (1979: 91–93; on which see also McGuigan 2021: 210, 213–214).

'Lothian': etymology and origin

It is worth pointing out that there is a third 'donation' account explaining the cession of Lothian. The author in question is the Anglo-Norman ecclesiastical historian Orderic Vitalis. In his description of the negotiations between Máel Coluim III and Robert Curthose, Duke of Normandy, in 1091 he puts into the Scottish king's mouth the following words:

I acknowledge that when King Edward gave me his great-niece Margaret in marriage he gave me the country of Lothian. King William later confirmed what his predecessor had given me, and required my fealty to you as his first-born son. What, therefore, I have sworn to you I will honour, but I have promised nothing to your brother and owe him nothing. No man, as Christ says, can serve two masters.¹⁰

One of the few to notice the account, Marjorie Anderson, dismissed it on the grounds that it was 'chronologically difficult to explain' and because the other accounts were 'earlier' (Anderson 1960: 98–99). Since none of the three accounts can be dated with confidence, her assessment of the relative dates is more questionable; but Anderson's first point stands, the difficulty being that Edward had died at least two years before Máel Coluim and Margaret were married. What we can say with certainty is that 'Margaret's Dowry' presents the smallest documentation gap between description and event. It was probably written in the 1130s, but in theory any time between 1114 and 1141 is possible and so, theoretically, it may also be the earliest of all the 'donation' accounts (Hingst 2009: xix; Rozier *et al.* 2017: xiv). There are even ways to rationalise the chronological problem (McGuigan 2021: 393–394).

In the twelfth and thirteenth centuries the term 'Lothian' was used very fluidly, and could denote several jurisdictional units. The largest was the 'justiciarship', which covered the whole region south of the Forth under Scottish control except, apparently, the region we might think of as 'Greater Galloway' (see below). By 1141 there was the archdeaconry of Lothian, the diocese of St Andrews lying south of the Forth (*Chron. Holyrood*: 142; SEA i: no. 133; Watt and Murray 2003: 399). Within the archdeaconry, a smaller rural deanery sharing the name is attested by 1186, encompassing parishes north of the Lammermuir, bordered to the south by the deanery of the 'Merse' (Watt and Murray 2003: 413). Lothian' was also used, at least by one writer, to refer to the honour

¹⁰ Fateor quod Rex Eduardus dum michi Margaritam proneptem suam in coniugium tradidit Lodonensem comitatum mihi donauit. Deinde Guillelmus rex quod antecessor eius michi dederat concessit et me tibi primogenito suo commendauit. Vnde quod tibi promisi conseruabo sed fratri tuo nichil promisi et nichil debeo. Nemo ut Christus ait, potest duobus dominis seruire (OV, HE, vol. 4: 268–271, passage at 270–271).

See also *Melrose Lib:*: no. 52 (1173×77) for the 'clergy of Lothian'. For this last, see PoMS: https://www.poms.ac.uk/record/source/1500/ (accessed 29 July 2021).

The twelfth-century deanery included Tyninghame (East Lothian), but it is possible that there was another deanery further west encompassing Linlithgow. See also Barrow 1985: 141–148; and McNeill and MacQueen 1996: 348, for a cartographic representation of these units in the Middle Ages (at time of writing, July 2021, this was online at https://scotlandsplaces.gov.uk/digital-volumes/published-gazetteers-and-atlases/atlas-scottish-history-1707/atlas-scottish-history-1707/370).

that historians usually call the 'earldom of Northumbria' (Torigni, *Chronicle*, vol. 1, s.aa. 1153, 1157: 174-175, 202-203).¹³

The etymology of 'Lothian' is, unfortunately, less than clear. Something along the lines of 'marshy land' was a possibility suggested by the German philologist Max Förster, reflecting the Celtic root *lutā > lotā, 'mire' or 'swampland' (Welsh llaid, Old Irish loth) (Förster 1922: 225–230). 14 Barrow accepted a similar ultimate origin, but thought that the province had taken its name from a small watercourse known as the 'Lothian Burn' (Barrow 1985: 145).¹⁵ A number of scholars have taken up the idea that 'Lothian' originates in a personal name, including Egerton Phillimore, William Watson and, more recently, John Koch (Phillimore 1890: 50-51; Watson 1926: 101-103; Koch 1997: 131). A reasonable proportion of traditional provinces in northern Britain do seem to originate in personal names, probably ancestors of locally dominant kin-groups; examples include Gabrán (Gowrie), Áengus (Angus) and (possibly) Coel (Kyle) (Watson 1926: 112, 186). The same type of name appears in Welsh cantrefs like Meirionydd and Edeirnion, and are also common in Ireland, for instance Cenél Conaill (Donegal) and Tír nEógain (Tyrone). Because of the high number of vernacular sources, historians have a good sense of how kinship-based local kingdoms emerged from Iron Age tribal confederations in Ireland; and so, we have to be open-minded about this possibility for Lothian, even though early local vernacular sources are absent.

The personal name theory would harmonise with some twelfth-century evidence. In the *Vita Kentigerni imperfecta* we are introduced to the legendary *Leudonus*, 'a half pagan man' (*vir semipaganus*), king of *Leudonia* (*VKI*, \$1: 125). ¹⁶ The king's significance is that he is the father of *Thaney*, a girl raped by the son of a British king, *Ewen filius regis Ulien*. Subsequently, *Thaney* gives birth to Kentigern and entrusts his care to St Serf (*VKI*, \$\$1–2, 8: 125–127, 131–133, 245–247, 250–252). *Leudonus*' kingdom seems to encompass Traprain Law and, probably, Kilduff Hill, both in East Lothian. ¹⁷ This Anglo-Latin material is not proof of the name theory, it is relatively late and unreliable in that regard. In terms of the value of possible source material, however, it may be significant that a seemingly analogous name, Loth 'son of Derelath of the Picts', is attested in the

Robert says that on David's death Máel Coluim [IV] received the 'kingdom of Scotland' (regnum Scotie) and William 'the earldom of Lothian (comitatum Lodonensem); interestingly, the chronicler also seems to have originally included Castrum Puellarum among the castles that Henry II demanded from Máel Coluim IV's regime, s.a. 1157, when the new English king confiscated the earldom.

¹⁴ Förster argued that the double-vowel suffix that should be ancestral to (modern English) Loth-*ian* was a later development, of the twelfth century. See also n. 19 below for changing forms for 'Mount Lothian', suggesting that the additional *-i-* may have been a mid-twelfth century development.

¹⁵ Barrow highlights the use of the name in river names elsewhere in Britain from a Celtic root denoting 'muddiness' (e.g. rivers named Leadon, Lodden, Lydden and Loddon).

¹⁶ Interestingly, in Jocelin of Furness' *Life of Kentigern*, the king and his Lothian jurisdiction go unnamed (JF, VSK, \$1: 162).

¹⁷ Dumpelder (VKI, \$7: 249) appears as monte de Dumpeldar and landis of Traperne Dupender in documents from the reign of David II (RMS, vol. 1: App. i, no. 117; App ii, no. 855); by the time of the 1654 Blaeu map, it has the name Dunpendyrlaw (see https://maps.nls.uk/view/00000395, accessed July 2021). For Kepduf as Kilduff Hill adjacent to the Chesters (pace Jackson 1958: 289–293), see Chrs David: no. 194; see also Dunshea 2018: 66–67.

eighth-century Irish text, Audacht Morainn ('Testament of Morann'). In the latter, the eponymous Morann is described as the 'son of the daughter of Loth', interestingly the same genealogical relationship given for Leudonus and Kentigern (Audacht Morainn, \$1: 2–3). On the other hand, Leudonus may be a recently contrived personification of Lothian, and indeed the era of the Kentigern material is the age of Geoffrey of Monmouth. Geoffrey's De gestis Britonum features a ruler called Loth of Lothian, but also similar personifications like Brutus of Britannia, Albanactus of Albania (Scotland), Camber of Cambria (Wales) and Locrinus of Loegria (England) (GM, DGB: 188–189, 202–207, 234–235 for Loth; and 30–35 for Brutus and his sons).

There is no secure attestation of the name 'Lothian' before the 1090s, and if there is any hope of understanding earlier usage of 'Lothian' in Celtic vernacular(s), place-names might be our best bet. For instance, Torlothane, seemingly 'Lothian mound', looks to be what the locals called the base of Melville Castle (Midlothian), which lies between the Lothian Burn and the River Esk (Dunferline Reg: no. 299, at p. 190; Barrow 1985: 145). The name confirms that the region had a defined identity by the twelfth century. 18 To the south on the edge of the Pentland Hills we have the name Mountlothian (Midlothian), seemingly a British- (or at least a Celtic-) language construction signifying 'Lothian moor'. 19 There is also Barrow's Lothian Burn in Midlothian, which runs from Caerketton Hill in the Pentlands entering the Forth roughly half-way between the Edinburgh (as opposed to East Lothian) Peffer Burn and the River Esk, and is used today as a boundary between the city of Edinburgh and the post-1996 Midlothian council region. Names of burns do often indicate boundaries of the relevant area (e.g. the Gowrie Burn west of Dundee), and if that is the case here it would mean that 'Lothian' either to its west or east (Barrow 1985: 145). So, in a best-case scenario where one of 'Edgar's Beneficence' or 'Eadwulf's Cowardice' mirrors a contemporary source, we would not know how the early source understood 'Lothian'. Even if, for instance, 'Edgar's Beneficence' reflected an early source, the source in question may have been referring to a very small area, entailing very limited rights, perhaps nothing more than the tribute from some Britons living on the shore of the Forth.

Lothian: the jurisdiction

What is important to understand about all the 'donation' accounts is that Lothian was a significant and potentially sensitive concept in the twelfth and thirteenth centuries.

¹⁸ For date (c. 1178) and brief discussion, see PoMS https://www.poms.ac.uk/record/source/5669/, viewed 1 July 2021.

Montleuen and Montlothien 1165×73 (RRS, ii: no. 61), Muntlauthian 1161×73 (Newbattle Reg.: App. no. 1), Montlouthen c. 1210 (Newbattle Reg.: no. 31), Mundelouen[es] 1223 (Newbattle Reg.: no. 127), Monte Laodonie 1240 & 1268 (Holyrood Liber: nos. 76–77), and Montlauthian 1251 (Holyrood Liber: no. 75); see also n. 14 above. No obvious French 'mount' stands out in association with the location. There is a curious reference to illam terram quam Tyhoc de Monte Laudonie tenuit, where Tyhoc looks curiously similar to the Welsh word taeog, 'peasant proprietor'; for this see Midlothian Chrs: no. 22 and https://www.poms.ac.uk/record/source/5842/ (viewed 1 July 2021). The charter dates c. 1280, but Tyhoc seems to have been a generation before, perhaps showing the survival of 'Cumbrian' customs in Midlothian in the mid-thirteenth century!

Despite falling under 'Scottish rule', it remained administratively and ideologically distinct from 'Scotland' (Latin Scotia, Gaelic Alba), the polity that gave their common ruler his royal title (Broun 2017: 31-85). Although governed by the king of the Gaelic-speaking Scots, in heritage and ethno-linguistic identity it could be conceived of as 'English' or 'British'. In the twelfth century Lothian became the major centre for migration and cultural change, of new towns (burghs), 'knightly settlement' and reformed religious houses, boosting the region's immediate value beyond the usual limits set by demography and geography. An important feature of Lothian's identity in the era was the 'justiciar of Lothian', who supervised local governance and legal administration on behalf of the king, paralleled north of the Forth by the 'Justiciar of Scotia' (Taylor 2016: 212-244; Barrow 1971). 20 Indeed, despite a common ruler and the contiguous territory, 'Scotland' and 'Lothian' would remain distinct until at least the later thirteenth century (Broun 2018). Twelfth- and thirteenth-century 'historical' claims about Lothian and its relationship to Scotland or England touch on legal norms of lordship and tenure and reach to the heart of how Britain was proportioned and governed. The three claims about single-act 'donations' are not likely to be, then, the products of fleeting instances of innocent curiosity. Perhaps this is best highlighted in John of Wallingford's version of 'Edgar's Beneficence', where he specifies legal rituals associated with the grant and adds information about the conditions of tenure that Cinaed agreed to:

[H]e did homage accordingly to King Edgar, and further was obliged to promise under pledges, in solemn form, that he would not deprive the people of that region of their ancient customs, and that they should still be allowed to use the name and language of the English. These conditions have been faithfully observed to the present day; and thus was settled the old dispute about Lothian, though a new ground of difference still often arises...'²¹

Here we are offered commentary on the significance of the relationship in the early thirteenth century. Indeed, whenever we get any clues about the stance of the government in England, it is Lothian's controversial, less-than-settled status that becomes apparent.

In the middle of the same century Alexander III (r. 1249–1286) and a large section of the Scottish elite travelled to York to attend the marriage of their new king to Margaret, daughter of King Henry III (r. 1215–1272). With both kings in each other's presence for the first time, Alexander proceeds to make his inaugural homage to the king of England, which Matthew Paris related as follows:

So the king of Scotland did homage to the king of the English, by reason of the possessions which he holds of the lord king of the English, to wit

 $^{^{20}}$ MacQueen 1993: 58–66, tackles the justiciarships later in the Middle Ages and shows that although 'Scotland' became 'north of the Forth' in the fourteenth century, 'Lothian' was still used for the southern official until the 1360s (see also Walker 1988–2004, vol. 1: 212–223).

Text is ... fecitque regi Eadgaro homagium sub cautione multa promittens, quod populo partis illius antiquas consuetudines non negaret, et sub nomine et lingua anglicana permanerent. Quod usque hodie firmum manet. Sicque determinata est uetus querela de Louthian et adhuc noua sepe intentatur (Chron. Wall.: 55; CHE ii.2: 555).

in the kingdom of England: namely for Lothian and the other lands. And when in addition to this the king of Scotland was required to do homage and fealty with allegiance to his lord the king of the English by reason of the kingdom of Scotland, as his predecessors had done to the English kings, according as it is clearly written in the chronicles in many places, the king of Scotland replied that he had come thither in peace and for the honour of the king of England, and by his command, to wit to be allied to him by mediation of a matrimonial alliance, and not to reply to him about so difficult a question.²²

Matthew is taking a tendentious line about the Scottish king's traditional legal arrangement 'for Scotland', and historians of Anglo-Scottish relations who have considered this passage have tended to be dismissive.²³ It is worth pointing out, however, that Matthew's Scots opposed English claims of overlordship over Scotland itself, the kingdom north of the Forth. Within the same passage the Lothian matter seems to be incidental and, by contrast, is not recorded as a point of contention. On the other hand, might Matthew have put Lothian among what the Scottish king held 'of the king of the English' because of earlier St Albans traditions about 'Edgar's beneficence'? This is not impossible. Whatever the case, it remains an important piece of evidence on the matter, and is difficult to dismiss.

Back in 1174, two generations before, the Scottish ruler William grandson of David I was captured at Alnwick (Northumberland), conducting an expedition nominally on behalf of the rebellion of Henry the Young King. William was subsequently forced to agree the 'Treaty of Falaise', by which he formally acknowledged the king of England as overlord 'for Scotland'. In 1189, however, Henry's successor Richard I (r. 1189–1199) sold the concession back to the Scottish king, resulting in the so-called 'Quitclaim of Canterbury'.²⁴ In later years the aftermath of Alnwick was well remembered, even though detailed knowledge of the treaty was not. Gerald of Wales, writing c. 1200, noted that Scots would take issue with claims that William had conceded his kingship:

The Scots, however, say, and for the honour of their land positively assert, that their prince, [after] his capture at Alnwick, and his liberation, did [homage] to the king of the English for the land that is called Lothian only, as far as to the Firth of Forth, which from ancient

²² Fecit igitur rex Scotiae regi Anglorum homagium ratione tenementi, quod tenet de domino rege Anglorum, de regno scilicet Angliae, Laudiano videlicet et terris requis. Et cum super hoc conveniretur rex Scotiae, ut ratione regni Scotiae faceret homagium et fidelitatem cum ligantia domino suo regi Anglorum, sicut fecerunt praedecessores sui regibus Anglorum, prout evidenter in cronicis locis multis scribitur, respondit rex Scotiae, quod pacifice illuc venerat et pro honore regis Anglige et per ejus mandatum, ut videlicet mediante copula matrimoniali ipsi confoederaretur, et non ut ipsi de tam ardua quaestione responderet (MP, CM, vol. 5, s.a. 1252: 268; SAEC: 365–366).

²³ One recent exception seems to be Oram (2011: 124, n. 42; see also Duncan 2002: 154 and Robertson 1862, vol. 2: 428).

²⁴ See n. 25, below.

times has separated Scotland (making it almost into an island) from the English kingdom; with the three noble castles that are contained in it — Roxburgh, [Berwick, and Edinburgh] —, at that time rendered up. But it seems to be truer, and much more probable, that their prince, having been captured in battle, and imprisoned, could have been forced to submit to any decision whatsoever, or even, by law of war, [to accept] the misfortune of any kind of servitude, in order to be released from iron chains, and the darkness of prisons.²⁵

There are numerous interesting points here, but for our purposes it is significant that these defensive Scots seem to have conceded, incidentally, that 'Lothian' was part of the kingdom of the English; or at least, they were prepared to admit that the Scottish king had recognised the English king's superior lordship in 'Lothian' to deflect more significant claims over 'Scotland'. As it happens, we do have the text of Falaise in transcriptions available in a number of reliable sources (*ASR*: no. 1), although the original may have been surrendered to the Scots when the terms were sold back (*ASR*: no. 2). So we know that *G*erald's Scots were wrong about 'Scotland'. On the other hand, they were correct that the Scottish king ceded the major castles of the region to Henry II, the treaty naming Berwick, Roxburgh, Jedburgh, Edinburgh and Stirling.²⁶

Henry's confiscation of these castles may also reveal the English government's position on Lothian's tenurial status. After his accession it became Henry's policy to confiscate major castles in regions controlled by his barons in 'England proper', and extending this programme into Lothian could be read as a sign that he regarded Lothian as an extension of it rather than a sub-division of a subordinate dominion, at least as an aspiration. By the 1170s, Scottish royal dynasty in Lothian was entrenched and English kings do not seem to have been interested in confiscating or reassigning lordship of the region, but that does not mean that they would willingly surrender credible claims. Perhaps a sign of the flexibility of the attitude on both sides comes from the Saxon marriage proposal from Richard's time, when they sought to marry William's daughter to Richard's nephew, Otto of Brunswick (d. 1218), son of Henry the Lion, the illustrious duke of Saxony. According to Roger of Howden the proposal was that:

Text reads: Dicunt tamen Scoti, et propter honorem terre sue assertiue proponunt, quod princeps eorum tantum de terra que Leonis uocatur usque ad mare Scoticum, quod Scotiam propemodum insulam factam ab Anglicano antiquitus regno discriminauit, cum tribus castellis egregiis in ea contentis, Rocheburch (Berewic et Geddewrde) tunc redditis, regi Anglorum primo capcionem apud Aunewic et liberacionem hominum fecit. Verius autem et longe uerisimilius esse uidetur, quod princeps eorum bello captus et incarceratus, ad cuiuscunque discriminis subieccionem aut eciam belli iure seruitutis cuiuslibet incommodum, ut solueretur a uinculis ferreis et carcerum tenebris, arctari posset (GW, DPI, ii.1: 442–445).

²⁶ Roxburgh and Berwick were still held by Plantagenet garrisons in 1189, but according to Roger of Howden Henry II gave Edinburgh back to the Scottish king on the occasion of his wedding to Ermengarde de Beaumont in 1186 (RH, *Gesta Regis*, vol. 1, s.a. 1186: 351). The overlordship north of the Forth may be glimpsed in the survival of a writ by Henry II for Dunfermline Abbey, 1178×88 (Barrow 1957).

[T]he king of Scotland should give to the aforementioned Otto his daughter Margaret as wife, with the whole of Lothian; and that the same king of England should give to Otto and to the daughter of the king of Scotland and their heirs the whole of Northumberland and the county of Carlisle: and that the king of England should have in keeping the whole of Lothian, with its castles; and the king of Scotland should have in keeping the whole of Northumberland and the county of Carlisle, with their castles.²⁷

William's wife soon became pregnant, leaving less incentive for the future German emperor to marry Margaret, and as Howden goes on to say Richard was reluctant to agree to the surrender of his castles. Nonetheless, the proposal does seem to reveal the flexibility of attitudes on both sides when it suited their interests.

Beyond the donations

The accounts discussed above are explicitly trying to tell us how Lothian passed out of English jurisdiction and fell under the rule of the kings of the Scots. That, alone, should immediately raise suspicions, particularly for the reasons discussed in the section above. But it is also important to stress that we do have other twelfth-century texts about the preceding centuries, the 'Viking Age', that offer information that is more implicit and therefore potentially more reliable. That is to say, if the historian is open to explicit attempts to narrativise a 'donation of Lothian' in twelfth-century sources even when we cannot demonstrate earlier source material, accounts with implicit information should be at least as attractive. The evidence raised by Woolf is a good example. We are told by Libellus de exordio that the sometime thesaurarius of Durham, one Ælfred of Hexham, son of Westou, relocated the bodies of major Northumbrian saints to Durham from Coldingham, Melrose, Tyninghame, Jarrow, Tynemouth and Hexham. These translations, Symeon learned, had happened during the episcopate of Bishop Eadmund, i.e. sometime between c. 1020 and 1040 (LDE, iii.7: 160-167).²⁸ The account comes from the first decade of the twelfth century, seemingly from the living memory of native informants and if true would suggest that land as far north as East Lothian was still 'Northumbrian', or at least subject to the power of the 'Northumbrian' church, as late as c. 1030 (Woolf 2007: 235-236). Evidence of similar value can also be found in the Northumbrian earldom foundation material common to De primo Saxonum adventu (DPSA: 382) and John of Wallingford (Chron. Wall.: 54). In the account about Edgar's division of Northumbria, the northern limit of the territory governed by Eadwulf Yvelcild is described as myreforth, usually (and probably correctly) identified with the Firth of

²⁷ The text is: ...rex Scotiae daret praedicto Othoni Margaretam filiam suam in uxorem cum toto Loennais; et quod rex Angliae daret Othoni, et filiae regis Scotiee, et haeredibus eorum, totam Northymbriam et comitatum Carleoli; et rex Angliae haberet in custodia totum Loennais cum castellis suis; et rex Scotiee haberet in custodia totam Northymbriam et comitatum Carleoli cum castellis suis (RH, Chronica, vol. 3, s.a. 1194: 308; trans. based on SAEC: 315–316).

As Rollason pointed out (Rollason 2000: lxvvi) information about Ælfred son of Westou appears to have come to the author of *Libellus*, at least in part, from a native English monk named Gamel.

Forth (McGuigan 2018: 110–111; Taylor, with Márkus, 2006–13, vol. 1: 44).²⁹ In contrast to Edgar and Cinaed, the synchronisms of Oslac, Eadwulf and Edgar are difficult to explain without access to a reliable tradition, especially because Eadwulf's only other appearance is as a charter witness (*Sawyer*: nos 766, 771, 779, 806; Keynes 2002: table 56; McGuigan 2018: 143–144).³⁰

Then there are sources that may pre-date the twelfth century. Other than the two major 'donation' narratives, the most commonly used source for understanding the problem is probably the annotated tenth-century king-list commonly today called the Chronicle of the Kings of Alba. A number of points of potential significance can be found there. The most important is a passage relating to the reign of Ildulb mac Causantín (reigned 954–962), a note specifying that 'in his time Edinburgh was vacated, and right up to the present day left to the Scots' (in huius tempore oppidum Eden uacuatum est ac relictum est Scottis usque in hodiernum diem; CKA: 151, 159). The passage has probably done the most to encourage the idea that the Scottish king had managed to enter Midlothian prior to, at least a decade before, the events of 'Edgar's Beneficence'.31 But as Alex Woolf pointed out in 2007, and he seems to have been the first to notice, the passage demonstrably includes an interpolation, interrupting and disrupting the grammar of earlier material, the core tenth-century annotated king list (Woolf 2007: 193–195; Dunshea 2018: 60–62). 32 While it is theoretically possible that the interpolation was created later in the tenth century, it is at least as likely that it entered the tradition when the Scottish collection witnessed by the Poppleton manuscript was compiled. The writer refers to the Scots as if he himself were not one, something that looks twelfth- or thirteenthcentury, rather like the non-Scot who composed the first of the Poppleton Scottish tracts, De situ Albanie.³³ The historicity of the note seems to be undermined a few sentences later in the chronicle, when we are told that after his invasion of Saxonia, c. 980, Cinaed mac Maíl

²⁹ I proposed that *myre* represents Gaelic *muire*, hence 'Forth Sea', but note the appearance 'c' in one of the manuscripts (hence *myrcford* in the Magdalen College MS) that might point to the Old Norse name for the estuary, *Myrkvafjörðr*. Because of its use as a boundary, the second element has sometimes been interpreted as 'ford', and associations with fords on the later Anglo-Scottish border conjectured: Duncan (2002: 24) the Solway and Barrow (2003: 123) the Tweed. Anderson (1960: 105) suggested the Lothian Esk. Barrow thought the standard 'Forth' interpretation contradicted the Lothian grant in 'Edgar's Beneficence', but in fact (even assuming it is reliable) it would be entirely in keeping with a Bamburgh frontier along the Firth of Forth and a smaller 'Lothian' to the west.

³⁰ It should be acknowledged, also, that Oslac and Eadwulf appear in the same charters, twice next to each other, and that Eadwulf does not appear in any with his nickname.

³¹ Barrow did mention this text, but the lateness of Ildulb's reign did not sit particularly well with the rest of his argument, which probably explains why he presented it in narrative form as 'between 954 and 962 the fortress of Edinburgh was laid waste, and thereafter this key position remained in Scottish hands' (Barrow 2003: 122).

³² In the related king-list material, Ildulb's reign is summarised with reference to his year length and his death at the hands of Scandinavians, and Alex Woolf therefore concluded that it is likely that the whole *CKA* passage about Edinburgh, not just *ac relictum est Scottis*, originated in the same interpolation (Woolf 2007: 193). Incidentally, Hudson suggested that the *Prophecy of Berchán*, a twelfth-century pseudo-prophecy and metrical chronicle drawing on a lost Scottish king-list, may refer to territorial additions made in Ildulb's reign (Hudson 1996: 88 and n. 97).

³³ At DSA: 242 we learn that he had a 'Scot' as an informant, Bishop Aindréas of Caithness. There is the obvious possibility that the author of DSA had a major role in the final form of CKA.

Choluim 'fortified the fords of Frew' on the river Forth (*CKA*: 151, 161). The implication seemingly is that he was expecting a punitive expedition from the ruler of Bamburgh, which does not stand well with the idea that Cinaed occupied Edinburgh (or indeed received a grant of 'Lothian' from Edgar); and it certainly makes it difficult to imagine an earlier reign as the beginning of continuous Scottish lordship there.

Another potentially informative source is a poem from the mid-eleventh century recounting the travels of six Pictish brothers who fled from Thrace to Ireland, via France (where they founded *Pictavis*, Poitiers). It recounts how they subsequently conquered Scotland (*Alba*), 'from the border of Cat [Sutherland] to the Fords of the Forth', with no mention of anything else to the south (Van Hamel 1932: 14). The potential here is limited, however, because 'Scotland' was still conceived in these terms two centuries later. Then there is Historia de Sancto Cuthberto, yet another potentially pre-twelfth-century source of information. This work gives an account of the overlordship of the church of Lindisfarne in which it includes the parochia of the church of Tyninghame and its lands as far west as the River Esk (HSC, \$4: 46-47.). The fullest version of the text was not finalised until sometime between c. 1020 and c. 1100, most likely mid-century; lacking knowledge otherwise we would be entitled to assume that the text is a contemporary picture of roughly the mid-eleventh century, although obviously there are other possibilities.³⁴ Another point is worth noting here. Although Historia includes Tyninhame's parochia within Lindisfarne's oversight, we are not told that St Balthere's lands were the limit of that jurisdiction. We have other descriptions of the diocese of Lindisfarne-Norham, early twelfth-century, where we find encompassed not only Tyninghame but also Edinburgh and Abercorn, as well as Melrose and Jedburgh (HR, s.a. 854: 101; RH, Chronica, vol. 1, s.a. 882: 45; Woolf 2018).

Chronological map

The above evidence is of interest, but can be argued away by any skilled historian so determined. Instead of pushing specific conclusions where none are certain, our priority should be to understand the limits and possibilities of our evidence. In Figure 1, I have included a regional chronology map, illustrating the dates at which we can begin to track continuous lordship of the region by the Scottish royal family.³⁵

Region 1 (West Lothian and Midlothian): Were it reliably early, the Chronicle of the Kings of Alba passage relating to the reign of Ildulb would trace Scottish control of Edinburgh to 954–962, but lacking that certainty we are forced to seek a later date range. We also have what purports to be a charter of Máel Coluim III to Dunfermline in regard to lands in Midlothian, but it is preserved only in an early modern 'copy', possibly a forgery, of a twelfth-century 'memorandum' (ESC: no. 10; McGuigan 2021: 375, n. 11, and 378). However, because control of this region was probably necessary for 'outer' provinces,

The most obvious, following Craster, is that it was composed in the 940s.

For a similar discussion with a different emphasis, see recently McGuigan 2021: 372–380.

³⁶ See above, pp. 48-49.

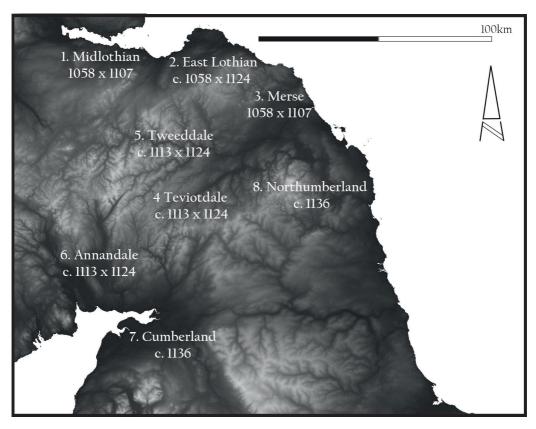


Figure 1: Scottish expansion into Northumbria (dates taken by the earliest evidence for Scottish authority)

the earliest range for the latter allows us to admit the range 1058×1107, the accession of Máel Coluim III to the death of his son Edgar, for region 1.

Region 2 (East Lothian): A date-range set by the reign of Máel Coluim III is suggested by a charter in the archive of Durham that refers to the tenure of Tyninghame (East Lothian) by Fothad, a bishop of St Andrews who died in 1093 (AU, s.a. 1093.2). The document is a grant of the church and its dependencies by Donnchad [II] mac Maíl Choluim (d. 1094), and Fothad's tenure is the reference point for Durham's newly acquired rights. Durham did not hold on to Tyninghame, and perhaps lost it in the civil strife that led to Donnchad's own demise. The document appears to be an 'original' with cross autographs by the witnesses, but it is not without controversy, and there remains the possibility that it is a copy or 'forgery' from the first decade of the twelfth century (ESC: no. 12; Duncan 1958: 119; Donnelly 1989; Duncan 1999). Because the transfer of property recorded by the charter turned out to be, in the medium term, ineffective, Donnchad's control of the region cannot be established with certainty. Information about the fate of the region to the south means we can be reasonably confident that it fell under the effective lordship of Edgar and was under members of the Scottish royal family thereafter — although

not absolutely as Dere Street, the main route from Midlothian into the Tweed basin, bypasses it. It is also worth noting that we have a twelfth-century annal claiming that Máel Coluim III had granted Dunbar (East Lothian) to Gospatric son of Máel Doraid, though since Gospatric was earl of Bamburgh, the claim if it has any factual basis may be an attempt to account for a switch of overlordship (*HR*, *s.a.* 1072: 199; *RH*, *Chronica*, vol. 1, *s.a.* 952: 59; McGuigan 2021: 384).

Region 3 (Merse/Berwickshire): We seem to have an original charter from the time of Donnchad's brother Edgar including a grant of the church of Coldingham (Berwickshire) and its mansiones to Durham that refers to the rights that his own father held (quas pater meus habuit). This suggests that c. 1100 people had grounds for believing Máel Coluim had control of Coldingham's mansiones (ESC: no. 19). It would also allow us to conclude with reasonable confidence that, at the very least, Máel Coluim at some point during his reign had been able to exert effective political control as far as the Merse and so also further north on the coastland of 'Lothian proper'. This and other Durham charters of his reign prove conclusively that Edgar exercised lordship in the Merse, and the territory remains in the control of the Scottish royal family (if not always the king himself) afterwards (ESC: nos 12–22).

Region 4 (Teviotdale/Roxburghshire): David, son of Máel Coluim III, appears exercising power in Teviotdale by the early 1120s, and had probably done so from about 1113. In the 1070s the Southumbrian 'reformer' Ealdwine began a monastic enterprise at Melrose. The twelfthcentury Libellus de exordio claimed that Ealdwine and his acolyte Turgot left Teviotdale when Máel Coluim began claiming the territory and a right to their oaths (LDE, iii. 22: 208–209). The last certain member of the Eadwulfings of Bamburgh, Eadwulf Rus, seems to have been buried at Jedburgh sometime after 1080, which could suggest that any overlordship Máel Coluim imposed was very loose and based on oaths of allegiance and tribute (cf. Scottish rule over Galloway in the twelfth century) (HR, s.a. 1072: 198; RH, Chronica, vol. 1, s.a. 953: 58). There is evidence that Henry I of England settled Flemings around Melrose in the first decade of the twelfth century, but they were moved to Wales about 1109, before the arrival of David (McGuigan 2021: 388, n. 63). The region was certainly part of the diocese of Durham prior to c. 1100 (EEA, v. no. 6), and the continuator of Libellus de exordio says that the bishop of Durham Ranulf Flambard was stripped of Teviotdale by Henry I, which fits well chronologically with David's takeover (LDE, Appendix B: 266–311, at 274–275). Continuous control by the Scottish royal family is not evident until the arrival of David c. 1113 (Chrs David: nos 10-11, 14-15). It is not certain that the region would have become 'Scottish' if David had not succeeded to the Scottish throne, but Alexander I's death in 1124 led to that occurrence; the date range 1113×24 is therefore fairly secure.

Region 5 (Tweeddale): The date range here is identical to Teviotdale. Charters confirm that David, son of Máel Coluim III, was able to exercise some sort of lordship in the region before he became king, and the 'Glasgow Inquest' suggests that he himself established control of the region at the same time as Clydesdale (Chrs David: no. 15, which names Traquair and Peebles).

Region 6 (Annandale): The date range here would also be identical to Teviotdale. The Scottish kings do not appear to have controlled this region directly, but David's vassal Robert de Brus seems to have taken control of Annandale sometime before 1124 (Chrs David: no. 16). Presumably this happened between 1113 and 1124, but there is also a reasonable possibility that in the aftermath of the conquest of 'English Cumbria' in the 1090s (Sharpe 2006) locally organised Normans carried out a private conquest only subsequently brought under David's overlordship, presumably at Henry I's insistence.

Region 7: Cumberland: The Scottish king's expansion into the 'English' county of Cumberland can be traced to 1136. After the death of Henry I and accession of Stephen, David invaded England's northern countries in support for his niece Matilda. He supported her claim to the throne of England, but also sought to advance his son's claim to the earldom of Northumbria. Contemporary sources show that he was able to occupy the region, and in 1139 his son's control of the earldom (and thus David's *defacto* lordship) was recognised by King Stephen.³⁷ David cultivated Carlisle as something close to a *de facto* capital and passed it all to his heirs in 1153 (his son Henry having died in 1152, these were his grandsons). However, the gains were reversed in 1157 by Henry II.

Region 8: Northumberland: As above; the treaty of 1139 initially left Bamburgh and Newcastle in the hands of King Stephen, but they were under Scottish control again by c. 1141 (Oram 2020: 158).

The detail offered above provides reasonably reliable 'latest possible date(s)' for specific regions but these should not be interpreted as 'earliest date(s)', especially as the later eleventh century represents a major horizon of evidence. Nonetheless, documentary production and the type of administrative technology needed to control new territories are not independent. As we have seen, trying to lay the groundwork for a chronology of the familiar Anglo-Scottish border's emergence is difficult. Just as important and just as difficult is trying to formulate mechanisms of expansion. Robert Bartlett observed back in the 1990s that the expansionary capabilities of the Scottish kings was probably severely constrained until technologies of control improved in the twelfth century, when the Scots began castle building and founding burghs (Bartlett 1993: 80). Early medieval polities like Scotland and its immediate neighbours were held together by the consensus of the warrior class, shared experience of political participation, of customs, law, ethnicity, ancestry and identity. Yet, the people south of the Forth do not seem to have identified as 'Scottish' until the mid-thirteenth century (Broun, 1998: 9; Broun 2007a: 24–26). The Scots could have dominated hostile population groups, but without the infrastructure and ideology this domination would have to be confined to tribute and punitive expedition or exercised through manipulation of a political office, establishing a dependent client ruler for instance. Anything else would require colonisation and fortress building, the evidence for which is limited and probably post-dates the eleventh century (McGuigan 2021: 517-520).

 $^{^{37}\,}$ Chronicle texts (the most important being Richard of Hexham), in translated form, are gathered in SAEC: 170–215 (see also Oram 2020: 142–143).

Partition, settlement, what if

This is the point where it is crucial to stress that in the tenth and eleventh centuries the Scottish and English realms were separated by intervening polities — something generally ignored until recently by Scottish and English historians alike. The most important of these are the 'Cumbrian' realm of Strathclyde and the ethnic English people ruled from Bamburgh, both of which as far as we can tell still had their own rulers in the mid-eleventh century. Chronicon ex chronicis, translating a lost version of the Anglo-Saxon Chronicle, tells us that a 'son of the king of the Cumbrians' named Máel Coluim was installed on his father's throne in 1054 (Chron. ex chron., vol. 2, s.a. 1054: 574–575). It is not until the 1110s that we get our next attestation of a Cumbrian ruler, and this is a member of the Scottish royal family, David mac Maíl Choluim, (the future) David I of Scotland: an important point to which I will return below. To the east was the 'earldom' governed from Bamburgh. At its peak Bamburgh's territory stretched from the Forth to at least the Coquet, if not the Tyne (McGuigan 2018: 108-121). The last certain ruler of Bamburgh seems to be Gospatric, who died while Ealdwine and Turgot were in his territory, most likely in the second half of the 1070s (RH, Chronica, vol. 1: 59; McGuigan 2021: 278-280). Although Gospatric is named in contemporary annals, our information about his position and background depends on material from twelfth-century Durham that is sometimes very confused and misleading. The main issue is that there is an attempt to present the 'earldom of Northumbria' as a single historical entity, merging (and thus confusing) the successions of Bamburgh and the vice-regal ealdordom of Northumbria (McGuigan 2018: 128-129). Although we can be sure that Gospatric served as 'earl', we cannot be sure that he was the last ruler of Bamburgh. He may have been succeeded by his son Dolfin. In 1092, a 'great army' raised by William Rufus ejected Dolfin from Carlisle, and it is about this time that we see Normans in the territory of the old Bamburgh polity for the first time (ASC, MS E, s.a. 1092: 103; ASC: 168–169).38

Thus, the descriptions of the 1090s may reflect the recent demise of Bamburgh and the attempt of both the Normans and Scots to partition its territory. Four years later, the region appears in charters issued by William Rufus and Máel Coluim III's son Edgar. The latter describes himself as 'Edgar son of Máel Coluim king of the Scots possessing all the land of Lothian and the kingship of Scotland by the gift of my lord William King of the English and by paternal inheritance' (ESC: no. 15). The phraseology was read by Duncan to suggest that Edgar was claiming 'Lothian' by William's gift and [was about to claim] the kingdom of the Scots based on his paternity (Duncan 1999: 32–33; Duncan 2002: 56; Oram 2004: 46; Broun 2018: 41). The ambiguity of the syntax appears to be carefully constructed to leave the status of Scotland ambiguous, but William's overlordship in regard to 'Lothian' is still clear and explicitly recognised by the aspiring Scottish ruler — perhaps mirroring the English view of the relationship in the next two centuries. Scottish attempts to control the earldom may have gone back to 1067/8, with the death of Earl Oswulf and the accession of Gospatric. If we

For the Norman horizon beyond the Tyne, see McGuigan 2021: 317–323.

can trust the relevant passage of the Durham earl list, Oswulf was the last native English ruler of the 'Eadwulfing' line, and Gospatric the son of an outsider, Máel Doraid or Maldred, connected only via the female line. Although it is not absolutely certain, Gospatric appears to have been Máel Coluim's cousin, and it may have been on Gospatric's death in the later 1070s that Máel Coluim began attempting to rule directly, if perhaps unsuccessfully (McGuigan 2021: 74–75). There is some evidence that even under Máel Coluim's son Edgar the Scots may have had problems controlling the region, which would explain why they were so willing to introduce Frenchmen and Southumbrians there ³⁹

The success of the partition must be explained by combined efforts of the Scottish and English kings to assert sovereignty over lesser potentates, but also to measures taken on the ground to ensure effective control and integration. The classical West Saxon 'English state' of the tenth century was a collection of 'shires'. The king's domination of southern Northumbria had been secured back in the 950s, and even though Northumbria had its own ealdorman by the mid-960s, Yorkshire was still the only Northumbrian region organised as a shire at the time of *Domesday*. Although the rulers of Bamburgh were north of the 'shired' region, in the first decade of the eleventh century one of their number, Uhtred son of Waltheof, was married to the king's daughter and given the ealdordom (McGuigan 2018: 129–132, 146–148). That would, in a new sense, have extended the kingdom of England right up to the Firth of Forth. This was the era of the Danegeld, which Uhtred would have been able to impose in the lands of Bamburgh as well as in the core territory of the ealdordom further south (McGuigan 2021: 221). We know that one of Uhtred's successors as ealdorman, Tostig, tried to collect it in the north, and the existence of the custom in the county of Northumberland seems to be attested in the reign of Henry I (*Pipe Roll 1*: 27–28).

The Normans and Scots expanded the West Saxon-style shire system after the settlement of the 1090s. A list of provinces of Britain composed 1086×1130 includes Northumberland and Lothian (lođen) along with westmara-lond and cumberland as unshired provinces,⁴⁰ but by the 1120s the 'shire' system had been extended from Yorkshire to the Firth of Forth (Taylor 2016: 192–210; Reid and Barrow 2002: 13, 28, 30, 32, 37, 40; Sharpe 2006: 5–21, 30–33; Green 1990: 31, 65–66). By the time David became king of the Scots in 1124, he seems to have founded the region's first towns and shire centres at Berwick and Roxburgh (possibly also Edinburgh), as well as the first reformed

³⁹ The story is that Edgar franchised land 'in Lothian' to Robert son of Godwine, who began constructing a castle but was soon 'made captive by the local inhabitants and finally the barons of Durham at the instigation of Ranulf Flambard' (*Scotichronicon*, vol. 3: 98–101). The core of the story would appear to come from a collection of potentially, but not certainly, early material at Dunfermline (McGuigan 2021: 389; Hooper 1985: 210; Taylor 2009: 228–252).

⁴⁰ 'There are thirty-two shires in England. And Northumberland is without, [as is] Lothian, Westmorland, Cumberland and Cornwall. In Cornwall there are seven little shires. And [so is/then there is?] Scotland and Wales and Wight.' (....xxxij. schiren. syndan on engelonde. And Norphumbre [...] is wip-vtan. And loðen. and westmaralond. and Cumberlond. And Cornwale. On Cornwale syndan .vii. lutle schire. And scotlaund. And Brutlaund. And wyht.): OE Miscellany: 145–146.

Benedictine monastery (Selkirk), franchising many of the outer regions to Norman warlords.⁴¹ These developments were among the most important in marking the beginning of the end for the intermediate zone between England and Scotland: 'middle Britain'. Nonetheless, in the short term, what we see is the emergence of 'Lothian' as a new intermediate jurisdiction, not the appearance of an Anglo-Scottish border on the Tweed. As one of the contributors to *Historia Regum* in the 1120s put it, the Tweed lay on the borders of Northumberland and Lothian (...fluvium Twedam, qui Northymbriam et Loidam disterminat), not Scotland and England (*HR*, s.a. 1125: 278).

At the heart of this is the principality created for David son of Máel Coluim III in the 1110s. Its creation meant here was a real chance that 'Lothian' would likely have become a satellite polity between Scotland and England, perhaps something like the earldom of Orkney between the twelfth and fifteenth centuries ruled by 'Scottish' families but under the 'sovereignty' of Norway. In the foundation charter for Selkirk, David is said to have made the grant (Chrs David: no. 14.) with 'King Henry ruling in England and King Alexander in Scotland' (Henrico Rege regnante in Anglia et Alexandro Rege in Scocia). Likewise, in the hagiography of Bernard of Tiron, written 1114×47, David is described as dux Lothoniensium ruling the region between 'Scotland of the Gaels' (Scotorum Albaniam) and 'Northumbria' (VBB: cols 1426A-1426B; Cline 2009: 107). David's principality had its own bishopric, 'restored' at Glasgow in the same era, the seat eventually given to David's chaplain John. Just a year after David's accession as king of Scotland, John makes his first appearance in a vernacular text, where he is named 'John bishop of Lothian' (se biscop of Lobene Iohan; ASC, MS E, s.a. 1125: 127; ASC: 192). As it happened, the new polity lost its independence with David's accession to the Scottish kingship in 1124. Only from 1124 can we be sure that a king of the Scots held both regions unequivocally. And so, it may only have been then that English writers would have had the interest in formulating 'donation' accounts that explained the region's domination of the Scots while reserving for their own king the underlying 'sovereignty'.

But we are still left to explain why it was 'Lothian' and not the 'Cumbrian' polity in Strathclyde that came to be so significant for the twelfth century. Why was the 'Scottish-ruled' territory south of the Forth not just called *Cumbria* or Strathclyde? Strathclyde/ *Cumbria*, after all, had been the base of an established kingship. And why would a bishop based in Glasgow on the river Clyde be called 'bishop of Lothian'? This is trickier to answer, but it may not be beyond us. Above (pp. 42–43), we discussed the appearance of a King *Leudonus* in the Kentigern material, where 'Lothian' is described as 'a province ... in', literally, 'northern Britain' (*provincia... in Brittannia septentrionali*). Here, we have to forget about the fact that 'Strathclyde' is the dominant historiographic name for the British polity of the greater Clydesdale region. In Northumbrian Old English the terms *Cumere* or *Cum[b]erland*, 'Cumbrians' and 'Cumberland', were used, and in Gaelic *Bretain* or *Bretain*

⁴¹ Much of this is dependent on the veracity of the content of the Selkirk foundation charter (*Chrs David*: no. 14), which survives only as a transcript in the fourteenth-century cartulary of Kelso Abbey (analysed in Smith: 2011).

Tuaiscirt, 'Britons' or 'Northern Britons' (Edmonds 2014: 208; McGuigan 2021: 37). So, it is reasonable to conclude that the early Kentigern material is framing East Lothian as part of *Bretain Tuaiscirt*, especially as Jocelin of Furness himself claimed to have been able to draw upon pre-existing 'Scottic' sources for the saint's life (JF, VSK, prologue: 160). It is perhaps possible that *Leudonus* really had been an apical ancestor of a group of East Lothian Britons, or possibly even (assuming they were different) the ruling dynasty of the eleventh-century Cumbrian polity; but it is perhaps more likely as Ben Guy (pers. comm.) has suggested that they were trying to invoke an imaginary ancient, pre-English political order.

Here it is worth looking at how David is titled in surviving sources. David's realm lay between two political systems, 42 and in all of his charters where the recipient is a part of the English political system, he is styled simply comes, presumably reflecting a claim to the eorl-cunte hybrid office of Norman England (Chrs David: nos. 1-14, 263; ESC: no. 33). However, in the single document issued outside this region, to a 'Cumbrian' recipient, he is Cumbrensis regionis princeps, 'ruler of the Cumbrian province' (Chrs David: no. 15; cf. ESC: no. 50). One of the oddities relating to the Irish annals that seems to be little noticed, or at least under-emphasised, is that of all Scottish kings David alone is given titles other than 'king of Scotland'. In the Annals of Boyle, he is rí Alban & Bretan, the latter (in northern Britain) a clear statement that he was king of Strathclyde (AB, s.a. 1153). The title is repeated in the Annals of Clonmacnoise, 'king of Scotland, Wales and the borders of England', where 'Wales' is almost certainly the early modern translator's rendering of Bretain (AClon: 204). Neither annalist records the term 'Lothian', a term that today only exists in Gaelic as a borrowing from Scots/English, despite its likely Celtic origin (MacInnes 2006: 37; Watson 1926: 102). The closest the annal gives us is 'borders of England', perhaps rendering something like Crich Saxan, 'borderland of England/ Northumbria'. 43 This might suggest that David's regime only adopted the 'Lothian' identity in English and French, for a jurisdiction framed as an extension of 'England'; but leaned on a 'Strathclyde' identity in Gaelic, something suggested elsewhere.44 Since David's principality seems to be the hotchpot creation of the Norman regime of England in collaboration with the Scottish ruling dynasty, the obvious explanation for the difference is to avoid perpetuating the legacy of the old rulers of Bamburgh and thus

⁴² The two political systems not only had different ways of describing political identity, but different elite vernacular languages for doing so: Gaelic in the Scottish system, French in the Anglo-Norman system. In our region, the two meet on top of vernacular traditions of Northumbrian and British origin!

⁴³ In this scenario, 'Lothian' may reflect the territorial name of a Cumbric region between the Lammermuir and the Forth. The Scots simply extended its identity southwards to include what later became Berwickshire, perhaps something like the extension of Sibir, further east to all of Russian Asia. The new region, not part of the Cumbrian realm but the northern part of the heartland of Bamburgh earldom, was the odd bit out, perhaps the 'borders of England'. Is it coincidence, then, that later in the twelfth century the region begins to be called 'Merse', or 'borderland'? Could this be a reflection of something like *Crích Saxan* behind the Clonmacnoise entry? Note, however, that the location of Flodden, the battle of 1513 fought 3 miles into Northumberland, would be described similarly (*crich t-Shaxan*) (*AU*, s.a. 1513.14).

⁺⁴ This could also explain another legal oddity of the twelfth and thirteenth centuries. In this period, there are several pieces of evidence suggesting that for the purposes of customary law the people south of the Forth might be presented as 'Britons' (McGuigan 2021: 164, n. 101).

claims to territorial authority further south. The accommodation may have arisen in one of the various treaties between Máel Coluim III and the Normans, or with one of his sons. The Cumbria-Lothian principality never evolved into a permanent independent polity, but that seems to have been a side-effect of Alexander I's unexpected death in 1124, and not something envisaged in the preceding decades.

To recap, in the later eleventh century we see the simultaneous appearance of Lothian and an Anglo-Scottish frontier, the latter on the Forth rather than the Tweed. The most prominent scholars have struggled to contextualise these developments, partly because they have relied on a series of 'donation' accounts composed in the twelfth century to explain the extension of the Scottish king's power to the Tweed. In terms of contemporary sources, there is no clear evidence for 'Scottish' royal power beyond the immediate vicinity of the Forth until the 1090s, or at least the 1070s, when seemingly the Scots and Normans carved up the polity of Bamburgh. In the aftermath of the Scoto-Norman accommodation, we see the 'shiring' of the Forth–Tyne region and emergence of 'Lothian' as a familiar jurisdictional concept. This is what Adam of Dryburgh would describe in the later twelfth century as 'in the land of the English and in the kingship of the Scots' (in terra Anglorum et in regno Scottorum), ⁴⁵ not a linear border but a middle zone between 'England-proper' and 'Scotland-proper'.

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⁴⁵ The famous quote is from Adam of Dryburgh's *De tripartito tabernaculo*, quoted and referenced in Broun 2007b: 184, n. 18.

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Neil McGuigan, University of St Andrews Email: ndm6@st-andrews.ac.uk