

**EARLY MODERN EDINBURGH: IDENTIFYING SPATIAL AND SOCIAL
RELATIONSHIPS THROUGH THE SYMBOLIC DIMENSION OF THE BUILT
ENVIRONMENT**

LOIS RAE STAUFFER
Bachelor of Arts, The University of Lethbridge, 2017

A Thesis
Submitted to the School of Graduate Studies
of the University of Lethbridge
in Partial Fulfilment of the
Requirements for the Degree

MASTER OF ARTS

History Department
University of Lethbridge
LETHBRIDGE, ALBERTA, CANADA

© Lois Rae Stauffer, 2017

EARLY MODERN EDINBURGH: IDENTIFYING SPATIAL AND SOCIAL
RELATIONSHIPS THROUGH THE SYMBOLIC DIMENSION OF THE BUILT
ENVIRONMENT

LOIS RAE STAUFFER

Date of Defence: August 10, 2017

Dr. Janay Nugent Supervisor	Associate Professor	Ph.D.
--------------------------------	---------------------	-------

Dr. David Hay Thesis Examination Committee Member	Associate Professor	Ph.D.
--	---------------------	-------

Dr. Cindy Ermus Thesis Examination Committee Member	Assistant Professor	Ph.D.
--	---------------------	-------

Dr. Gideon Fujiwara Chair, Thesis Examination Committee	Assistant Professor	Ph.D.
--	---------------------	-------

DEDICATION

This is dedicated to my parents Roderick Malcolm and Lois Ruth McLeod who always made me feel like I could do anything with my life, and to my late husband Peter George Stauffer . . . wish you could have been here with me.

ABSTRACT

This thesis explores how the Scottish people of early modern Edinburgh understood the physical construction of this walled city, and will focus on how Edinburgh's inhabitants saw, knew, and understood specific places. It will look at the symbolic dimension of the built environment and how it directly affected the development of individual and group identity, and their power, spatial, and social relationships. Edinburgh was more than just a backdrop for historical events. It helped to define social and spatial relations, and the inhabitants' sense of public and private. The subjectivity of these places affected how different people used them and interacted with others in them. Places should not be seen as an absolute. Their cultural and spatial relationships depended on how people used them, saw them, understood them; and that understanding was created by a person's age, gender, and status in the culture.

ACKNOWLEDGEMENTS

I never thought I would be lucky enough to be able to do two Masters, and this one could never have happened without the support and guidance of Dr. Janay Nugent. From helping with a topic idea to her meticulous editing (really don't like purple pens anymore) I know I learned so much over the last two years.

Besides my advisor, I would like to thank the rest of my thesis committee: Dr. David Hay and Dr. Cindy Ermus.

I also recognise that this research would not have been possible without the financial assistance of the University of Lethbridge School of Graduate Studies and the Department of History at the University of Lethbridge.

TABLE OF CONTENTS

Dedication	iii
Abstract	iv
Acknowledgements	v
Table of Contents	vi
List of Figures	vii
Abbreviations	viii
Chapter	
Introduction	1
Children and Youth	33
Women	68
Status	102
Conclusion	138
Bibliography	145

LIST OF FIGURES

Late medieval aerial perspective of the Royal Mile “Edinburgh Map 1582” edinphoto.org.uk	3
---	---

ABBREVIATIONS

<i>APS</i>	<i>The Acts of the Parliaments of Scotland, 1124-1707, 12 Vol., (London: HMSO, 1814-85)</i>
<i>B.O.E.C.</i>	<i>Book of the Old Edinburgh Club, 35 Vol., 1908-1985</i>
<i>B.R.</i>	<i>Extracts from the Records of the Burgh of Edinburgh, 1573-1655, 5 Vol.</i>
<i>BUK</i>	Thomas Thomson, ed., <i>Acts and Proceedings of the General Assemblies of the Kirk of Scotland, 3 Vol., (Edinburgh: Bannatyne and Maitland Clubs, 1839-1845)</i>
<i>Calderwood History</i>	<i>History of the Church of Scotland by Mr. David Calderwood (Woodrow Society, 1842-9)</i>
<i>DSL</i>	Dictionary of the Scots Language
<i>Hist. K. Ja. VI.</i>	<i>The Historie and Life of King James the Sext, ed. T. Thomas (Bannatyne Club, 1825)</i>
<i>Pitcairn Criminal Trials</i>	<i>Criminal Trials in Scotland, from 1488 to 1624, ed. R. Pitcairn (Edinburgh, 1833)</i>
<i>RCAMS</i>	<i>Royal Commission on the Ancient Monuments of Scotland</i>
<i>RPS</i>	Records of the Parliaments of Scotland to 1707

Introduction

Only places identified as symbolic by a certain number of individuals are socially recognised as such, and it is within this movement of recognition that a group can form and give itself an identity.

Jérôme Monnet, “The symbolism of place: a geography of relationships between space, power and identity.”¹

After a visit to Edinburgh in 1598, Fynes Moryson, then twenty-three years old, returned home to Edinburgh and related how, three weeks earlier, a “Gentleman,” a stranger to the city had entered the church of St. Giles, and seeing an impressive wooden seat opposite the King proceeded to sit in it because he believed it to be where men of the best quality sat. The laughter of the congregation should have clued him in to the fact that something was very wrong. He was sitting on the seat of repentance.² Place is about perception, tradition, knowledge, and understanding cultural symbolisms. It is a way of “seeing” and living in a space. Being an outsider, all he saw was a grand chair placed in an important position in the church, and to his foreign cultural understanding this meant the chair was for prominent people, like himself.

Looking at the history of Edinburgh from a socio-geographical perspective is to consider that the buildings, streets, green spaces, markets, wells, etc. had a certain individualistic synergy—a potential for unique experiences for all. The subjectivity of the perception of these spaces affected how different people used them, and interacted

¹ Jérôme Monnet, “The symbolism of place: a geography of relationships between space, power and identity.” Trans. by Angéla Verdier, *cybergeog: european journal of geography*, 2011, 7. <http://cybergeog.revues.org/24747>.

² P. Hume Brown, *Early Travellers in Scotland* (Edinburgh: David Douglas, 1891), 83. Moryson calls the stranger a Gentleman, but does not mention the man’s nationality. (Hereafter *Early Traveller*.) The seat of repentance was the place beside the pulpit where sinners were publicly humiliated by repenting their crimes and asking for forgiveness before being accepted back into the community.

with others in them. These spaces helped to define social and spatial relations, as well as the inhabitants' sense of public and private—a very important aspect to their understanding of space. Yet, spaces should not be seen as absolute. Their cultural and spatial meanings for relationships depended on how people used them, saw them, understood them; and that understanding differed with each person's place in that culture. Cultural expectations and personal experiences were what influenced a person's perception of the spaces surrounding their life, so studying spaces through various lenses that focus on women, youth, and the social elite will help reveal the differences experienced by each group. The purpose of this dissertation is to show how the symbolic dimension of the built environment of Edinburgh directly affected the development of individual and group identity, and their power, spatial, and social relationships.

Scholars have explained relationships between power, space, and identity, mediated by symbols, to understand how those in power produced and controlled public, civic, and economic spaces.³ These ideas have been developing over the last fifty years, and the purpose of this chapter is to analyse the evolution of these theories and how they have influenced research in many disciplines beyond history, such as anthropology, philosophy, sociology, and geography. These new ideas will then be used to merge the theoretical framework of space with the study of urban history by focusing on early modern Edinburgh. In R. A. Houston's article, "People, Space, and Law in Late Medieval and Early Modern Britain and Ireland," Houston states that all "[s]paces gave and took meaning", and that there was still research to be done on how "different social groups

³ See Jérôme Monnet, "The symbolism of place".

related to them and how this changed over time”.⁴ This thesis will begin that research—and it begins with Edinburgh.

Like many of the towns and cities that developed in Europe during the medieval period, Edinburgh was situated under the protection of a castle. This left the city at least two and a half miles away from the coast, but the port of Leith was built to supply the city with trade. Descending from the rocky crag of the extinct volcano on which the castle was situated was a glacial tail which became the landscape where the city was located and dictated the shape that the city would take.⁵ This ridge would become the high street, later named the Royal Mile, and like many medieval towns in Europe, this main street



Fig 1. Reconstructed view of late-medieval Edinburgh. Artist unknown.

was wide enough for the accommodation of the markets.⁶ It ran approximately one mile down a slope to the sixteenth-century Holyrood Palace built by James IV which was located beside the twelfth-century Augustinian Holyrood Abbey founded by David I.

In the early seventeenth century, the burgh of Edinburgh incorporated an area that descended about halfway down the Royal Mile and was separated from the ecclesiastical burgh of the Canongate by the Nether Bow Port, one of the major gates of the city. It was about one hundred and forty acres in size, with steep sides to the north and south. Fronting on both sides of the main street, or High

⁴ R.A. Houston, “People, Space, and Law in late Medieval and Early Modern Britain and Ireland,” *Past and Present*, no. 230 (Feb. 2016), 85; Ian H. Adams, *The Making of Urban Scotland* (Montreal: McGill-Queen’s University Press, 1978), 33-40.

⁵ Ian Campbell and Margaret Stewart, “The evolution of the medieval and Renaissance city,” in *Edinburgh: The Making of a Capital City*, eds. Brian Edwards and Paul Jenkins (Edinburgh: Edinburgh University Press, 2005), 21.

⁶ Campbell and Stewart, “The evolution,” 21.

Street, were the medieval burgage plots, or tofts, which were all quite uniform in size, being about twenty-five feet wide to approximately four hundred and fifty feet long.⁷ The residences built were between three or four storeys high with back gardens stretching on the north side of the street to the Nor' Loch, and on the south side, down the ridge's slope to boggy, marshy land. With the rapidly expanding population, the single-family houses of the burgesses were built onto and expanded, or replaced with tenement buildings.⁸ From these original houses evolved the tenement buildings, some of which can still be seen today. By the early modern period the tenement buildings were adapted to house many families and once they were extended into the back gardens, they had nowhere else to go but up. These extensions landward could rise up to twelve or fourteen storeys.⁹ This vertical expansion resulted in all the citizens of Edinburgh, rich and poor, being literally and figuratively living on top of each other. As reported by one visitor from England at the time, "there were almost as many landlords as there were storeys of tenements."¹⁰

The paths that ran along the boundaries between the properties provided the access to the tenement buildings and became the narrow closes and wynds which are still

⁷ See The Royal Commission on the Ancient Monuments of Scotland, *An Inventory of the Ancient and Historical Monuments of the City of Edinburgh with the Thirteenth Report of the Commission* (Edinburgh: His Majesty's Stationery Office, 1951), Introduction, xl. A toft was a plot of land given to a burgher with the understanding that within a year he would build housing on the land, and for that he would have trading rights in the town. (hereafter, RCAMS, *Inventory*.)

⁸ Michael Lynch, *Edinburgh and the Reformation* (Edinburgh: John Donald Publishers Ltd., 1981), 14; Michael Lynch, "The Scottish Early Modern Burgh," *History Today* 35, no. 2 (February, 1985), 32.

⁹ Joseph Taylor, *A Journey to Edenborough in Scotland* (Edinburgh: William Brown, 1903), 107; Hugo Arnot, *The History of Edinburgh, from the earliest accounts, to the year 1780* (Edinburgh: Thomas Turnbull, 1816), 189; Margaret H. B. Sanderson, *A Kindly Place? Living in Sixteenth-Century Scotland* (East Linton: Tuckwell Press Ltd., 2002), 71; Lynch, "The Scottish Early Modern Burgh," 31; R. A. Houston, *Social Change in the Age of Enlightenment: Edinburgh 1660-1760* (Oxford: Clarendon Press, 1998), 134; Robert Chambers, *Ancient Domestic Architecture of Edinburgh* (Oxford: Oxford University, 1859), 22.

¹⁰ Lynch, "The Scottish Early Modern Burgh," 31.

seen in Old Edinburgh to this day.¹¹ Walter Makey states that the tenement buildings were built between the old property lines with the closes on each side “still serv[ing] an area corresponding to an ancient toft [an old homestead] with a frontage of one, two, three or more roods on the High Street”.¹² Running off from the High Street were numerous closes and wynds. These lanes were open to the sky, were dark and very narrow, and were the spaces where some people set up their booths, where children played, where businesses set up their shops, and where people threw their refuse. For added space on some of the upper storeys, beams were projected out and wooden extensions were added on to the outside of the building which allowed each floor to be progressively larger as the building rose. In some places, occupants living in the attics opposite each other could reach across and shake hands and visit.¹³

The preceding historical description of Edinburgh is not unique. This is how early historians described the city in their articles and books about the history of Edinburgh—as just a backdrop—before they went on to talk about economics, politics, famous people, and the famous events that happened *in* the city. In 1753, when William Maitland wrote *The history of Edinburgh, from its foundation to the present time*, Edinburgh was not the star element in this history. Edinburgh’s importance came from its designation as the capital city, and home to the monarchy and government. Maitland’s focus was on

¹¹ Campbell and Stewart, “The evolution,” 22; “The Dictionary of the Scots Language,” accessed August 14, 2016, <http://www.dsl.ac.uk>. Definition of closes – “An enclosed space (adjacent to a house or other building); an enclosure, court or courtyard.” and wynds – “freq. winding, narrow street or alley, chiefly in towns and cities.” (Hereafter *DSL*).

¹² Walter Makey, “Edinburgh in Mid-Seventeenth Century,” in *The Early Modern Town in Scotland*, ed. Michael Lynch (London: Croom Helm, 1987), 202. The ‘rood’ or rod was a metal bar, which varied in length between 6 and 8 yards and was used when surveying land.

¹³ John Charles Dunlop and Alison Hay Dunlop, *The Book of Old Edinburgh: And Hand-book to the Old Edinburgh Street* (Edinburgh: T. and A. Constable, 1886), 21 (hereafter *B.O.E.C.*); Houston, *Social Change*, 162, quoted in J. Stark, *Inquiry into Some of the Sanitary State of Edinburgh* (Edinburgh, 1847), 35.

describing the physical layout of the city, the economic and political events, the religious changes, and the happenings of the monarchy, nobles, and the merchant elite.¹⁴ He also described the civil and ecclesiastical governments of the city, and how they both evolved through the years. He gave an account of how the parishes were laid out, what important buildings were constructed and where these were erected, how dikes were built to help hold back the water of the marshy land and the Nor' Loch, and provide for the city, and what the elite were doing while in the city and while travelling. As John D. Hargreaves wrote in 1964 in his "Historical Study in Scotland," this was how history was written. Scholars were not interested in the common citizens or social history.

Research beyond what was found on the surface of historical texts takes what Hargreaves called, "the adoption of more refined methods".¹⁵ Traditional history like Maitland's was state history. A little more than sixty years later when Hugo Arnot published *The History of Edinburgh, from the earliest accounts to the year 1780*, his focus was also on the politics, economy, trading, religion, guilds, nobles, and the monarchy. In his Preface, Arnot was careful to mention the importance for a historian to rise above "the history of faction" and record history without prejudice and bias,¹⁶ but the ordinary citizens of Edinburgh, who were frequently labelled as the mob, were believed to not really understand the important events happening around them.¹⁷ In 1927, Marguerite Wood, who published the *Extracts from the Records of the Burgh of Edinburgh*, stated that she left out details from the original documents that she felt were

¹⁴ William Maitland, *The history of Edinburgh, from its foundation to the present time. ...In nine books* (London: Gale ECCO, Print Edition, 2010).

¹⁵ John D. Hargreaves, "Historical Study in Scotland," *Aberdeen University Review* 40 (1964), 241.

¹⁶ Arnot, *The History of Edinburgh*, iv.

¹⁷ Arnot, *The History of Edinburgh*, 86.

“[w]ithout historical importance”. These unprinted extracts were seen to deal with what Wood described as “the more intimate life of the Town.”¹⁸

After the 1960s and 1970s flowering of social history, R. A. Houston’s 1994 book, *Social Change in the Age of Enlightenment: Edinburgh, 1660-1760*, observed that scholars had built on this “tradition of empirical studies and published documents”. By asking different questions Houston hoped to shift the focus to move beyond that limited scope. Houston believed in the uniqueness of Scottish towns, and that they had played a role in the historical story of Scotland.¹⁹ Laura Stewart pushes forward our understanding of the agency of the urban mob in “Power and Faith in Early Modern Scotland”:

In current narratives, the people occasionally pop up to have a riot, but then they go home again, back to obscure lives apparently untouched by political action. Yet ‘politics’ also happened when crowds gathered to hear town councils make proclamations, salacious gossip circulated through marketplaces, baron courts convened, congregations gathered together to avow the Covenant, or a married male householder disciplined his servants.²⁰

The theoretical developments of the spatial turn, a geographical adaption that recognises the importance of space and its use in pushing forward our understanding of the past, has only recently been brought to studies of Scotland in Houston’s article, “People, Space, and Law”. He uses a comparative approach in his examination of how laws developed differently in Britain depending on how each society culturally viewed their spaces, and how the people interacted in them. Houston reveals how Scotland conceptualized legal jurisdictions based on people, as opposed to how England viewed

¹⁸ Marguerite Wood, “The Domestic Affairs of the Burgh. 1554-1589,” in *B.O.E.C.*, Fifteenth Volume (Edinburgh: T. and A. Constable Ltd., 1927), 7.

¹⁹ Houston, *Social Change*, 9, 14.

²⁰ Laura A. M. Stewart, “Power and Faith in Early Modern Scotland,” *Scottish Historical Review* 92 Supplement: No. 234 (April, 2013), 35.

their legal system geographically.²¹ Though Scotland's legal system had what Houston calls, "person-focused laws", the Scots knew the importance of boundaries, jurisdictions, and the spaces within most other aspects of their lives.²² The Scots living in Edinburgh belonged to households, guilds, parishes, neighbourhoods, and were, finally, residents of the royal burgh.

This study expands on Houston's application of the spatial turn to focus on the social and spatial relationships that defined the spaces and places of Edinburgh and how the town helped to define the identities of its inhabitants. Surrounded by this unique built environment, individual people and groups made meaning of the spaces around them that sometimes differed from the culturally-imposed symbolic purpose. From the limited sources extant from the early modern era, we can begin to understand how the citizens of Edinburgh, circa 1580 to 1650, perceived the places within the city walls, and how this shaped their place in society. Being a citizen of Edinburgh meant more than just living in the city.

The importance of one's identification as a person residing and working in Edinburgh brought with it rights and privileges denied to outsiders. Everyone had a constructed place that was culturally understood, and which everyone was expected to know their place, even if not everyone conformed to it. Some, like women and youth, pushed against these culturally expected boundaries. Being an inhabitant of this royal burgh was very important; being banished, or especially excommunicated, affected all aspects of one's life—loss of reputation, of family, of income, and loss of place. In fact, being excommunicated was used to remove people from all aspects of their physical and

²¹ Houston, "People, Space, and Law."

²² Houston, "People, Space, and Law," 52.

social life. They were to be cut off from the people and spaces that helped to define their identity. They no longer belonged to those spaces. In sum, early modern Edinburgh was much more than just a backdrop for historical events.

Methodology

The concentration for this study falls between 1580 and 1650. These are important dates because of the historical and cultural changes that were happening. The 1570s saw the civil war between the supporters of Mary, Queen of Scots and those of her son James. By the 1580s, as Michael Lynch states, a full generation after the Reformation, Protestantism was fully accepted by the majority of the people in Edinburgh, even though it continued to struggle with rebellious “Papist” lords, (this label of practising Roman Catholic lords reflects the language of the early modern Scots) and Episcopacy versus Presbyterianism.²³ As Margo Todd states, the Reformation brought with it a “redefining [of] cultural life” where the social needs of the Scots needed to be met in the new “cultural Protestant life”.²⁴ This was a kirk-imposed cultural ideal. People knew that they were now expected to attend weekly sermons, to adjust their personal lives to reflect the accepted moral standards of the kirk, to restrict their public and private activities on the Sabbath to religious studies and readings. A relatively stable basis of cultural and religious understanding was created, but not always followed. This study focuses on this time period until the unrest of civil war in the late 1640s.

When James VI ascended to the throne in 1567 he was only one year old, and instability followed in the government until 1578, when James threw off the last of his

²³ Lynch, “The Scottish Early Modern Burgh,” 32. The use of the term ‘Papist’ does not reflect the language of the author, it reflects the language of early modern reformed Scots.

²⁴ Margo Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven: Yale University Press, 2002), 20.

four regents. By 1583 he was in control of his throne and began a program of centralising the state under his crown. Scotland was not used to a central power.²⁵ The early 1580s also saw the Scottish Parliament enact “most of the kirk’s disciplinary program into law”, even though, as Michael Graham writes, they were not always enforced.²⁶ The Reformed Kirk was entrenched by the 1580s with the 1590s bringing on a dogmatic battle between James and the Reformed ministers. James wanted to centralise all power under himself, this meant ending the Presbytery system which neglected the privileges of rank and implemented Episcopacy. This battle affected the governance of the kirk, but not so much the common people, and the country remained quite stable by early modern European standards, until the late 1640s and the start of civil war.

Since research on historical spatial relationships has not been attempted for Scotland, this research on Edinburgh and its people will be more illustrative than comparative. Edinburgh is a logical starting place as the “guid toun” was the capital of Scotland, had the largest population, was a leader in trade, and was the home of Parliament, the Reformed Kirk, the High Court of Justiciary, and the monarch (till 1603). Also, its unique physical layout clearly shaped social interactions which provides insight into how these interactions were affected by social status, age, and sex/gender in a patriarchal society. Each person acted differently in the spaces of the burgh, experienced them differently, and understood the meaning of those spaces differently. The mercate croce was an excellent example. The mercate croce, or market cross, is the symbol of a town’s power and authority to hold a regular market. It was also used as the place where proclamations were read to the people of the burgh, where civic ceremonies were held,

²⁵ Michael F. Graham, *The Uses of Reform: ‘Godly Discipline’ and Popular Behavior in Scotland and Beyond, 1560-1610* (Leiden, New York, Koln: E.J. Brill, 1996), 279.

²⁶ Graham, *The Uses of Reform*, 43.

and where executions and other punishments, such as having one's ear nailed to the cross, were staged.²⁷ In 1608, it was where Jonet Craig and her friends were playing before Jonet found herself abducted by John Errole and taken down Bells Wynd to a back turnpike where he raped and assaulted her.²⁸ This study comes at Edinburgh from a different "angle". It examines the interaction between a person's place, how he or she perceived it, and the symbolism he or she placed on it. It looks beyond just the significant historical events that happened in the burgh of Old Edinburgh, and begins to understand how the city might have influenced those events, and how the people using the built environment of Edinburgh might have shaped those events. Social history assists in explaining the changes that occurred, not by just examining the "political narrative structures" but by also considering "popular attitudes".²⁹

Explaining the spatial environment of the capital city and people's political interactions with this space sheds new light on old historical topics. As there are limited extant records for early modern Scotland, the examination of how the inhabitants of early modern Edinburgh interacted with their space requires the examination of a breadth of records. Seeing how people act in all the spaces in Edinburgh, usually in a way outside the boundaries of the cultural ideal, reveals how different categories of inhabitants symbolically perceived the burgh, and through that perception, how they interacted with those around them. The ecclesiastical court records are an important source for this study. The *Trinity Kirk Session Records* are the main primary sources. These were

²⁷ Adams, *The Making of Urban Scotland*, 36. RCAMS, *Inventory*, Introduction, xlvi.

²⁸ Robert Pitcairn, ed., *Ancient Criminal Trials in Scotland, compiled from the Original Records and Mss., with Historical Illustrations, &c.*, vol. II, Part Second (Edinburgh: The Bannatyne Club, 1833), 566; (Hereafter Pitcairn, *Criminal Trials*.)

²⁹ Adrian Wilson, "A critical portrait of social history," in *Rethinking social history: English Society 1570-1920 and its interpretation*, ed. Adrian Wilson (Manchester & New York: Manchester University Press, 1993), 19. Also see R.A. Houston, *Social Change*, 14, 15 on regional and local studies.

comprised of the minutes from the meetings of the church elders who, along with the minister, presided over the spiritual and moral business of their parish. Many parishioners are seen being or acting out of place. The Trinity College parish was one of four parishes in the burgh of Edinburgh in 1598, which, by 1641, was divided into six parishes. The kirk session records of this parish, from the years 1626 to 1638, are the only ones in Edinburgh to have survived for this time period, and researchers must take care in making any general statements from the interpretation of events. Additionally, these records were recorded by male clerks, who took down the proceedings, and limited the information that they recorded in some court cases, leaving out much of the details. They also seemed to follow a formulaic pattern in their recording of some transgressions like fornication, again leaving out many details. Also, since this paper includes a chapter on women, it must be recognized that all the records were written by men. The Trinity Kirk Session records, though limited, do offer some very insightful examples.

Robert Pitcairn, with his selection of criminal trials before the High Court of Justiciary, printed in his numerous volumes of *Ancient Criminal Trials in Scotland*, also offers the researcher a glimpse into the importance of place. Some of the court cases happened within the walls of Edinburgh, and assist in revealing what was considered culturally inappropriate behaviour. From this behaviour the spatial dimensions of the city and the difference expectations for different people can be examined. When Nicolas Rind, tailor burgess of Edinburgh, attacked Archibald Douglas, Provost of Edinburgh, within Douglas's own house, the punishment for Nicolas was severe for a couple of reasons. First, he attacked a man who held the high office of Provost of the city. Secondly, the attack on Douglas happened within the private sanctity of his personal lodging. Instead of publicly making his repentance in front of the congregation on

Sunday, Nicolas was forced to fall down upon his knees, and beg forgiveness between the hours of eleven o'clock and noon (for more people to see him), bare-headed, bare-footed, in linen clothes, and at the mercate croce.³⁰ This crime was seen as a crime against the whole city, against the position of Provost, not just against Douglas, so the choice of the economic, political and social centre of the city, the mercat croce, was symbolically important.³¹

Another resource, the *Extracts from the Records of the Burgh of Edinburgh*, which all but the 1573-1589, were edited by Marguerite Wood, and printed, are quite extensive and covered all happenings in Edinburgh that fell under the purview of the Provost, Town Council, the baillies, and the constables.³² These included building activity and repairs, markets, sanitation, taxes, civil disorder and disobedience—everything necessary for the good running of the city. These records offer a variety of insights into the spatial organisation of the city and how they expected indwellers to live within this environment. From these records the economic lay out of Edinburgh is identified as the council determined where craft booths and shops could be set up, and where crammers (a person who sold goods at a stall or stand) could do business.³³ A glimpse at civic responsibility is seen in the record of September 1611, when an order was presented to the city describing the limits of the office for city constables. All constables had the right to force

³⁰ Pitcairn, *Criminal Trials*, vol. First, Part First, 399.

³¹ Pitcairn, *Criminal Trials*, vol. First, Part First, 421. It is important to note that crimes committed within the burgh were seen as crimes *against* the burgh. When it was alleged that William Kincaid had raped and ravished Jonet Aldioye the court stated that “giff ony lic Reviffing wes maid, it wes done to the lkayth [hurt, damage] and lklander of the Toune.”

³² The Burgh Records of 1573-1589 were published and printed by the Scottish Burgh Records Society in 1882.

³³ *DSL*.

entry into a private house if it was thought that a person, who had made a public disturbance, had taken refuge there.³⁴ The privacy of the home was not sacrosanct.

The primary sources for our time period and for the burgh of Old Edinburgh are limited. Yet, by using the primary sources outlined here, we can begin to build a special, instructive understanding of the use of space in early modern Edinburgh. Over ninety percent of the population was not usually found in the historical records—ordinary people did not leave diaries or letters. They usually only come to a researcher’s attention because they had transgressed in some way, and had been brought up in front of either the moral courts of the church, or the numerous civil courts. The legal records can be useful, however, because some of the transgressions were of people acting out of place—in spaces of the town that were seen as troublesome, and at *times* that were seen as troublesome, like “under the cover of night”. They might have been brought in front of the Kirk Session for fornication or adultery, but the language of the sources shows that *where* they transgressed, and *when*, could be equally important in prosecuting the crime. Not only was it important to punish William Carneby and Jonet Strang, lawful spouse of Patrick Brown, of the filthy and abominable crime of adultery, it was also relevant to the case to state that this crime was committed “vnder the cafttell wall...within the faid Patrikis awin duelling houfe and place...in the houfe of Catherine Scot in Ryplochis wynd, within the famin burgh, and diuerfe vtheris priue partis and places...alfuele be day as nycht”.³⁵

³⁴ Marguerite Wood, ed., *Extracts from the Records of the Burgh of Edinburgh 1604 to 1626* (Edinburgh: Oliver & Boyd, 1931), 78; (Hereafter *B.R.*).

³⁵ Pitcairn, *Criminal Trials*, vol. II, Part Second, 13. Translation, “under the castlewall...within the said Patrick’s own dwelling house and place...in the house of Catherine Scott in Ryplochis wynd, within the same burgh, and diverse other private parts and places...also by day as night.”

Another unique document that provides insight into the importance of certain physical landmarks and civic focal points of the city, as well as providing an understanding of the divided properties within the tenement buildings, is the printed records of the *Edinburgh Housemails Taxation Book 1634-1636*. In this book is recorded “a one-off, rent-based tax” that was to be collected from the inhabitants of Edinburgh to help pay their ministers.³⁶ From it we can collect information on the physical environment of the city and how the city was divided into taxable spaces.³⁷ The tenement buildings are seen from the inside out as all divided space was taxed; this included the shops, sheds, barns and booths. By listing the residences of the tenants, as well as markets and other businesses, the layout of the city can be understood, as certain areas were used for residential, administration, economic, and religious reasons. Researchers can examine where the meeting halls were situated, and can understand how the Tolbooth dominated the High Street. The text also reveals that with the rapid growth of the population, from about 2,200 households and 15,000 people in 1592 to 3,900 households and 25,000 people in 1635, that all levels of status could be found in one building.³⁸

These primary sources offer a glimpse of the inhabitants of early modern Edinburgh going about their daily lives, and from those glimpses the understanding of how they perceived and acted in different places throughout the city is gained. Knowing why the people of Edinburgh acted certain ways helps make them participants in their historical story. The primary sources will be examined using theories of place and space, and the symbolism women, youths, and the elite placed on the spaces around them will be

³⁶ Aaron Allen and Catherine Spence, eds., Introduction to *Edinburgh Housemails Taxation Book 1634-1636* (Suffolk: The Boydell Press, 2014), ix.

³⁷ Allen and Spence, *Edinburgh Housemails*, Introduction, xx.

³⁸ Allen and Spence, *Edinburgh Housemails*, Introduction, xxvi.

explored. Did the youth have agency and did they understand the relationships between themselves, the adults, and the urban environment? How was class constructed, and how were some of the elite able to avoid punishment or reject being punished in the public place of repentance? How was gender reinforced and performed, and did it then have an impact on women's spatial understanding of the city? Did the house symbolise a place to withdraw from public scrutiny for a wife, or was it known as the place of abuse? Also, by examining the documents from a feminist perspective we can discover the myriad of ways that the power structures of the time influenced the way Scottish men, women, and young people, either elite or common, understood their world.³⁹

The city was a stage. The streets and buildings were where social relationships were developed and where all people could display their position in society. This reinforced the early modern social order and those in political and religious authority. James VI was known to walk the High Street from his palace of Holyroodhouse to the Tolbooth to participate in parliaments and council meetings, and also to St. Giles where he heard the ministers preach. For the Parliament of November 1600, the king and the nobility walked to the Tolbooth because he decided there was too much snow for the horses.⁴⁰ He also used the streets to further the positioning of himself and his nobility.

For a more in-depth understanding of the agency of place, it is important to investigate the sources within the theoretical framework of spatial relationships. A well could be seen as just a place for drawing water, but beyond that physical understanding it also symbolised a place for women to gather and gossip, while for others it was a place of

³⁹ Katie Barclay, *Love, Intimacy and Power: Marriage and Patriarchy in Scotland, 1650-1860* (Manchester: Manchester University Press, 2011), 5, 6.

⁴⁰ David Calderwood, *The History of the Kirk of Scotland*, vol. Sixth (Edinburgh: The Edinburgh Printing Company, 1845), 99. (Hereafter Calderwood, *History*).

superstition and power, and a place to play for the youth of the city. Each individual brought his or her own personal understanding, whether experienced or taught, to the places and spaces of the city. With the work done by past researchers on the topic of space/place we can view the kirk door as something more; it became the entry to worship; the area where public repentance was performed; and the place where important notices were tacked up for public reading, like the third libel against John Knox in 1571.⁴¹ From these different views—spatial relationships and symbolic dimension—the urban setting comes alive. Gestures, manners, and dress are studied and understood as relationships that differed between people, and that depended on the differences in status, and the places in which these people encountered each other.

Did the people of Edinburgh identify by their neighbourhoods, parishes, guilds, or by the city itself? Did this identity then affect how they interacted with others and places, and can a shift be recognised between gender, social status, and age? People in the burgh could not go to a parish other than their own to be married unless they were granted licence to do so. Marion Seaforth and Robert Monteith had to pay twenty merks to be married outside of the burgh.⁴² If a young person wanted to marry someone from a different parish or a different town they had to receive permission from the ministry. John Watson had to get a licence from the session to marry Margaret Anilesone in February 1628 because he was a parishioner of the new kirk in St. Giles and she was a member of the northeast parish of Trinity Kirk.⁴³ This brand of control by the church had the effect of making the burgh and the parish places to which the people identified.

⁴¹ Calderwood, *History*, 45.

⁴² Trinity College Kirk Session Records, National Records Scotland, CH2/141/1, 77.

⁴³ CH2/141/1, 50.

Identifying with one's neighbourhood could be caused by an action as subtle as being ordered by the city to clean up the areas around the buildings and streets you shared with those living beside you. In August 1580, the Town Council was distressed with the filthiness of the burgh. Certain neighbours were complaining that the calsay and the wynd that led to the Greyfriar Port was filled up with "the red of euery manis bigging, clengeing of litsteris fattis, dry preveis, deid hors, and vther sic pertiferous filthynes".⁴⁴ The bailies from each quarter were to cause the neighbours to find workmen and servants to clean up their areas. As a group sharing buildings, streets, and alleys orders were often given to all participates to assist in a clean-up. In one neighbourhood beside Snawdouns Close it was known that the filth accumulating on the "cobills" was caused by Robert Gray, a merchant. He was ordered to clean the alley and "the nychtbouris of the said close" were to make sure it was done at Robert's expense.⁴⁵

Chapters

The first chapter in this study will focus on the children and youth of the city. It offers a different perspective of the places of Edinburgh by looking at how their understanding of public and private spaces differed from others around them. Children played on the High Street where business was conducted, and where adults aired their grievances loud enough that others would be witness to the proceedings. Included in the study of the young people of the town, are the servants and apprentices, who until they married, were not considered to be of adult status. They were seen to come under the purview of the master of the house, be it father or widowed mother, or the master of craft.

⁴⁴ Scottish Burgh Records Society, *B.R., 1573-1589*, 174; DSL definition of calsay – "A stretch of paving; the paved part of a street." Translation of quote, "the reed of every man's buildings, the cleaning of dyers' fats, dry waste from a privy, dead horse, and other such 'pertiferous' filthiness."

⁴⁵ Wood & Hannay, *B.R., 1589-1604*, 67. 19 July 1592.

When the Town Council proclaimed throughout the burgh that no inhabitants could absent themselves from worship, the heads of the households were instructed to see to their family and servants. They were to make sure they were in appropriate places and not outside the town on Sunday participating in any pastimes like golf or archery.⁴⁶ This study of youth is important as it shines a light on how a child's emerging identity was influenced by the different spatial relationships they had with their environment and their neighbours, and presents a beginning to a continuously evolving identity into adulthood. As Houston states, all the people were bound together by invisible links and discernable connectivities, which included "physical proximity, shared religious adherence, membership of occupational associations, common privileges, oaths and obligations".⁴⁷ Now, included in this list are the built spaces they share with others.

The second chapter will focus on how women experienced the burgh of Edinburgh from their homes to the streets. In the cramped quarters that were found in the city in the early modern period, women extended their world out onto the stairs, streets, and the markets. There were also many women who owned their own property, businesses, shops, or worked with their husbands. Being able to walk through the remains of Mary King's Close in present day Edinburgh, provides evidence of the kind of lodgings in which some of the poorer people lived and worked. This includes the crowded conditions, the lack of natural light, and the filth. From these conditions, it is easy to understand why some women spent most of their time outside the house interacting with neighbours, and surrounded by all the neighbourhood children. People who lived on the higher floors in the tenement buildings were also restricted from using fires for cooking bread, or for

⁴⁶ Wood & Hannay, *B.R., 1589-1603*, 63, 86.

⁴⁷ Houston, *Social Change*, 104.

drying animal skins, so they too were forced to congregate in open areas to work,⁴⁸ and to cook or buy their food from the common kitchens and cookshops.⁴⁹

Understanding the experiences the influential residents had with the spaces in Edinburgh, and how they differed from those of the ordinary people of the town, will be the focus of the last chapter. Along with the nobility who had residences in the city, the elite citizens included the burgesses, merchants, craftsmen, ministers, lairds, and other influential people. This was a very diverse group of people who held civic and religious power in Edinburgh, whether it was economic, political or religious. Many of the rich built their houses with access to the High Street, but not directly opening onto the High Street. For some semblance of privacy, those who could afford it owned or rented gates and closes that provided them with private access. If their houses did face onto the High Street, they were able to expand the size of their houses by building wooden galleries, sometimes two feet out into the public space, which allowed what Fynes Moryson, a visitor to the city, described as “a fair and pleasant prospect”.⁵⁰ Places like the town library restricted access to certain people who had to swear to not steal or take the books out of the library building.⁵¹ One’s lack of wealth also influenced one’s understanding of the city. Idle beggars saw the city streets as dangerous places where they needed to hide from the constables or find themselves thrown out of the boundaries of the town. The porters at the city gates were to make sure that the landward poor did not enter the city through the gates.⁵² For the nobility and gentry, the gates were not barriers. Even when closed at night, the porters on the gates were given orders to open the gates to the social

⁴⁸ Wood, *B.R., 1626 to 1641*, li, 61, 177, 223, 224.

⁴⁹ Margaret H. B. Sanderson, *A Kindly Place? Living in Sixteenth-Century Scotland* (East Linton: Tuckwell Press, 2002), 60.

⁵⁰ Hume, *Early Travellers*, 84.

⁵¹ Wood, *B.R., 1604 to 1626*, 219.

⁵² Wood, *B.R., 1604 to 1626*, 72.

elite who had “affaires” to do, which necessitated entry.⁵³ Wealthy merchants could afford to have their own shop on the busy, influential streets, while the poor set up their stalls, crames⁵⁴, or tables up against the church walls or down dark, dirty side streets.

Historiography

Many modern historians have researched the city of Edinburgh in its religious, political, and economic contexts and I will use these lenses to identify the spatial relationships under the auspices of youth, gender, and status. Their work, like that of Michael Lynch, will be very helpful in my research. His studies of Edinburgh, starting with *Edinburgh and the Reformation* and articles like 1985’s, “The Scottish Early Modern Burgh,” with its main focus on economics, provide the foundation for new research. Studying Edinburgh before the Reformation gives researchers an understanding of Scottish culture before the Reformed Kirk instituted new cultural rules. In his research on Edinburgh’s economic development, Lynch states that beyond the generalisations one can begin to research “the nature of Scottish urban society and its place in the broader context”.⁵⁵ As described by Brian Edwards and Paul Jenkins in their chapter “The Athens of the North” in their study, *Edinburgh: The Making of a Capital City*, when Edinburgh first started to develop as a burgh the importance was defence. Over time, the focus turned from the need for defence to the demand for trade which led to the building of walls and gates for the paying of customs and tariffs, the creation of market squares, tollbooths and weigh houses.⁵⁶ This study builds on these traditional studies to

⁵³ Wood, *B.R., 1665 to 1680*, 286. Also see Houston, *Social Change*, 133.

⁵⁴ *DSL*, definition of crame, “A merchant’s booth, stall, or tent, where goods are exposed for sale”.

⁵⁵ Lynch, “The Scottish Early Modern Burgh,” 30, 31.

⁵⁶ Brian Edwards and Paul Jenkins, “The Athens of the North,” in *Edinburgh: The Making of a Capital City*, eds. Brian Edwards and Paul Jenkins (Edinburgh: Edinburgh University Press, 2005), 19.

incorporate studies of space into our understanding of the social history of early modern Edinburgh.

To understand the evolution of theories on space and place, it is necessary to consider the scholarship from the disciplines of history, geography, sociology, and anthropology. In an article written by Robert A. Dodgshon in 2008, he explains how geographic research had been changing as geographers grappled with the importance of time in the study of space. In “Geography’s Place in Time”, Dodgshon states that in the discipline of historical geography, time was seen as a static passive dimension; a slice of it was the setting for documents such as maps and battle landscapes. Time, as a movement, was stopped and frozen, and the geography of a place, at that time, was represented.⁵⁷ Swedish geographer Torsten Hägerstrand’s research focuses on what he labelled “regional science”. He defines it as a social science that put the emphasis on the relevance of the people and their continuous engagement in a constantly changing, complicated landscape.⁵⁸ This moved time into a dynamic relationship with space. Geography was considered over time including the interactions of the people involved—the impact they had on the land and the impact of the land on the people. Hägerstrand was interested in using these theories to create a “time-space concept” that helped in the development of “a kind of socio-economic web model.”⁵⁹

The first scholar to consider that agency existed between people and their built environment, which could help explain the evolution of historical events was Jürgen Habermas. His book, *The Structural Transformation of the Public Sphere: An Inquiry*

⁵⁷ Robert A. Dodgshon, “Geography’s Place in Time,” *Geografiska Annaler. Series B, Human Geography* 90, no. 1 (2008): 1,2.

⁵⁸ Torsten Hägerstrand, “What about People in Regional Science?” *Paper in Regional Science* 24, no. 1 (Jan., 1970), 7, 8.

⁵⁹ Hägerstrand, “Regional Science,” 10.

into a Category of Bourgeois Society, published in 1962 (and then in English in 1991) energized the investigation into the theories of public space and private space.⁶⁰ He theorized that the state was considered the public authority under the auspices of the monarch whose public appearances were performed in front of an audience. When the branches of the government, like finance, branched off from the direct control of the monarch, the public expanded to incorporate these offices. Being in public, or one's public reputation, was always in the open before witnesses.⁶¹ Habermas's research focused mainly on the seventeenth and eighteenth centuries in France, but Scottish culture developed along a different line than the French, and the differences in monarchy meant an earlier evolution away from any absolutist governing.

By the 1970s, time was seen to be as important to the study of geography as space. No longer were time and space seen as Newton considered them, as "given or absolute concepts", but as concepts that are constructed out of the experiences of people, and perceived differently by different observers.⁶² The merchant opening his shop on the High Street had a sense of his surroundings that differed from the child running between the stalls playing hide and seek with his friends. They both inhabited the same place, but were perceived differently due to age, gender, social status, religious teachings, and economics.

Barney Warf and Santa Arias, editors of *The Spatial Turn: Interdisciplinary perspectives*, agree with Dodgshon. They state in their Introduction that human geography has been transformed and that many of the humanities have changed some of

⁶⁰ Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger with the assistance of Frederick Lawrence (Boston: First MIT Press, 1991), originally published 1962.

⁶¹ Habermas, 1-10.

⁶² Dodgshon, "Geography's Place in Time," 2.

their focus towards a spatial orientation.⁶³ Warf and Arias saw the significance of including the landscape into the narratives of human activities. Where things happened was just as important to their research as why and how they happened.⁶⁴ Arias states that her research was influenced by the writing of Edward W. Soja, who wrote *Postmodern Geographies: The Reassertion of Space in Critical Social Theory* in 1989. Soja was interested in Michel Foucault's prediction that by the late twentieth century, historians would focus their research on space.⁶⁵ He proposed a "practical theoretical consciousness that s[aw] the lifeworld of being creatively located not only in the making of history but also in the construction of human geographies, the social production of space and the restless formation and reformation of geographical landscapes".⁶⁶ Modern geographers and researchers of human geography like Warf and Arias are addressing the "spatiality of culture and society" with their interest in what they call the spatial turn.⁶⁷

Beyond the research of geographers, social theorists and postmodernists also began to theorize on the importance of space in the disciplines of anthropology, history, archaeology, and sociology. The understanding of the environment has led to the understanding of the nature of social phenomena (why social incidents, or events happen), cultural rules, people's expectations, and their actions. Historians were influenced in

⁶³ Barney Warf and Santa Arias, "Introduction: the reinsertion of space into the social sciences and humanities," to *The Spatial Turn: Interdisciplinary perspectives*, eds. Barney Warf and Santa Arias (New York: Routledge, 2009), 1; Santa Arias, "Rethinking space: an outsider's view of the spatial turn," *GeoJournal* 75 (2010), 29, 30; Beebe, Kathryn, Angela Davis and Kathryn Gleadle, "Introduction: Space, Place and Gendered Identities: feminist history and the spatial turn," *Women's History Review* vol. 21, no. 4 (September 2012), 523, 524.

⁶⁴ Warf and Arias, "Introduction", 2.

⁶⁵ Michel Foucault, "Of Other Space," *Diacritics* 16, no.1 (1986): 22-27, trans. Jay Miskowiec, in Edward W. Soja, *Postmodern Geographies: The Reassertion of Space in Critical Social Theory*, (London & New York: Verso, 1989), 10.

⁶⁶ Edward W. Soja, *Postmodern Geographies: The Reassertion of Space in Critical Social Theory* (London & New York: Verso, 1989), 11.

⁶⁷ Arias, "Rethinking space", 29.

their own research when they began to consider how space influenced the cultural formation of gender relations, class relations, social interaction and relations, and power structures.⁶⁸ No longer was space static. It was dynamic, it was constructed by an individual's interactions, and its meaning was contested.⁶⁹ This included not only the natural environment, but the built landscape, the architecture, and the concepts that these spaces constructed, along with the cultural production and social experience that they affected.⁷⁰ The streets were the playgrounds for children, a place to do business, stage protests and marches, confront a feuding enemy, execute a criminal, meet a perspective lover, entertain a crowd, and sell one's wares. The tolbooth was where courts met, Parliament sat, criminals were jailed, and where heads were displayed.

In his research on urban history, Peter Burke likened social history to the concepts found in anthropology. He considered social history a "careful description of face-to-face encounters in terms of the categories employed by the actors themselves."⁷¹ Burke feels that historians have taken the theories of the urban landscape used by sociologists, anthropologists, and geographers and have begun to look past the household and put the focus on neighbourhoods and social zones.⁷² These social zones could be categorised by business, public, social, status, and gender. The category of gender is explored by historian Amanda Flather in her important work, *Gender and Space in Early Modern England*. She looks at how the construction of female identity is formed by multiple

⁶⁸ See Doreen Massey, *Space, Place, and Gender* (Minneapolis: University of Minnesota Press, 1994).

⁶⁹ Beebe, *et al.*, "Introduction," 524; also see Georgina Tsolidis, "The (im)possibility of poststructuralist ethnography—researching identities in borrowed spaces," *Ethnography and Education* 3, no. 3 (September, 2008), 273.

⁷⁰ Beebe, *et al.*, "Introduction," 2.

⁷¹ Peter Burke, "Urban History and Urban Anthropology of Early Modern Europe," in *The Pursuit of Urban History*, eds. Derek Fraser and Anthony Sutcliffe (London: Edward Arnold, 1983), 69.

⁷² Burke, "Urban History," 76, 77.

spatial dimensions “which were constantly contested and reconstructed.”⁷³ This thesis explores the intersections of gender, social status, and age by examining how the spaces are symbolically specific to each group and how they contribute to group identity. For example, how did the youth of Edinburgh view the streets and alleys? Did these places become different when the sun set? Their age and experiences caused them to use the places differently than their parents, and being with their friends in these places was different than the experience of these places when accompanying their parents.

These questions are important to our understanding of early modern Scotland. The Protestant Reformation of 1560 caused a major shift in the cultural understanding of the Scots. Before the Reformation, time after services on Sundays was largely spent walking in the fields, playing golf, or drinking in the taverns, all of which were acceptable practices. After the Reformation these activities became forbidden. Sitting by the well on Sundays, chatting with your neighbours, was frowned upon. Every person was now to be involved in religious practices—reading the Bible, praying or meditating, as part of private and familial religious instruction. Finding evidence of how the Scots interacted in their surroundings, and with their surroundings, aids in the understanding of the constantly evolving cultural values. Edinburgh becomes more than the setting for studies in economics, politics, and religion. It becomes a living entity playing a part in constructing the relationships that defined early modern Scots.

In his 1974 work, *La production de l'espace*, which was published in English in 1991, the French Marxist philosopher and sociologist, Henri Lefebvre focused on human geography, and believed that space must be more “than the passive locus of social

⁷³ Amanda Flather, *Gender and Space in Early Modern England* (Woodbridge: The Boydell Press, 2007), 1.

relations” and must be made to serve.⁷⁴ He used what he called his “unitary theory,” to understand the system of economic history. Unity between unrelated fields was what he hoped to discover. He was aware of the energies that functioned within physical spaces and that the naming of these spaces—like street corner, football field, market, and farm—was where social place was created and distinguished, but not isolated.⁷⁵ So, instead of isolating the narrative, space helped tell the narrative. Social space was created by people and activities. Traditions that were created in a certain place could be influenced by actions happening in the present and those to be in the future.⁷⁶

So far, in this study, both terms – space and place – have been used. Lefebvre’s concentration was on the use of the word space. Is there a difference between the two words? Many new theories have been put forth that need to be examined. Tim Cresswell’s, *Place: a short introduction*, saw place as a space that had been made meaningful by either ownership or some other connection.⁷⁷ He felt that to experience a place a person had to be part of it; inside it, or engaged with it.⁷⁸ Place was to be “a way of seeing, knowing and understanding the world.”⁷⁹ Yi-Fu Tuan described space as something that was more abstract than place; places have space existing between them.⁸⁰ Edward Hall’s theory of proxemics, which is the study of how humans use space and the outside influences that define that use, integrates theories of intersectionalities to argue that the perception of space is different for all people and that those influences, like class,

⁷⁴ Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Oxford: Blackwell Publishing, 1991), 11. Originally published in 1974.

⁷⁵ Lefebvre, *The Production of Space*, 13-16.

⁷⁶ Lefebvre, *The Production of Space*, 73, 75.

⁷⁷ Tim Cresswell, *Place: a short introduction* (Oxford: Blackwell Publishing, 2004), 1- 8.

⁷⁸ Cresswell, *Place*, 10-12.

⁷⁹ Cresswell, *Place*, 11.

⁸⁰ Yi-FuTuan, *Space and Place: The Perspective of Experience* (Minneapolis: University of Minnesota, 1977)

gender, age, religion, and living conditions, contribute to their experiences in those spaces.⁸¹

These latest theoretical arguments can be used to expand our understanding of early modern Edinburgh. In August 1597, Edinburgh's Town Council was concerned that the youth and servants of the city not "vaig in the streitt" or be "fund upoun the gait after the ten hour bell".⁸² To the young citizens of Edinburgh, the streets and gates symbolised places to play and to meet. The council felt this type of use and behaviour in these places was quite improper, especially after nightfall. This study will provide insight into how early modern Scots understood their urban environment, how different people interacted in different places, and how these places influenced their actions. To visitors like Sir William Brereton, who visited Edinburgh in 1636, the High Street was seen as one of the broadest, fairest streets in Europe; paved with "bowther stones" and with channels running on either side, leaving the middle for people "to go, ride, or drive upon."⁸³ For those who lived and worked on the street it was a place to extend the front of tenements up to two yards into the street with wooden balconies, build shops, and to erect fore stairs. For children it was a place to run and play. For the civic government it was a place for the drummer to parade as they proclaimed orders, and set up the gallows for executions. And for men like Archibald Cornell, a town officer, it was a place where he (possibly innocently) nailed a portrait of James VI on the gallows for all the city to see, and where he was executed two days later on the same gibbet. This one place in the city, the High

⁸¹ Edward T. Hall, "Proxemics," in *The Anthropology of Space and Place: Locating Culture*, eds. Setha M. Low and Denise Lawrence-Zúñiga (Oxford: Blackwell Publishing, 2003), 52, 53.

⁸² Wood & Hannay, *B.R., 1589-1603*, 196. DSL definition to vaig - "to wander".

⁸³ Brown, *Early Travellers*, 138, 139.

Street, which was culturally created as the economic hub of the city, took on different symbolic meaning for different people.

This study models itself after the work of historians, such as Amanda Flathers, who have contributed to our understanding about space with her research on how gender identities were formed and how to interpret the symbolism found in social meaning.⁸⁴ Space had to be understood as more than a place, landscape, or important focal point in a city. It was where actors performed and created social meaning. Different people saw a place in different ways, and used it in ways that were unique to them. This study examines space in seventeenth-century Edinburgh to determine space and social meaning. For example, the gates, or, ports of Edinburgh as they were called, were used as economic barriers for the merchants and craftsmen by keeping out the unfreemen who wanted to trade in the city on days when the markets were not scheduled. They were also the place where tolls were paid. The city guard might see the ports of the city wall as the limit of their duties, and a way to keep beggars, gypsies and vagabonds out of the city. Christopher Corley's research on youth will assist in the investigation of the youth of Edinburgh, who saw the gates of the town as places to gather at night and a place where they could assert their burgeoning authority over their comrades. The ports were also the place where, at night, the young men could be alone to court the young ladies in private. Corley focuses on how differently the expression of their identity developed while they maneuvered through the adult's landscape.

Another model that will aid in this study is the research of historians Janay Nugent and Elizabeth Ewan. Their research focus has been in the understanding of how Scots understood spaces and places as either private or public. In her 2010 article, "None Must

⁸⁴ Flather, *Gender and Space*, 1.

Meddle Betueene Man and Wife’,” Nugent investigated the privacy of the family in early modern Scotland. Did the walls and doors of the house act as the barrier to the outside public domain of the city? Could the house symbolise more than just a place to withdraw from the public view of one’s neighbours? Elizabeth Ewan also explored the public-private divide and its affect on the family in Chapter 1 of “The Early Modern Family”.⁸⁵ With the understanding of the fluidity between the two concepts, both authors recognised the difficulty families faced in trying to keep their familial business private in a world that believed everyone’s actions had consequences for the whole community.⁸⁶ The family was supposed to be seen as sacrosanct with the father as the head, but with the belief that all actions could cause disasters like plagues, floods, and bad harvests, the Kirk felt it was their responsibility to keep an eye on everyone. It was too dangerous to not know what was going on behind closed doors. The church elders routinely patrolled the streets, especially during times of sermons, to see who was neglecting their religious instruction. They could enter homes without warning and they expected neighbours to inform on those misbehaving. In the *Extracts from the Records of the Burgh of Edinburgh 1587-1604*, on the 8th September 1591, the Town Council gave power to the elders of the kirk, “or any other honest nyctbouris that sall here or se ony persouns” committing a crime, to have that offender be taken and put in the “jogs”.⁸⁷ Sir William Brereton noted in his diary that they, the Kirk elders, “[took] notice of all fornications, adulteries, thefts, drunkards, swearers, blasphemers, slanderers, extortioners, and all other scandalous

⁸⁵ Elizabeth Ewan, “The Early Modern Family,” in *The Oxford Handbook of Early Modern Scotland*, eds., T. M. Devine and Jenny Wormald (Oxford: Oxford University Press, 2012), 268.

⁸⁶ Janay Nugent, “None Must Meddle Betueene Man and Wife’: Assessing Family and the Fluidity of Public and Private in Early Modern Scotland,” *Journal of Family History* 35 no. 3 (July, 2010): 219, 220; Ewan, “The Early Modern Family,” 274, 279.

⁸⁷ Wood & Hannay, *B.R., 1589-1604*, 47. Translation “or any other honest neighbor that shall hear or see any persons...”. The jogs (joughs) were used to punish minor offences and consisted of a metal collar that usually was chained to a post in the kirk yard or near the kirk door so all could see the offender.

offences committed in their parishes”.⁸⁸ Proper worship and proper behaviour had to be universal for the building of the ‘godly community’. Few escaped the constant scrutiny.

From these debates of space and place it is natural to consider how the people of early modern Edinburgh understood places, especially in their consideration of whether a place was public or private. William Carneby and Jonet Strang, who were mentioned above, and who were convicted of adultery, committed their crime beneath the castle wall, which to them, symbolised a private place to meet, with the darkness providing a figurative veil of privacy. Was it a case of the Reformed authorities viewing the public-private divide differently than the ordinary Scots? Did Scots have an expectation for privacy? Can we see in the early modern era a push back from the people, and the desire for legitimate privacy; in addition to the constantly contested boundaries that Nugent discusses?⁸⁹

Conclusion

By defining the ways in which the people of Edinburgh experienced social and spatial relations, we begin to understand Scottish society in more depth. How they acted in their surroundings came from their understanding of their cultural expectations. From these expectations social meaning was created, knowledge was understood, and actions were defined. This thesis finds evidence of the legal, moral, and religious laws that defined the Scottish culture of the early modern era. Different groups of Scots created their own social meaning, knowledge, beliefs, and customs. How they understood their world, and their place in it changed with the Protestant Reformation of 1560. Some places took on new and different meanings, while others retained some of the old

⁸⁸ Brown, *Early Travellers*, 143.

⁸⁹ Nugent, ““None Must Meddle Betueene Man and Wife,”” 220.

meanings. The sacred place of the kirk was no longer to be used for burials. Marriages could no longer be performed in the privacy of one's home, they had to be in public. Fields were no longer to be used for Sunday strolls. The meaning each space represented to the different groups of people in Edinburgh shifted. The symbolic understanding of each space changed and with it, the influence on the people's identities.

Chapter One: Children and Youth

Young people constituted a very high proportion of the population in early modern Europe.⁹⁰ There is great importance in understanding how they saw the world, moved through it, engaged in it, were controlled by it, and how they tried to control the spaces around them. With lack of an official political or economic voice, the historical voice of youth is mostly hidden in the sources. Where their voice is discernable at all, it is incumbent on historians to explore their perspectives and agency. E. P. Thompson, in his 1963 book, *Making of the English Working Class*, helped to transform social history and the way historians research the middling sort and lower orders. As Thompson states in his Preface, “class is a culture as much as an economic formation”.⁹¹ Ordinary individuals do not usually have a great impact on the big historical picture, but analysing their actions and the consequences they faced, the social structures that formed them, restrained them, and helped them choose their actions, reveals their “social and historical positions.”⁹² They are not passive; they made choices, and by recognising and analysing their actions, the social structures of Edinburgh can come into focus.

To understand how Edinburgh’s young people interacted with the physical, personal, and cultural spaces that made up their lives requires consideration of how early modern Scots perceived the stages of life that fell under the headings of child, adolescent, and youth. Moving through childhood to adolescence and into adulthood meant a change in the person’s place in society. In many ways, age was more cultural in Scotland than

⁹⁰ Janay Nugent and Elizabeth Ewan, Introduction to *Children and Youth in Premodern Scotland* (Woodbridge: Boydell Press, 2015), 2.

⁹¹ E. P. Thompson, *Making of the English Working Class*, First Vintage Edition (Random House, 1966), 13.

⁹² Peter Seixas, “Historical Agency as a Problem. Researchers in History Education,” *Antiteses* 5, no. 10 (2012), 543.

numerical. There were moral and religious thresholds to cross, biological developments, different gendered ages, and legal statuses of marriageable and majority ages. A young boy of ten could be called a child or a servant, just as a young man of twenty. The cultural expectations were different for each age, so it is first important to understand those different stages of childhood and youth.

When setting down his thoughts on the state of Scotland in 1584, Mr. James Lawsons, an exiled Edinburgh minister, wrote in his testament that he thought women could not participate in any aspect of the state due to their sex, and that children were also excluded due to “their non-age”.⁹³ Age was their disqualifier. This label of ‘non-age’ raises the question of how historians understand the role that age played in early modern Scotland. How the Scots defined the different stages of life was not necessarily numerical. The label “bairne” could mean a baby, a child or it could be used when talking about youth to make their actions seem more innocent. The categorization by a numerical age simplified a somewhat complicated and fluid concept, but the Scots were not so much concerned with numbers as with life experiences, religious milestones, economic status, legal status, social status, and marital circumstances.

Legal decrees often used age as a marker for organising young people. For Queen Mary and her son James VI, twenty-one years of age was considered a “lawful and perfect age”.⁹⁴ What this number signified is unclear since James was in control of his crown from the age of seventeen in 1583, and had the last of his four regents by 1578. For “any beggar’s child being above the age of 5 years and within 14, male or female”, an order could be given by the direction of the Edinburgh Town Council to have the child

⁹³ Calderwood, *History*, vol. Fourth, 697.

⁹⁴ Records of the Parliaments of Scotland to 1707, *APS* ii 545, c.1. [A1564/12/2]. www.rps.ac.uk. (Hereafter, *RPS*.)

removed from its parents and given to “any subject of the realm of honest estate”.⁹⁵

Robert Livingston, a baxter, declared to the council that he had taken in a poor boy of seven years of age, to be brought up and trained in the baxter trade. The town council found it to be lawful and stated that the boy could not “ryn fra his service to ane uther.”⁹⁶

This age guideline gave the town the opportunity for a solution to the numerous poor people that needed support. A merchant or craftsman got an apprentice to train and the young person received training in a trade.

In a census of 1592 another stage in life was not so much defined by a numerical age but by participation in the ritual of communion. Of the 2,239 households in the census there were found to be “8,003 persons of communicable age”.⁹⁷ This meant the youth were at least fourteen years old, and after examination by the kirk, were found to have fulfilled their religious requirements. Religious teaching began at an early age and children were examined on their knowledge at the ages of nine, twelve, and again at fourteen. Being found sufficiently knowledgeable, they passed a symbolic threshold towards adulthood and could now be admitted to the Lord’s Table to participate in the Sacrament of Communion.⁹⁸ When Johne Dickson refused to attend communion in 1624, the term *bairne* was used by Doctor Forbes to mock him. “Ye ar a bairne, howbeit ye have hair on your face...”⁹⁹ The insult Dr. Forbes used against Johne Dickson was quite insulting because, by refusing to participate in the communion, Dickson was seen as a

⁹⁵ *RPS, APS* iii139, c. 74. Title-Beggars and poor. The children would then be in the service of those honest citizens and if they leave that service, the citizens could take action to recover lost funds the same as with any other servant or apprentice.

⁹⁶ Wood & Hannay, *B.R., 1589-1603*, 25.

⁹⁷ Lynch, “The Scottish Early Modern Burgh,” 11.

⁹⁸ Calderwood, *History*, vol. Sixth, 227; Thomas Thomson, ed., *Acts and Proceedings of the General Assemblies of the Kirk of Scotland, From the Year M.C.LX. Part Third-M.D.XCIII-M.DC.XVIII.* (Edinburgh, 1845), 74, 176. (Hereafter, *BUK*).

⁹⁹ Calderwood, *History*, vol. Seventh, 599.

child. His reputation and honour came into question along with the business and social relationships he enjoyed as an inhabitant of Edinburgh.

Being able to participate in the communion was one of the markers on the road to adulthood. Until then, youth were not seen as adults, as they were still the responsibility of their parents or masters. Even finishing apprenticeships or working outside the home did not lift the label of being a youth. Only marriage changed their status to adulthood. In Christopher Corley's article, "On the Threshold: Youth as Arbiters of Urban Space in Early Modern France," Corley states that being considered a youth in early modern Europe meant that the person was unmarried and between the ages of twelve and thirty.¹⁰⁰ The Privy Council stated in July 1627 that "parents hes in some kinde authoritie and jurisdiction over thair childrein during thair minoritie" and that the children could not enter into any contract or bargain without their parent's consent.¹⁰¹ Scottish culture recognised the importance of differences that developed in young people over the passing of time (numerical age), such as going to work or school, being apprenticed or having a tutor, but social conventions like communion and marriage were intertwined with numerical age and seen as more important. Scottish law allowed boys to marry at the age of fourteen and girls at twelve, but most Scots waited. In her examination of the marriages of elite youngsters in pre-Reformation Scotland, Heather Parker used the demographic data from Robert Houston's *The Population History of Britain and Ireland* that revealed "the median age for women at their first marriage was between twenty-six

¹⁰⁰ Christopher R. Corley, "On the Threshold: Youth as Arbiters of Urban Space in Early Modern France," *Journal of Social History* 43, no. 1 (2009), 139, 140.

¹⁰¹ Hume P. Brown, ed., *The Register of the Privy Council*, vol. II, Second Series, A.D. 1635-1637 (Glasgow: James Hedderwick and Sons, Limited, 1905), 7. (Hereafter Brown, *Privy Council*).

and twenty-seven years of age” and that twenty-five per cent do not marry at all.¹⁰² The ages of twelve and fourteen represented physical maturity of young Scots’ bodies.

Ability to consummate the marriage made the marriage legal, but at that young age, Scots were still going to school, apprenticing, and not able to financially set up their own homes.

There is a definite ambiguity in the terms used to describe those in the life stages of childhood and adolescence, as can be seen in, ”A ‘gret cradil of stait’: Growing up with the Court of James IV,” written by Mairi Cowan and Laura E. Walkling.¹⁰³ It is difficult to find any consensus in medieval and early modern sources for when a person moved from one stage to another. Cowan and Walkling explore the varied definitions found in the works of medieval scholars and the many labels used to describe children and adolescents. Depending on gender and social status, these terms covered a wide range of ages and social circumstances. For example, a female servant in her twenties could be called a lass due to her subservient position. This is the same label used to describe the young girl she served. In the fifteenth-century poem, *Ratis Raving*, an advice poem written by a father as council for his son, among the guidance offered by the father were the seven stages of life, four of which pertained to “youth”.¹⁰⁴ The first stage was up to the age of three, when the child’s only thoughts were about eating and sleeping. The second stage was three to seven, and was the time of laughing, crying, playing, and

¹⁰² R.A. Houston, *The Population History of Britain and Ireland 1500-1750* (London, 1992), 25.

¹⁰³ Mairi Cowan and Laura E. Walkling, “A ‘gret cradil of stait’: Growing up with the Court of James IV,” in *Children and Youth in Premodern Scotland*, eds., Janay Nugent and Elizabeth Ewan (Woodbridge: Boydell Press, 2015), 15, 16; Janay Nugent and Elizabeth Ewan, Introduction to *Children and Youth in Premodern Scotland* (Woodbridge: Boydell Press, 2015), 6.

¹⁰⁴ J. Rawson Lumby, ed., *Ratis Raving, and Other Moral and Religious Pieces, in Prose and Verse* (London: Trübner & Co., 1870), 44-103; Cowan and Walkling, “A ‘gret cradil of stait’”, 18-27; Heather Parker, “‘At thair perfect age’: Elite Child Betrothal and Parental Control, 1530-1560,” in *Children and Youth in Premodern Scotland*, eds. Janay Nugent and Elizabeth Ewan (Woodbridge: The Boydell Press, 2015), 175, 176.

innocence. The third was seven to fifteen when reason began to blossom, but not hastily. So, the fourth stage of fifteen to thirty was needed for “refone and difeccione” to mature. With this maturity came good judgment.¹⁰⁵

An interesting example of the confusion in the labeling of youth is found one year after the Reformation in 1561. James Guyld was indicted for theft and it was brought to the attention of the court that, not only was he considered a minor at the age of 18, but he was, “attour þe barne him felff is ydiot of natur”.¹⁰⁶ That James was seen to be mentally impaired, impressed on the judges of the Assise that he could not discern between right and wrong and did not feel fear for the crime he committed. He was found to not be responsible for his nature, as it was seen to be passed down from his parents, especially his father who, himself, was afflicted with thoughts of suicide. The court transcript also described James as “approacheand mair to pupillaritie nor maioritie”.¹⁰⁷ He was considered a child, not responsible for his actions and it was thought that he should remain under the care of his relations. For another youth, Laurence Man, the young age of sixteen did not save him from being found responsible for the murder he committed against James Young. He was beheaded on the Castle Hill.¹⁰⁸

The young men also found themselves responsible for the defence of the country as illustrated in the 1626 “wapounschawing” in Edinburgh. The “whole youthis in this

¹⁰⁵ Lumby, ed., *Ratis Raving*, 57, 58.

¹⁰⁶ Pitcairn, *Criminal Trials*, vol. First, Part First (Edinburgh: William Tait, 1833), 415. Translation “moreover the child himself is an idiot by nature”

¹⁰⁷ Pitcairn, *Criminal Trials*, vol. First, Part First, 415. *DSL*, definition of pupillaritie - that “stage of life at which one is a ‘pupil’ ... or below the age of *legal puberty*.” (Emphasis by author.).

¹⁰⁸ Robert Birrel, “Robert Birrel, “The Diarey of Robert Birrel, Burges of Edinburghe, containing divers passages of staite, and uthers memorable accidents,” in *Fragments of Scottish History*, ed. Sir John Graham Dalryell (Edinburgh: Constable, 1798), 62. (Hereafter Birrel, “Diarey”).

burgh” were called out to assemble into a company and to carry the town colours.¹⁰⁹ The call was for all persons of Edinburgh (meaning males), between the ages of sixteen and sixty, to form up in their best armour. King Charles I did not want to involve Scotland and England in the war on the continent, but was concerned with the island’s defence. By 1627, the concern was that young men were being lured into the army, away from their families and their studies. The Privy Council announced that minor boys had “not power be themselves to enter in anie condition or bargaine without the consent or allowance of their parents”.¹¹⁰ Failing that, permission for these boys to sign up and fight in foreign wars had to come from either their tutors, curators, or the principal, masters, or regent of the college.¹¹¹ What a confusing age for early modern youths. Old enough to marry, participate in the holy communion, fight in wars, be responsible for parents’ debts, work or apprentice in a trade, but still not considered an adult.

The label of child or youth covered many different types of people and each interacted with the city in different ways depending on their development, status, gender, and identity. Age is important to study because people experienced spaces differently depending on the cultural expectations of early modern Scots. Yet, the spaces around them were interpreted and experienced using their own personal criteria, even in opposition to societal norms and expectations.¹¹² From the scant sources for this time in the city of Edinburgh, we can discover what the lives of children and youth were like, and

¹⁰⁹ Wood, *B.R., 1604 to 1626*, 304, 305; Birrel, “Diarey”, 21. *DSL* definition for Wapounschawing - the “action of reviewing the military capability and preparedness of the country.”

¹¹⁰ Brown, *Privy Council*, vol. II., Second Series A.D. 1627-1628, 7

¹¹¹ Brown, *Privy Council*, vol. II., Second Series A.D. 1627-1628, 7; John Colville and Thomas Thomson, ed. *The Historie and Life of King James the Sext, being an Account of the Affairs of Scotland, from the year 1566, to the year 1596; with a Short Continuation to the year 1617* (Edinburgh: James Ballantyne and Co., 1825), 295. (Hereafter *Hist. K. Ja. VI.*).

¹¹² Massey, *Space, Place and Gender*, 3; Allison James, Chris Jenks and Alan Prout, *Theorizing Childhood* (New York: Teachers College Columbia University, 1998), 6.

how they were affected by the symbolic dimensions of the city, as well as how they used the city to assert their own identities. Depending on circumstances the physical walls of their home could be a place to escape to or a place from which to escape. They could view the market place as a space perfect for thievery or where they set up their stands on fair days.

For many young people, especially the young men, opportunities for work came from being apprenticed to learn a trade under a master. For Elizabeth Ewan, adolescence was a time of life marked by children leaving home for work.¹¹³ Most boys took up their father's craft or trade, while others paid a fee to be taken in by a master and trained. As stated above, a burgess, like Robert Livingston, could take in a poor boy to be trained in a trade. Livingston appeared before the council with a seven year old boy that he said he would "sustene and bring up".¹¹⁴ The new apprentice's place in the city was now adjusted to include a shop and new living arrangements with the master's family. The regulations for receiving and training an apprentice was a serious contract, and the Town Council wrote down all the stipulations for masters and apprentices in their records of August 1591.¹¹⁵ Time limits for training were set, regulations for advancement to freeman or burgess status were stated, the illegality of taking on another master's servant was stipulated, and more. This contract for training changed the young person's social relationships and give them a new frame of reference for the next stage of their life. Authority over their life switched from parents to master. Before being apprenticed a boy's focus was his parent's house and business. He was part of a neighbourhood and parish. Apprenticeship took him to another area of the city, the master's house, and

¹¹³ Ewan, "The Early Modern Family," 279.

¹¹⁴ Wood & Hannay, *B.R., 1589-1603*, 25.

¹¹⁵ Wood & Hannay, *B.R., 1589-1604*, 45-47.

possibly another kirk. When some apprentices and journeymen caused a riot in the city of Edinburgh in July 1634, the magistrates noticed that George Ker's apprentice, James Foorde, was one of the chief instigators. When an order went out for his arrest, James fled the city. Being the responsibility of George Ker, a supplication was given to him, "as his master" to produce him.¹¹⁶ The apprentice was considered a reflection of the master's reputation. They lived with the master's family, typically having a room in the upper levels of his house. Going to church meant sitting with the master and the other guild members.¹¹⁷ Even the students of the College had to sit in a loft designed for them and their masters.¹¹⁸

Because apprentices were expected to be loyal to their master, and typically represented the master's own reputation, they were put in compromising positions if their master asked them to do something illegal. In 1599 Robert Achmutie, a barber, murdered a man and was put into ward in the tolbooth. Using "*aquafortis*" (nitric acid), Robert was able to eat away at the bars on the window, instruct his "prentes boy" to keep an eye on the guards, and signal his escape. A guard spotted the boy and Robert's escape attempt was foiled; he was hanged eight days later.¹¹⁹ There was no mention that the authorities laid any blame on the apprentice. George Cranford, a cordiner in the town in 1632, profaned the Lord's Day when he sent one of his servants out of town between sermons to deliver some of his work. The young man was not punished but George had to crave God's pardon, on his knees, and pay a fine of fifty-eight shillings to the poor.¹²⁰ The

¹¹⁶ Brown, *Privy Council*, vol V., Second Series, 295, 296.

¹¹⁷ Lynch, *Edinburgh and the Reformation*, 55.

¹¹⁸ Scottish Burgh Records Society, *B.R., 1573-1589*, 313.

¹¹⁹ Birrel, "Diarey," 48, 49.

¹²⁰ CH2/141/1, 130, 131.

servant's place was under the authority of the master and he was connected to his master's shop and all that his business represented.

As for young women and girls, they are mentioned even less in the sources than the young men. This absence from the records is quite telling. Women were not considered to have much impact on the historical record and they were not considered participants in the political, economic, or religious scenes. For the young women in Edinburgh, the home was where they learned expected behaviours, and it is where their identities were formed. Children played in the streets under the watchful eyes of the mothers, but once a girl entered adolescence being seen on the streets of the city was troublesome. As a young woman she was now entering a domain where she was scrutinised by men and could be mistaken for a prostitute. The sources contain many entries of young men interacting with each other on the streets during the day and at night. They learned proper behaviour, developed their identities, mingled with adults, and had public access to the whole city. These experiences outside the home, whether it was school, apprenticeships, work, kirk, or guild gave these young men a multi-layered spatial identity. They learned how to behave in different areas of the city and their social relationships were many and varied. What the men experienced was “selected, shaped, and colored” by what they knew, and by what they “already experienced.”¹²¹

Young women's experiences were mainly within the home and among the family. Attending market and church was not done alone. Instead of learning by experience like young men, women were taught how to interact in situations. Where men acted within the built environments of Edinburgh, women reacted. The most influential part of the city

¹²¹ Barrie B. Greenbie, *Spaces: Dimensions of the Human Landscape* (New Haven & London: Yale University Press, 1981), lx.

was the home, which might have been attached to the family business. They were not expected to interact with the streets, other neighbourhoods, or businesses. A young man had a living to make but a “girl’s destiny was to marry and have children.”¹²² The domestic skills that she needed for marriage were learned at home. She helped with the household chores and assisted with the care of younger siblings. Young women learned modesty, how to dress appropriately, proper gestures and speech, and how to show deference. It was inappropriate for them to walk alone on the streets like the young men or to stroll with friends. They enjoyed a very limited social life. When they left home for domestic service it was usually in the house of a relative or a friend, and they would have few opportunities to meet “anyone outside their immediate family circle.”¹²³ The public spaces of the city were not set up to accommodate them. The spaces accommodated the dominant male view that a city was built for economic, political and religious reasons.¹²⁴

Where young men developed an identity with overlapping spatial identities, created by the home, the streets, school, work, and kirk, young women were discouraged from experiencing what the city had to offer. They were under the supervision and rules of those in control at home and in the kirk. Instead of being able to interact spatially, as the young men could, women had to be protected from everything that could tempt them and ruin their reputation, including spaces in the city. Young women experienced the spaces of the town within these restrictive boundaries. If they went out in public alone they risked their reputations. Knowing their place was to know that the public spaces were not for them to experience alone.

¹²² Rosalind Marshall, *Women in Scotland 1660-1780* (Edinburgh: Trustees of the National Galleries of Scotland, 1979), 7.

¹²³ Marshall, *Women in Scotland*, 15.

¹²⁴ Linda McDowell, “Space, place and gender relations: Part 1. Feminist empiricism and the geography of social relations,” *Progress in Human Geography* 17, no. 2 (1993), 166, 167.

The discussion of age and the temporal division between the stages of childhood and youth is important in the study of space and place. How people acted in particular spaces revealed their personal experiences and ideas. Space was how they knew their place and understood the world around them. A feeling of ownership was invested in certain spaces and from this perceived ownership a group developed its identity.¹²⁵ As a child grew the streets were no longer seen as a place to play, but as a place to do business, gather water, meet friends on the way to school, or sell one's wares. Examining how differently the young person used the same urban space now that they were older reveals how aging affected their perception of the built environment around them, and assists in explaining the cultural expectations they faced as they grew towards adulthood. Understanding how the largest demographic group viewed, understood, and acted in the world expands our understanding of early modern Scottish society.

Unlike modern children, who are protected and isolated from the perceived dangers of the city by constant supervision while outside of the home, young people in early modern Edinburgh could find themselves spending most of their time outside of the home interacting with the people and the spaces within the burgh. All the members of some families lived in one room, and as Joseph Taylor, an English traveller to Edinburgh observed, it seemed to him that "every Staircase may containe 28 Familyes".¹²⁶ This led to a dense living situation. The private spaces of the home offered little privacy within, and due to the constant surveillance by neighbours, there was little privacy outside the home. The public spaces of the city were seen as an extension of their familial space, and young people wanted to find some places away from the constant gaze and control of

¹²⁵ Monnet, "The symbolism of place."

¹²⁶ Taylor, *A Journey to Edenborough*, 107.

adults. There were dark vennels and sidestreets to hide in away from all, and away from the demands of adults.¹²⁷ Not belonging to the adult world they looked for spaces of their own where they could act as they wanted. Young people grew up understanding the spatial control devised by the adults to maintain order within the confines of the town walls, and they looked for ways to circumvent that control and assert their own agency. This caused friction between adults and youth. One way adult society sought to control youth and other residents of Edinburgh was the ringing of the ten o'clock evening curfew bell and the implementation of the nightly watch.¹²⁸ It was hoped to keep youth away from the temptations honest neighbours believed were found in the darkness. Monitoring and controlling the activities of the young people was meant to keep the community safe for all its inhabitants.

Spatially, the city of Edinburgh offered these young people numerous opportunities to claim a space as their own and to negotiate the ins and outs of the development of their own identities. When people claimed a space as their own, there was a personal connection to that space and there was a suggestion of “ownership”.¹²⁹ Depending on the person’s gender, social status, age, marital status, or occupation, each young person found his or her identity linked with a certain area of the city—their parish, their neighbourhood, their school, their family, or their guild. Corley calls knowing where one stood or how one connected to a certain area of the city “spatial configuration”.¹³⁰ The behaviour exhibited by a person in each space varied depending on the social understanding of that area. For example, different behaviours were expected

¹²⁷ *DSL*, definition of vannel, “a, chiefly narrow, lane or thoroughfare in a town or city.”

¹²⁸ Scottish Burgh Records Society, *B.R., 1573-1589*, 346. For our time period, this is the first entry in the burgh records stating the need for a curfew at ten o'clock at night.

¹²⁹ Creswell, *Place*, 1.

¹³⁰ Corley, “On the Threshold,” 144.

based on one's social identity and the time of day. Night, or under the cloud of silence, as Scots often referred to this time, symbolised freedom for young people. It was freedom from adult supervision, freedom of behaviour, and freedom from strict moral restrictions. For adults the night was suspicious, dangerous, and a time for morally unacceptable behaviour. Young people usually claimed adult spaces as their own after business hours when adult control was much more difficult. Girls felt free to meet with young males without the constant supervision of parents or masters. Young boys could assert their dominance among their peers. The "unequal distribution of power" that filled their lives was shed in these dark places and they began to assert their own power.¹³¹ After curfew certain places in the city were changed. What during the daytime hours were public spaces became the private places where young people interacted. Places like the walls, markets, streets, and wells now belonged to them.

One of the ways the young men of Edinburgh asserted their territory was to use the streets during the daytime to wage pitched battles by throwing stones at adversaries from different schools, districts, or neighbourhoods. These street battles were known as street bickers and were considered to be "an old institution in Edinburgh."¹³² Lord Herries' death reportedly happened suddenly, on 20th January 1582, when he ran upstairs to a room in the house of a friend to watch the bickering below.¹³³

As the Town Council proclaimed in January 1584, these bickers involved "childer bairnis, prenteissis, or seruandis", and the council made numerous proclamations to try to

¹³¹ "Social Science Bites, Doreen Massey on Space," Social Space, accessed September 01, 2016, <http://www.socialsciencespace.com>.

¹³² Gillies, *Edinburgh Past and Present*, 61; Scottish Burgh Records Society, *B.R., 1573-1589*, 288.

¹³³ Gillies, *Edinburgh Past and Present*, 61.

put an end to them.¹³⁴ The streets and closes became, for these young men, a battleground where the group's honour and identity was defended. Like street gangs of today, these groups fought for what they recognized as their territory, their neighbourhood, which defined a part of their spatial identity. Being of an age of "ambivalent status", not a freeman, probably apprenticed away from the family or in service, or at school, the young men were appreciated by the older generation for showing a connection to the town.¹³⁵ Barbara Hanawalt uses the theory of liminality in her article "Historical Descriptions and Prescriptions for Adolescence."¹³⁶ Not really a part of childhood anymore, and not an adult, these young men were asserting their changing place in the town. Seeing youth defending the reputation of their town, parish, or neighbourhood was a transitional act into adulthood. Adolescent actions began to move out of the areas they claimed as theirs during night hours, and into the spatial reality of the adults.¹³⁷

The street battles were also a way to release some of the aggression that was known to build up in young men with no way to express it. Before the Reformation, there were festivals, parades, Maying, pageants, and traditions like the Robin Hood play, that were outlets for pent up frustration and aggression.¹³⁸ In May of 1561, the people of Edinburgh were disappointed when the traditional Robin Hood play was disallowed because of the contempt the clergy felt these sort of amusements raised. The play enabled those involved to march through the town and participate in "high jinks of some sort,"

¹³⁴ Scottish Burgh Records Society, *B.R., 1573-1589*, 321.

¹³⁵ Corley, "On the Threshold," 144.

¹³⁶ Barbara Hanawalt, "Historical Descriptions and Prescriptions for Adolescence," *Journal of Family History* 17, no. 4 (Jan., 1992), 343.

¹³⁷ Dunlop & Dunlop, *B.O.E.C.*, 125, 126, 127. Dunlop relates the story of Mr Thomas Nelson, who is said to have occupied the Bow-head piazza shop (in the 1800s) and who was heard to say "Shut the shop, the lads maun hae their training."

¹³⁸ Peter Burke, *Popular Culture in Early Modern Europe* (Burlington: Ashgate, 2006),

which acted as a valve to let off steam.¹³⁹ Unable to indulge in the revelry, the mob took control of the city gates and robbed its visitors. They next went to the tolbooth and released some of the prisoners, and then broke down the gibbet which was used for executions. Next, they went looking for the magistrates who had to lock themselves in the tolbooth. Trying to regain control in the city in March 1584, the king commanded Council to set up a gibbet by the Nether Bow to act as a deterrent for the bickerers.

The Robin Hood plays harkened back to Scotland's papist past and had been forbidden by an Act of Parliament in 1555.¹⁴⁰ After the Reformation, the Reformed kirk quickly agreed with the cessation of activities like this play. It was a time of frivolity, drinking, eating, and dressing up to perform and sing. In the above incident, the mob attacked the obvious symbols of power including the gates, the tolbooth, the gibbet as a symbol of the law, and the magistrates. To the youth of Edinburgh this felt like oppression. The celebrants re-claimed the streets as their own during the festivities.

The young people of Edinburgh identified with certain places in the city, like the streets that they called their own, and in which they asserted themselves, played, courted the opposite sex, defended their reputation, or just established their reputation. In his study of the young people of Dijon, a city that in the early modern era had a slightly larger population than Edinburgh, Corley called these places "gray areas".¹⁴¹ The markets and streets, usually the domain of adults, might see the rituals of youth being acted out in gesture, dress, courting, insults, drinking, and posturing after hours when the markets were closed and the streets were empty of adults. The young people congregated at the walls, the gates, and the side alleys, and used them in a manner that was much

¹³⁹ Gillies, *Edinburgh Past and Present*, 61, 61.

¹⁴⁰ *RPS*, A1444/6/41 "Concerning Robin Hood and the Abbot of Unreason, chapter 40"

¹⁴¹ Corley, "On the Threshold," 144.

different than that of the adults. They looked for privacy in the dark alleys, behind the walls, in the fields, and in closed businesses after hours. In the records of the Town Council, a statute was passed that all kilns had to have a door on the killogeis. This door had to be kept closed and locked after business hours to make sure vagabonds and beggars did not sleep in the kiln.¹⁴² Not only beggars used the kilns; a young woman named Katherine Henry was caught there committing the “filthy act” of fornication with a soldier. Since this was the second time that Katherine was caught in the act of fornication, she was sent to the correction house for a space of time and then banished from the burgh. Additionally, her liberties, which came to her through her parents and could then be passed on to a future husband, were taken away forever.¹⁴³ This was a harsh punishment and affected Katherine’s ability to attract a husband. Being a lawful daughter of a burghess and a guild brother allowed Katherine to pass burghess or guild membership onto a prospective husband, which allowed him to do business in the city. But even the correction house could not completely control young people who wished to follow their own paths. Issobell Kilnar confessed her fornication with William (no last name given in the records) while both were there in 1633.¹⁴⁴

In November 1589, there was evidence in the Town Council Records that the magistrates of the city of Edinburgh attempted to curb the unseemly behaviour and unforgiveable sins of its people. There was great concern by the kirk and the Town Council with the escapades of young people who vaiged about the city after hours. A proclamation was publicised in order to curb the vaiging and possible tulzies that could

¹⁴² Wood, *B.R., 1604 to 1626*, 10. *DSL*, definition of killogie – “the lower portion of a corn- or malt-kiln, which was underneath the drying chamber.”

¹⁴³ CH2/141/1, 146.

¹⁴⁴ CH2/141/1, 143.

break out, ordering all innkeepers and tavern owners to close their doors to business by ten o'clock at night or face a fine of forty shillings for every fault.¹⁴⁵ As already mentioned, a bell rang in the town at that time to let everyone know that it was time to close shop and head home. No one of any gender, age, or estate was to remain on the street after the ringing of the ten o'clock bell. It was also a good idea to be inside, because at least until the middle of the eighteenth century, the bell was also the signal for everyone to throw their garbage and "all their household nuisance" out the windows.¹⁴⁶ To make the streets safer and to aid the baillies and good neighbours that patrolled the streets day and night the inns, taverns, stables, hostels, and neighbours were told to hang out a light before their forestairs and in the dark closes.¹⁴⁷ The hope was that the illumination would discourage groups of men from fighting and eliminated the dark spaces where the sinful could hide. To keep up the numbers of the city patrol, the overworked baillies requested a day and night guard be set up numbering twenty-four, twelve for the day shift and twelve for the night. By 1625, the job had fallen to constables divided into twenty-six watches to guard good neighbours from "evill disposed persounes" like "riotous nichtwakers".¹⁴⁸

These night walkers were usually groups of young men who claimed the streets meandering through them while drinking and carousing. The streets symbolised a stage for their performances of drinking, strutting, boasting, insulting, and were a space where they vented some of their aggression. Groups of young people, especially young men,

¹⁴⁵ *DSL*, definition of *tulzie* – "a quarrel, fight, scuffle, broil, skirmish, struggle, turmoil".

¹⁴⁶ J. B. Gillies, *Edinburgh Past and Present*, 63. Also see Elizabeth Foyster, "Sensory Experiences: Smells, Sounds and Touch," in Elizabeth Foyster and Christopher A. Whatley, eds., *A History of Everyday Life in Scotland, 1600 to 1800* (Edinburgh: Edinburgh University Press, 2010).

¹⁴⁷ Gillies, *Edinburgh Past and Present*, 101, 102; Sanderson, *A Kindly Place?*, 80.

¹⁴⁸ Gillies, *Edinburgh Past and Present*, 34, 282, 283. For more examples of the night guard see 199, 254, 252 and 298; Wood, *B.R., 1626-1641*, 152, 240.

had always been seen as a threat to the social order. They were unruly and their behaviour was unpredictable. Robert Benjamin, who wrote about the drinking among seventeenth-century Dutch youth, states that excess drinking among young men was a way for them to express their masculinity and was thought to be a performative part of their “manly behaviour”.¹⁴⁹ The streets after dark were their spaces and they claimed them as their own. Adults had relegated them to the night and the excess drinking made them braver as they caroused through the streets and came out of the shadows. The Town Council of Edinburgh was so concerned with the increase in the vice of drunkenness, both publicly and privately, and the lack of punishment for these sinners that they proposed imprisonment in the steeple for eight days with only bread and water for sustenance. Those who could not pay the cost of imprisonment were made to stand publicly in the mercat croce for two hours with a paper on their heads.¹⁵⁰

Groups of young men rioting during the day were also a major concern for the authorities of the town and especially for the masters of the high school. The young men wanted their holidays as they were seen as a tradition, a custom, and an “ancient privilege”.¹⁵¹ According to Maureen Meikle, holidays were not always granted. It was not an “automatic right” as masters had a right to deny their request.¹⁵² There had been conflict since the Reformation with young men asking for holidays at Yule and other holidays that also created conflict. The Kirk was trying to distance themselves from what they perceived as a papist celebration. On Christmas in 1580, eight students of the high

¹⁴⁹ Robert Benjamin, “Drinking like a Man: The Paradox of Excessive Drinking for Seventeenth-Century Dutch Youths,” *Journal of Family History* 29, no. 3 (July 2004), 238.

¹⁵⁰ Wood & Hannay, *B.R., 1589-1603*, 145.

¹⁵¹ James Grant, *History of the Burgh and Parish Schools of Scotland*, in Two volumes., vol. 1. Burgh Schools (London and Glasgow: William Collins, Sons & Co., 1876), 185; Birrel, “Diarey,” 35;

¹⁵² Maureen Meikle, *The Scottish People, 1490-1625* (Great Britain: Lulu.com, 2013), 318.

school in Edinburgh had held the school against their masters. In August 1587, scholars barred the doors to the school, probably hoping for time off during the harvest.¹⁵³

The most notorious barring out, as these riots were called, unfolded with a group of young men in September 1595. In *History of Burgh and Parish Schools of Scotland*, James Grant writes that a group of young men approached the Town Council and petitioned for their customary vacation days.¹⁵⁴ With the ministers afraid that the days off would lead to Yule celebrations, the magistrates refused them their customary fourteen days off. The group of scholars then marched up the street to their school and barred the doors to the authorities. The young men were armed and had enough provisions to last a few days. This barring out ended violently when one of the baillies, John MacMoran, charged the school door and was shot dead by William Sinclair, a fourteen-year old student who was the son of the Chancellor of Caithness. The young men were described as gentry, the sons of gentlemen and barons, with two of the young men being Edinburgh natives.¹⁵⁵ The oldest of the sixteen youths who staged the barring out was said to be about sixteen or seventeen years of age.

For the young scholars, this request of vacation time was a traditional appeal for time away from studies—a symbolic time of freedom, of play away from their books—and the boys felt the magistrates and ministers were putting a restraint on their traditional rights. They marched and protested as a unified group. Their identity came from their unity, and their combined power came from their privileged backgrounds and their seniority in the school. They did see it as their school, but it was a place that they would

¹⁵³ Grant, *Burgh and Parish Schools*, 185-187.

¹⁵⁴ Grant, *Burgh and Parish Schools*, 187-189; Scottish Burgh Records Society, *B.R., 1573 to 1589*, 499, 500; Birrel, "Diarey," 34, 35; Colville and Thomson, *Hist. K. Ja. VI.*, 352-355; Calderwood, *History*, vol. Fifth, 382.

¹⁵⁵ Colville and Thomson, *Hist. K. Ja. VI.*, 352.

be leaving soon to enter the adult world. The scholars marched to one of the symbolic places of adult power, the council house. Their march took place along the main boulevard of the city, the High Street, the centre of civic and economic power in the burgh. The students used their power as a group to demand their privilege. It was a testing ground for the young men and a positioning of themselves into the adult world.

This was an important time in the students' lives. These teen years represented a transitional age for many young men, as they began to take on adult responsibilities at home on their estates. Some might have been entering the family business or being educated for the ministry. School was tied to their identity and using it was a way of getting the attention of the adult community. Mark Hall writes that "schools were contested spaces, which children sought to make their own."¹⁵⁶ In and around the school, the students created their own culture. The older boys asserted their seniority and authority over the younger students, and could not possibly lose honour by stepping down from the barring out. They felt that they were being "mokit", and were demanding respect and attention to their issues by marching up the High Street, the symbolic hub of the royal burgh.¹⁵⁷

Even apprentices and journeymen could cause "seditioun and tumult" in the streets, which made it necessary, after an incident in 1592, for the craft masters to punish the "crafts childer". The Town Council then requested to have the eyes and ears of the honest neighbours assist them in recognising any future problems.¹⁵⁸ Another story from six years prior tells of a mob of young men, who were also said to be "craftmen's sons",

¹⁵⁶ Mark A. Hall, "'Merely players'? Playtime, material culture and medieval childhood," in *Medieval Childhood Archaeological Approaches*, eds. D.M. Hadley and K.A. Herner (Oxford: Oxbow Books, 2014), 48.

¹⁵⁷ Colville and Thomson, *Hist. K. Ja. VI.*, 352.

¹⁵⁸ Wood & Hannay, *B.R., 1589-1603*, 69, 71, 76. Here, the use of the term childer is used to identify young single men who were still considered the responsibility of their masters.

going to the house of one of the town baillies with the intent of murdering him.¹⁵⁹ When the magistrates gave the craft guilds more seats on the town council in 1583, one of their expectations was that the dean of guild and his council of craftsmen be responsible to control the craft members and ensure the peace among the journeymen and apprentices.¹⁶⁰ It is not mentioned in the Burgh Records what caused the young men to riot. They were looking for their voice and asserted their right to demonstrate like the young scholars, in the High Street. As the most important and public street in the town, its symbolism as a place of burgh power and politics was powerful.

Large groups marching in the streets, and the damage they caused to the harmony of the town and its physical property, was always a fear for the authorities. The problem became so serious that the crown made it illegal to convocate or meet without permission.¹⁶¹ This law also affected the nobles and the kirk who in 1593 were condemned by the king for meeting without his warrant. James was said to harangue against the ministers that “he knew not of it [the meeting] till all the wives of the Kaill Mercat knew of it.”¹⁶² So when twenty-three journeymen cordiners were apprehended for their unlawful meeting, they had to publically acknowledge their wrong-doing, and later, in 1637 promise “not to commit the lyik bot to carye themselffes peaceable in all tyme cuming”.¹⁶³

Like the group of apprentices who demonstrated in 1561 and took over the streets, and the young scholars who demanded their rights, these young men identified with their group of peers. They had an economic relationship that revolved around their shared

¹⁵⁹ Gillies, *Edinburgh Past and Present*, 61.

¹⁶⁰ Michael Lynch, *Edinburgh and the Reformation*, 16,17, 55.

¹⁶¹ Scottish Burgh Records Society, *B.R., 1573-1589*, 295.

¹⁶² Calderwood, *History*, vol. Fifth, 216.

¹⁶³ Calderwood, *History*, vol. Seventh, 611; Wood, *B.R., 1626 to 1641*, 189; *DSL* definition of convocate – “the action of assembling a group of people by a summons” and a cordiner was a shoemaker.

experiences as apprentices. As a group they had more power to put fear into the magistrates, challenge their masters, and make their demands heard. As the young men marched into the city they displayed their craft banners much as they had in the papist processions before the Reformation. This was a direct challenge to the Reformed faith, but for the young men, these banners symbolised their identity as honest craftsmen's apprentices. They marched right up to the Tolbooth, the symbol of civic power, to confront the magistrates who were there in a meeting.¹⁶⁴

Illegal meetings and groups, which often lead to demonstrations and protests, were seen as such a threat, that King James expanded earlier orders against convocations. He issued a proclamation in 1624 to try to put an end to group meetings.¹⁶⁵ If meetings were held privately behind closed doors without the knowledge of the authorities they could lead to protests, fights, and disharmony. Privacy, darkness, hidden thoughts, and actions were seen as suspicious and dangerous. Harmony was created when everyone accepted the dominant discourse, acted and dressed appropriately, worshipped together, and nothing was hidden. Like most early modern societies, this was a society that desired civic and moral conformity. The ministry attempted to regulate all actions and thoughts, expecting all Scots to live according to the prescribed behaviours of their social status, age, and gender. Letting young men, or others, meet and talk without permission and in hidden spaces led to disharmony and riots in the streets.

The power of the group dynamic can be seen in the example given in the Privy Council records of September 1639. The desire to identify with one's peers and feel part of a group led "a number of young boyes and pages, footmen, lakeyes, and coachemen"

¹⁶⁴ Gillies, *Edinburgh Past and Present*, 60.

¹⁶⁵ Calderwood, *History*, vol. Seventh, 611-613.

to submit themselves to the hazing and harassment of the older boys.¹⁶⁶ The size of the city made for a large group of servants and pages and the ability for the older boys to intimidate the younger boys to pay certain duties which were “spent in drinking, riot and excesses”. Involvement in the hazing guaranteed membership “in their society and brotherhood”.¹⁶⁷ Refusing to participate had the consequences of the new servants being interfered with at work, which brought them to the attention of their masters. Disruption at work, drinking, idleness, and foolish behaviour caused the authorities to make a proclamation at the mercat croce for the cessation of this group behaviour. Failure to comply would not only mean warding for the boys but “that their masters shall be charge to enter and present thame to receive their deserved punishment.”¹⁶⁸

Beyond magistrates and ministers, heads of families were also expected to take charge of the people in their households and to make sure that their children and servants did not vaig in the streets.¹⁶⁹ The streets at night were seen as inappropriate places for youth, while the young people felt the streets after dark were the perfect spaces to express themselves.¹⁷⁰ With the absence of adult control and by avoiding the city guard that patrolled at night they claimed the streets as their own. The adults of the city knew that kind of expression could be dangerous. Streets and dark spaces were temptations for those not properly controlled and protected. In September of 1596, three young men were arrested for robbing the house of Mr. Johne Laing. Witnesses said they were craftsmen and did not need the money, but probably did it out of boredom.¹⁷¹ There is no

¹⁶⁶ Brown, *Privy Council*, vol. VII, 1637-1643, 135.

¹⁶⁷ Brown, *Privy Council*, vol. VII, 1637-1643, 135.

¹⁶⁸ Brown, *Privy Council*, vol. VII, 1637-1543.

¹⁶⁹ Wood & Hannay, *B.R., 1589-1603*, 196, 197.

¹⁷⁰ Some examples of orders from the Town Council against vaiging, night walking, and unlawful convocations can be seen in *B.R., 1589-1604*, 196; *B.R., 1604-1626*, 78, 282, 283; *B.R., 1626-1641*, 189.

¹⁷¹ Gillies, *Edinburgh Past and Present*, 38.

information about their reasons, but whatever possessed these young men to deviate from honest behaviour, under the cover of night, caused great sadness among the onlookers who gathered to witness the three men hanged at the mercat crosse.¹⁷² Beyond judicial measures, A. M. Allen explores how the craft deacons used “economic pressure” to provide a deterrent to any unruly behaviour of the “young and restless” apprentices.¹⁷³ Loss of wages would be a hardship, but losing one’s job and the identity that came with belonging to a trade would be devastating.

Civic, economic, and religious power in Edinburgh was based primarily on the main thoroughfare of the High Street, with the Cowgate being the second major street. Being the focal point of the burgh’s power made it the natural place for all public demonstrations. Many of the wealthy merchants had large homes on the west end of the street, in the Lawnmarket area, towards the Castle Hill. Most of the town’s population lived in tenement buildings that fronted on the High Street. Merchants had booths that opened on the street where they displayed their wares and the townspeople used the street to socialise. Royalty and important visitors entered the city through the gates and made their way up the street to the Parliament Buildings, the Tolbooth, or the Council House. Musicians strolled and played, drummers announced proclamations, and entertainers performed there, if they had service or “honest industrie”.¹⁷⁴ A juggler even tied a rope between the steeple of St. Giles and a stair beneath the mercat croce in July 1598 to entertain the crowds.¹⁷⁵ Even those who did not live in Edinburgh knew the importance of the High Street, which meant it was the premiere stage for most people’s events. This

¹⁷² Gillies, *Edinburgh Past and Present*, 38.

¹⁷³ A. M. Allen, *The Locksmith Craft in Early Modern Edinburgh* (Edinburgh: Society of Antiquaries of Scotland, 2007), 6.

¹⁷⁴ The Scottish Burgh Records Society, *B.R., 1573-1589*, 507, 508. Having “honest industrie” meant being hired by the town council to perform, as opposed to being a vagabond.

¹⁷⁵ Birrel, “Diarey,” 47.

was where the representatives of the Privy Council, the Parliament, the Judiciary Court, and the King could be found.

Urban children were socialised differently than rural children and learned that their neighbours were all around them and were probably keeping an eye on them. Women socialised on the stairs, or by the wells, and as mothers, like the two who saved Jonet during the second abduction attempt, they were aware of all the neighbourhood children playing. The children learned where not to play and to not wander too far away.¹⁷⁶ In *Edinburgh Past and Present*, Gillies writes that one of the favourite places for the children to play was around the wooden booths that were set up between the buttresses of St. Giles. They ran between the krames, as these booths were called, in search of the toys that the shopkeepers sold.¹⁷⁷ For the older youth, the town council in 1610 set up archery butts for recreation against the town wall beside their school.¹⁷⁸ It is hard to know how much time the older youths had to play with long school hours, possible jobs, and home life. With these demands on their time, night was the only time they had to meet each other, assert their dominance, and court the opposite sex.

Town and kirk officials also questioned the honest behaviour of young women on the High Street and other public places. The problems that women experienced in early modern Edinburgh will be discussed more fully in the chapter on women, but a few of the problems for young, single women will be examined here. One problem women faced, and especially young women, was expectations around appropriate dress. For example,

¹⁷⁶ D.M. Hadley and K.A. Herner, introduction to *Medieval Childhood Archaeological Approaches*, eds. D.M. Hadley and K.A. Herner (Oxford: Oxbow Books, 2014), 16.

¹⁷⁷ Gillies, *Edinburgh Past and Present*, 111. DSL definition of krame – “a merchant’s booth, stall, or tent, where goods are exposed for sale”.

¹⁷⁸ Wood, *B.R., 1604-1626*, 60.

they were not supposed to cover their faces.¹⁷⁹ Like the darkness of night, where public became private, where the trusted became untrustworthy, and the familiar became sinister, women who covered their faces with plaids in the public spaces made the magistrates and elders very suspicious. The streets during the day were common ground for everyone and it was believed that honest people did not hide. It was not seen as respectable, especially when respectable women who covered their heads with plaids could not be distinguished from prostitutes.

By 1628, the Town Council felt it was necessary to pass an act restricting the manner of dress for women. Wearing of plaid over one's head was forbidden in all public places including in the kirk and on the streets.¹⁸⁰ Repeated a few years later, the proclamation of April 1631 was issued using drums so that no person in Edinburgh could "pretend ignorance" to the knowledge that wearing plaids over the head was not allowed.¹⁸¹ In 1633, the burgh courts noted that only deceitful people covered their faces in public so that honest people could not discern their character. Since it was important to maintain the godly community, it was ordained that any person in the burgh had the right to tear the plaid off the heads of offenders.¹⁸²

It was understandable, in one way, why young women felt the need to cover themselves. The streets were not seen as the proper place for young women. Many women did not feel safe out in public. There were numerous examples of young women

¹⁷⁹ See Margo Todd, *The Culture of Protestantism*, 90. Todd stated that the covering of one's face was seen by the early modern people as "an inherently sinister act." It was an act that revealed a fundamentally dishonest person and it was seen as "a renunciation of one's own identity" and a "danger to social order."

¹⁸⁰ Wood, *B.R., 1626-1641*, li, 47.

¹⁸¹ Wood, *B.R., 1626-1641*, 91, 92. Also see p. 196, 247.

¹⁸² Wood, *B.R., 1626-1641*, 122.

being attacked, raped, and carried off.¹⁸³ The streets may have been seen as public spaces, but the reasons to use them centred more around male activities. Young women felt the need to protect their identities from unwanted attention. As Mary Jo Maynes found with her research into the agency of children in history, especially girls, any public attention that was paid “to a girl was a sign of her failure to maintain privacy and respectability”. This was an indication that she was going to be trouble or she was in trouble.¹⁸⁴ Beyond the threshold of the home and business, young women were at risk. In the *Domestic Annals of Scotland*, Robert Chambers stated that “the rights of women” were not respected.¹⁸⁵ Abductions and violence against women happened regularly to a variety of girls. In 1595, when the authorities learned about the abduction of Christian Johnston by Patrick Aikenhead, they rang the common bell to alert everyone. The townspeople were able to follow, and they brought her back home.¹⁸⁶ As introduced at the beginning of the thesis, in 1608 Jonet Craig, a young girl of eleven years, was on the High Street the first time that John Errole tried to lure her down one of the closes. Twenty days later he waited for her at the mercat croce and tried again, but was interrupted by two women who scared him away. When Errole grabbed her the third time, Jonet was playing “with vther honeft menis bairnis” around the mercate croce.¹⁸⁷ These areas were familiar to Jonet and her friends. They were the spaces where they played every day; where they walked on the way to school. It was their space. The children modified the built structures, like wells, shops, stairs, and the croce, into their

¹⁸³ Robert Chambers, *Domestic Annals of Scotland, from the Reformation to the Revolution*, vol. II, Second Edition (Edinburgh and London: W. & R. Chambers, 1859), 221. (Hereafter Chambers, *Domestic Annals*).

¹⁸⁴ Mary Jo Maynes, “Age as a Category of Historical Analysis: History, Agency, and Narratives of Childhood,” *Journal of the History of Childhood and Youth* 1, no. 1 (2008), 117.

¹⁸⁵ Chambers, *Domestic Annals*, vol. II, Second Edition, 222.

¹⁸⁶ Chambers, *Domestic Annals*, vol. II, Second Edition, 223.

¹⁸⁷ Pitcairn, *Criminal Trials*, 566, 567.

play to suit whatever game they were playing. Being urban children, they understood not to interfere with people doing business on the High Street. Usually the main street of Edinburgh was seen as a safe place for children to play. This is in contrast to the side wynds and closes which were isolated, dark, and filthy. This is where adults might lose track of them and therefore danger lurked.

Like young men, when a young, single woman offended the sensibilities of the good town it was her parents or employers who bore the responsibility of presenting the young woman to the discipline of the civil court and to the kirk for the satisfaction of their repentance. When it was found out that Issobell Watson had relapsed in fornication it was her parents, John Watson and his wife, who presented her to the kirk. They demanded a sincere expression of repentance for how she and her parents had acted scandalously.¹⁸⁸ Almost a year later, the Trinity Kirk Session was again looking for Issobel, but this time it was her employers, John Douglas and Katherine Roamye, who were ordained to present her or face banishment.¹⁸⁹ Another master ordained to present his servant was Edward Johnstone, a maltman, who had to produce Issobell Johnston to the kirk for discipline.¹⁹⁰

The behaviour of young people, being non-adults, reflected on their parents or masters who were responsible for them. In the public and private spaces of the city they could not act independently. Their choices of behaviour were determined by the teachings of their social status, gender, and age, and the repercussions for their misbehaviour fell on those in charge of them. William Stewart found himself responsible

¹⁸⁸ CH2/141/1, 129,

¹⁸⁹ CH2/141/1, 150.

¹⁹⁰ CH2/141/1, 119. For additional examples of young women who were to be produced in front of the kirk session, see 74, 98, 148.

for his sister and mother's violation of the law. As cautioner and surety for their actions, every time they worked as women taverners, William had to pay forty pounds.¹⁹¹

Working young women were under constant scrutiny to make sure they led a pure, honest life. Their respectability was, in part, spatially defined.¹⁹² In 1608, the Kirk and the Council of Edinburgh proclaimed that employers who had young women working for them should discharge them if they had committed fornication or if they had behaved in such a way that there was a chance of slander. Women were the responsibility of someone else for their whole lives, except perhaps if they became widows. As children they were the responsibility of their parents, as servants or apprentices they were the responsibility of their master, and when they married they came under the control of their husbands. Except when they were in school, if they were lucky enough to receive an education, their place was in the home.¹⁹³ Even a single woman who was independently working for a living could not be allowed to live alone. In 1585, the Town Council stated that no single woman could "be fund halding any howse be thame self," unless they were widows of a freeman.¹⁹⁴ It was believed that women were too emotional to handle life decisions by themselves so they needed to be controlled. This control provided moral and social protection for the women in the community. This was a patriarchal society where women did not have individual power; power came through their fathers, their masters, and their husbands.

Ministers of the kirk and elders of the kirk session demanded a certain moral attitude and carriage from their parishioners, especially in the sacred space of the church

¹⁹¹ Scottish Burgh Records Society, *B.R., 1573-1589*, 186.

¹⁹² Flather, *Gender and Space*, 30.

¹⁹³ By extension the home included any workshops or family businesses.

¹⁹⁴ The Scottish Burgh Records Society, *B.R., 1573 to 1589*, 445.

grounds. Even twenty years after the Reformation, the ministers and the elders were still struggling to have the Scots adjust their former beliefs and behaviours to the stricter reformed code of conduct. They continued the struggle throughout the time period examined in this thesis. In 1628, Patrick Brown, who was entered into his repentance for being a quadrelapse fornicator, was said to have “misbehaved himself in ye stuite of repentance” the Sunday before and for “caryeing himself unreverentlie”.¹⁹⁵ He was made to pay a fine and to begin his repentance all over dressed in sackcloth. Brown made the unforgiveable mistake of forgetting his place in this sacred building and of not acting accordingly. As Doreen Massey explains, each place had its own distinctive “spatial laws” and all participants had to conduct themselves to reflect the social order and relationships that were understood for that space.¹⁹⁶ The kirk elders needed to see and feel the proper emotion; the ritual of repentance had to be taken seriously. Young people had to learn the proper behaviour that was expected in this sacred space. It was not the behaviour of the streets. The congregation, as the audience, had to see the penitent as an example for their own correct behaviour. Like the Tolbooth and the Parliament House, the kirk was a symbol of the power which represented the authorities of Edinburgh. It was there to control the people under the umbrella of religious doctrine. How a person acted in this space, especially the young people who were transitioning into adulthood, and their reaction to this holy space, informed the Reformed ministry of the person’s character.¹⁹⁷

The congregation’s behaviour also had to reflect the proper reverence that the sacred space of the kirk deserved. On March 1629, the Trinity Kirk Session complained

¹⁹⁵ CH2/141/1, 58.

¹⁹⁶ Massey, *Space, Place, and Gender*, 3.

¹⁹⁷ Greenbie, *Spaces*, lx.

that servant women frequently abused the solemn atmosphere in the kirks during sermons. There is no description as to what these servant women were doing, but their actions were enough to cause the session to demand them all to make their satisfaction publicly in front of the congregations.¹⁹⁸ The Reformed Kirk was more than the building and the kirk yard. It was the building intertwined with the sacredness of the temporal, including sermons, baptisms, marriages, bible study at home, and communion. The most serious offence was staying away from the kirk during sermons, working, wandering in the fields, or fishing instead of studying scripture on Sunday. George Cranfurd, cordiner, was made to beg forgiveness on his knees for sending his servant, a young boy, out of the city between sermons.¹⁹⁹ As his master, Cranfurd should have made sure that the young lad was studying the Bible on the Lord's Day. The Records of the Burgh stated in 1625 that each kirk would provide two sermons on Sundays with additional sermons on Tuesdays and Thursdays.²⁰⁰ Those who profaned the Sabbath by drinking in the taverns or playing golf at the links during time of sermon did not exhibit the behaviour that was expected for the sacredness of the kirk. They should have been in the proper place, at the proper time, and that place and time was part of the congregation during service. The kirk was a symbol of religious power, intrinsically linked to the government and it was necessary for the young people to learn what behaviour was expected of them.

Beyond punishment for sinful behaviour, young people also faced punishment from the centralising courts for crimes they committed. Punishment was integral to the beliefs of early modern cultures, both civilly and religiously. People had to atone for their sins and make repentance. They had to beg God for forgiveness and they also had to

¹⁹⁸ CH2/141/1, 75.

¹⁹⁹ CH2/141/1, 130.

²⁰⁰ Wood, *B.R., 1626-1642*, 265.

beg their community for forgiveness. The punishment of imprisonment meant confinement, but it also meant a financial hardship for most, since they were responsible for their own sustenance. If parents or masters did not pay for food and drink then the young people would be responsible or they would go hungry. It appears, from studying the primary sources, that once put in ward, a servant or apprentice was temporarily removed from the legal relationship of provision by the master's family and could not expect to be sustained by them. Margaret Fleming was committed to ward on the word of Margaret Collace, the wife of Mr. James Bousila. Margaret Collace alleged that Margaret Fleming owed them money when she left their service. Mr. James stated that the debt did not exist but his wife had her warded while her husband was away. With no money, Margaret Fleming was in danger of starving.²⁰¹ Young people in service like Margaret were the responsibility of their masters while under their roof. Once accused of a crime and put in ward, the jail took over the symbolic relationship of responsibility.

Edinburgh was not a static city. It was dynamic, ever changing and evolving, and the varied aspects of the burgh, such as streets, markets, houses, walls, and wells symbolised different responses and understandings. Children and youth interacted with the city in many unique ways, depending on their age and circumstance, and these experiences varied from those of adults. Urban young people had to learn to navigate the different neighbourhoods of the business districts, the kirk and kirkyard, the dark alleys, and their own parish and home. The adults in their lives, be they parents, masters, school masters, or ministers, were there to teach them an understanding of the spatial laws of the burgh. Youth was a time of behavioural control and spatial learning that assisted them in becoming responsible adults of the community. They learned that vaiging through the

²⁰¹ Brown, *Privy Council*, vol. II, 1627-1628, 209, 210.

streets or playing golf during sermon meant you were in the wrong place at the wrong time and that your master or parents were going to be answerable to the authorities for your behaviour.²⁰²

Behaviour also depended on their own individual or group identity, which affected all the relationships they developed. Examining their stories is important, though they are hard to find in the historical sources. Understanding “how one set of values and social relationships become another” was impossible if researchers neglected “how people interacted in a particular setting.”²⁰³ Young people used to wander in the fields after church on Sundays, and with the social values imposed by the Reformed kirk the fields on Sundays became unacceptable places. To omit young people from the history of Scotland limits our understanding of the history of early modern Scottish people, society, and culture. Examining how they maneuvered through the topography of Edinburgh and symbolic distinction they placed on the spaces in which they lived provides researchers a glimpse into their development towards adulthood. Using the methods and concepts of anthropology, history, sociology, and geography brings new understandings to the few sources that have survived. Since youth were not deemed important enough to be mentioned much in the sources, the way to understand their identity and their spatial relationships is to look at the evidence that is presented and decipher what the environment surrounding them symbolised, and the effect this had on their lives. Remembering that the sources are not the true voices of the children and youth, but written by the adults that surrounded them, controlled them, taught, and raised them also aids in understanding the societal rules and expectations that they faced. The young

²⁰² Wood & Hannay, *B.R., 1589-1604*, 39. The punishment could be a £20 fine or imprisonment.

²⁰³ Wood, “The Domestic Affairs of the Burgh,” in *B.O.E.C.*, Fifteenth vol., 15.

people of Edinburgh tried to assert their own agency by ignoring the ten o'clock curfew and hanging around the walls and gates of the burgh. Young women like Helene Forbes ignored expected propriety and met Andrew Walker, a servant to the surgeon Lawrence Cockburne, for a sexual tryst in his master's house.²⁰⁴ It was a time for them away from adult control and they sought out spaces that symbolised personal freedom to develop their character and reputation among their peers, the people they would do business with as adults and make contracts with, and the men they hoped to marry.

²⁰⁴ CH2/141/1, 85.

Chapter Two Women

Women's voices in Scottish history are no longer lost. Their stories and their influence on Scotland's ever changing society are successfully being researched and written about by scholars such as Elizabeth Ewan, Maureen M. Meikle, and Katie Barclay.²⁰⁵ With past historians focusing on the big picture of the political, economic, and religious story of a nation, or the contributions of major players, the lives of the common people, and especially women has been minimalised. The influence of women on their families and their husbands; their participation in the economy; or just their presence in a city, is often overlooked. As Laura Stewart has noted, a woman emerges from the congregation into the historical story to throw a stool at a churchman and then fades again into the background with no analysis of why Jenny Geddes stepped forward to oppose the *Book of Common Prayer*.²⁰⁶ Acknowledging the contribution of Scottish women in the development of their culture and society begins with understanding how they moved through their lives, how they saw their surrounding, and how this understanding might have differed from men. Women walked and worked in the same spatial dimension as the rest of the inhabitants of Edinburgh, but the symbolic dimension of the city differed for them and this affected their identity and all their spatial relationships. With this knowledge, researchers can begin to recognise the influence the women had on the history of Edinburgh.

Gender distinctions were continuously created and reinforced by the cultural places applied to females and how the spaces they lived in were used. The people living

²⁰⁵ See Ewan and Meikle, *Women in Scotland c. 1100- c. 1750*; Ewan, "The Early Modern Family"; Barclay, *Love, Intimacy and Power*.

²⁰⁶ Wood, *B.R., 1626-1641*, 197.

in Edinburgh used the public space like streets, courtyards, markets, and public squares “to negotiate order and hierarchy, personal identities, and relationships to others.”²⁰⁷

Women were engaged in using public spaces, like the street or the market, but cultural expectations of the behaviour of women limited their choices of action.²⁰⁸ To understand the lives of the women who lived in early modern Edinburgh, analysing how they used, saw and knew the spaces in the town, and the social boundaries placed on their gender, offers a glimpse into the cultural expectations placed on women of that time and the socio-political system that dominated the lives of all Scots. Finding evidence of how some women really behaved outside expected cultural standards, or how they pushed against the constructed boundaries of their gender, can be quite revealing. As Amanda Flather states, “who could and should have access to public spaces” was defined in “sharp social connotations” and helped define social spaces.²⁰⁹ The contribution of women to the development of society is often overlooked but is equally important as that made by men, and requires a different set of parameters when examining the sources. Any source that featured women, unless they were personal letters or diaries, were written by men who judged the women by the culturally constructed system of patriarchy which scholars must understand “in its particular historical context.”²¹⁰ This historical context also reveals the silence that researchers find when investigating the lives of women from the past. This silence, when critically examined, can also be quite revealing, and it assists in understanding how spaces represented something different to women.

²⁰⁷ Corley, “On the Threshold,” 130.

²⁰⁸ Elizabeth, Munson, “Walking on the Periphery: Gender and the Discourse of Modernization,” *Journal of Social History* 36, no. 1 (Fall, 2002), 64.

²⁰⁹ Flather, *Gender and Space*, 30.

²¹⁰ Katie Barclay, *Love, Intimacy and Power*, 9. Also see Elizabeth Ewan, “The Early Modern Family,” 268-284 (Oxford: Oxford University Press, 2012).

Early modern women participated in both public and private spaces. In 1868, while researching for the Town Council of Edinburgh to see if the Baroness Burdett-Coutts could be awarded the freedom of the city, R. Renwick discovered in “the oldest extant burghal records,” that women had been burghesses, but did not become guild sisters.²¹¹ Elizabeth Munson writes that women participated in public spaces “such as the street, the library, the café, and the club, but the private values associated with femininity shaped expectations of *how* women used these spaces.”²¹² Laura Gowing states that men and women did not perceive the spaces within the urban setting with the same “mental map.”²¹³ The beginning of their social interactions usually happened in the private familial spaces where they learned the expected behaviours, actions, dress, and the proper speech to be used, whether in public or private.²¹⁴ The dominant cultural structures, like the kirk, patriarchy, and the laws, enforced cultural control on the acceptable behaviours of women in early modern culture. As Juan Luis Vives explained in 1524 in his instruction booklet, *Instruction of a Christian Woman*, which was commissioned by Catherine of Aragon when she married Henry VIII, “women should be barred from public demonstration of learning: ‘If she be good, it were better to be at home within and unknown to other folks, and in company to hold her tongue demurely, and let few see her, and non at all heare her.’”²¹⁵

²¹¹ R. Renwick, “Preface,” in *Edinburgh Guilds and Crafts*, ed. James D. Marwick (Edinburgh: The Scottish Burgh Records Society, 1809), v.

²¹² Munson, “Walking on the Periphery,” 64. Emphasis is author’s.

²¹³ Laura Gowing, “‘The Freedom of the Streets’ Women and Social Space, 1560-1640,” in *Londinopolis: Essays in the Cultural and Social History of Early Modern London*, eds. Paul Griffiths and Mark S.R. Jenner (Manchester: Manchester University Press, 2000), 138.

²¹⁴ For more on this idea see Munson, “Walking on the Periphery.”

²¹⁵ Juan Luis Vives, *Instruction of a Christian Woman* (London, 1584), quoted in Margaret P. Hannay, “‘O Daughter Heare’: Reconstructing the Lives of Aristocratic Englishwomen, in *Attending to Women in Early Modern England*, eds. Betty S. Travitsky and Adele F. Seeff (Newark: University of Delaware, 1994), 36.

As it is seen for children and youth, finding women's stories in the primary sources can be difficult. As Mary Jo Maynes states, this can cause a methodological dilemma as the "agendas and perspectives" of the authors of the sources and the keepers of the records must be identified before examining the written history.²¹⁶ Much like the case for youth in the early modern era, women, too, exercised agency as active participants in Scottish events and culture, but since almost all females were marginalized from the "centers of power," the struggle for today's scholars is to identify female historical agency.²¹⁷ The Trinity Kirk Session records have numerous entries dealing with men and women caught in the sin of fornication. When the place of the sin is mentioned the majority of fornication was said to occur within houses. The walls of the house symbolised a withdrawal from the public gaze. Christiane Bannatyne, for example, who confessed her fornication with John Reidpeth, had met John many times in the privacy of Jon Culloch's house.²¹⁸

It is quite telling that the records do not show many incidents of women acting outside in public. Wanting to go unnoticed, women chose places, like houses, where one expected to see them. It is unfortunate for researchers of Edinburgh that only the Trinity Kirk Session records survived and that they only cover a twelve-year period. For the male clerks recording the events, the importance was not on the place of the sin. One major case brought before the session that included the place involved Christiane Watt and Mr. Mitchell Ainslie who, after meeting together in the town, continued together in a field.²¹⁹ This, they hoped, got them away from the prying eyes of their neighbours.

²¹⁶ Maynes, "Age as a Category of Historical Analysis," 115.

²¹⁷ Maynes, "Age as a Category of Historical Analysis," 115.

²¹⁸ CH2/141/1, 17.

²¹⁹ CH2/141/1, 140.

On 22nd July 1593 many poor women from the south border country came to Edinburgh to protest the killing of their husbands, brothers, sons, and servants by the Laird of Johnstoun.²²⁰ Though not residents of the burgh of Edinburgh, these city streets were a symbol of where they hoped to find justice for their murdered menfolk. Knowing that they would not get satisfaction from the powerful barons in their home area, they brought their protest to the king, even though the king had made gathering in groups or marching in protests illegal.²²¹ David Calderwood, who wrote about this episode in his *History*, did not inquire into the importance of the women coming all the way from the south border country to the streets of Edinburgh; the carrying of the fifteen bloody shirts by pyoners;²²² the power of the women as a group; or the spectacle of their march for the people of Edinburgh and the courts. Calderwood just reported the historical event. In trying to understand this act beyond the qualitative data of the protest, the use of spatial symbolism assists researchers in asking new questions about the women participating in political protests, and their need to push beyond the acceptable boundaries of female behaviour to assert themselves in the premiere public space of the capital—the High Street.

The only response to the march that Calderwood mentioned was that the king was not moved by the spectacle, and believed that it was staged by the city and its ministers to show him their contempt.²²³ Calderwood's dislike for James VI is well known, and his opinions about the king's actions must be used carefully, but the abrupt description to this gory protest is quite revealing. Women acting so forcefully in a public space, raising

²²⁰ Calderwood, *History*, vol. Fifth, 256.

²²¹ Calderwood, *History*, vol. Fifth, 216.

²²² *DSL*, definition of pyoner – “One of a body of men engaged to accompany an army, equipped to perform such tasks as digging, making roads, constructing fortifications, etc.; a pioneer.”

²²³ Calderwood, *History*, vol. Fifth, 256.

their voices, and causing such a spectacle was not accepted or expected behaviour. They had pushed against the boundaries of the culturally-constructed Scottish norms for women, and had disrupted the afternoon business of the city. Beyond the king's indifference to their plight, Calderwood did not mention what response these women got, what punishment they might have received for the illegal assemblage, or what satisfaction they might have gotten in the courts. This leads to the question of how we can begin to understand the history of women when so much of their history is missing, especially their own voices. As Susan Dwyer Amussen states in "Elizabeth I and Alice Balstone: Gender, Class, and the Exceptional Woman in Early Modern England," because most of the sources we have for ordinary women are "socially specific," like wills, court records, and burgh records, different methodological approaches are required.²²⁴ This includes looking at how the understanding of private and public affected actions and how social relationships differed for women, and examining the symbolic dimensions of the physical city and how women interacted with it.

Interesting snippets of women in public can be found in the sources. This includes women bringing their verbal arguments with others to the attention of their neighbours by raising their voices, name calling, and making a spectacle for all to see. These women were called scolds or flyters,²²⁵ and being called a scold was an offence reserved for women. The spatial relationship of a woman in public beyond the house was not to be one of aggression. Aggressive public conduct was unacceptable as it disrupted the

²²⁴ Susan Dwyer Amussen, "Elizabeth I and Alice Balstone: Gender, Class, and the Exceptional Woman in Early Modern England," in *Attending to Women in Early Modern England*, eds. Betty S. Travitsky and Adele F. Seeff (Newark: University of Delaware Press, 1994) 225. Also within this text, see Margaret P. Hannay, "'O Daughter Heare': Reconstructing the Lives of Aristocratic Englishwomen"; Lisa Jardine, "Unpicking the Tapestry: The Scholar of Women's History as Penelope among her suitors"; David Cressy, "Response: Private Lives, Public Performance, and Rites of Passage."

²²⁵ *DSL*, definition of flyting is the "action of quarrelling, scolding, or employing abusive language."

harmony of the community and led to them being reprov'd for their misbehaviour. The expectation in this patriarchal, Scottish culture was that women should conduct themselves properly in public; such overt and aggressive behaviour was not seen as acceptable for women.²²⁶ There was a “symbolic boundary between household and the street” and even though that private/public boundary was fluid, once out from behind the walls of one’s house, a woman’s demeanor was now open to public scrutiny and judgement.²²⁷ The Town Council of Edinburgh put forward an order in September 1591, that any elder or honest neighbour, who heard or saw the “commoun vyces of flyting, banning and swering,” had the power to take the guilty persons and put them in the jogs.²²⁸ One good thing that did happen, Margo Todd states, is that by bringing the argument or quarrel out into the public arena, a woman was seen as defending her reputation in front of witnesses, who could then assist in mediating the disagreement.²²⁹ The streets of the city were to be places of order and harmony, and neighbours were expected to assist in its restoration.

A perfect time and place to start a verbal or physical fight was in the kirkyard, just before entering into the kirk to hear the sermon. Everyone was expected to attend the service, so all of the congregation knew where their neighbours would be. This time and place was advantageous to those trying to rehabilitate their reputation. At the same time, it was a public place with many witnesses who could be called to defend the flyter’s actions. Yet, a strong defence did not negate punishment. Whether one was in the wrong or right, both participants were punished for disturbing the peace. In 1626, the Trinity

²²⁶ Amussen, “Elizabeth I and Alice Balstone,” 226.

²²⁷ Corley, “On the Threshold,” 144.

²²⁸ Wood, *B.R., 1589-1604*, 47.

²²⁹ Todd, *The Culture of Protestantism*, 243-250; Also see Michael F. Graham, “Women and the Church Courts,” 192.

Kirk Session records reported that certain servants were “scalding and flyting” before the sermon and were to be publicly punished.²³⁰ In 1629, Allison Scheaver and Bessie Kickson made a great tumult and turbulence in the kirk and blasphemed god’s name, and they fought together whereby god’s house was abused and the beholdings offended.²³¹ When the kirk session got involved, all who witnessed this breach in neighbourliness were then also witness to its mending when the quarrelers repented in public.²³² Offenders could be made to kneel in front of the congregation, and beg the forgiveness of everyone in the kirk. They could also be made to stand at the church door as all their neighbours entered for the sermon, or they could be made to stand in the jogs in the kirkyard. Here, the kirk and the kirkyard were not only symbols of public worship, but they were also places of public punishment. Part of the punishment could also be financial reparations. In May 1638, the baillie Robert Fleming handed over three dollars to the kirk treasurer, which was the penalty charged to two scoldes that “moleffed the church”.²³³

All women, and especially housewives could be charged with being a scold or flyter. Women were emotional, unstable, and as John Knox states, they were “weake”, “sicke”, “foolishe, madde and phrenetike”.²³⁴ Without the governance of men, the burgh would fall into such disharmony. As Corley states, most married women staged their conflicts around the spaces that were associated by women, the house and the marketplace.²³⁵ They were known to verbally fight amongst each other, by yelling over

²³⁰ CH2/141/1, 8.

²³¹ CH2/141/1, 79.

²³² Todd, *The Culture of Protestantism*, 249.

²³³ CH2/141/1, 195.

²³⁴ John Knox, “The First Blast of the Trumpet against the monstrous regiment of Women,” ed. Edward Arber, Project Gutenberg, www.gutenberg.org/files/9660/9660-h/9660-h.htm.

²³⁵ Corley, “On the Threshold,” 144.

the fence, while on the front step, or while shopping or working in the market place. Being more public it was in the market place where women faced derision and mockery for their raucous behaviour as they tried to sell their wares. Elizabeth Ewan states that William Dunbar wrote in one of his poems, around 1500, “about the noise and raucousness of Edinburgh market-women.”²³⁶ It seems that women were fair game to moral criticism and attack when out in public spaces, whether doing their own legitimate business, or just walking on the High Street. Complaints were made to the council in August 1594 that the flesheour wives in the landmarket were also found to be “flyting, banning or sweyring” at each other, and the bailies were charged with punishing those offenders who refused to desist by banishing them from the marketplace.²³⁷ These disturbances to the good order of the burgh were unacceptable to the kirk. The harmony was seen to be disrupted, and needed mending to help re-establish the godly community.²³⁸ It is more important, though, as Lisa Jardine states in her article, “Unpicking the Tapestry,” to look at the scolding episodes as the woman’s reaction, or response to an incident, instead of just looking at it as a description of that incident.²³⁹ Unfortunately, it is usually just the description that has been saved in the sources. What was happening in these spaces that caused the women to verbally lash out at another woman? Usually, since the fighting involved name-calling, a woman was defending her reputation. As stated, women defended their reputation in public spaces that were identified with femaleness. The spaces mostly associated with women, such as the wells, houses, the areas immediately surrounding the house, and the marketplace or booth,

²³⁶ Elizabeth Ewan, “‘For Whatever Ales Ye’: Women as Consumers and Producers in Late Medieval Scottish Towns,” in *Women in Scotland c. 1000 – c. 1750*, eds. Elizabeth Ewan and Maureen M. Meikle (East Linton: Tuckwell Press, 1999), 125.

²³⁷ Wood, *B.R., 1589-1604*, 119.

²³⁸ See Graham, “Women and the Church Courts,” 192.

²³⁹ Jardine, “Unpicking the Tapestry,” 131, 132.

where they worked alongside their husbands, gave meaning to the identity of the women, but the women's use of these spaces also gave meaning to the spaces.

Along with a woman's house, these places were public spaces where it was expected to see women gathering water, assisting their husbands with the sale of their produce, or managing their own businesses. The *Edinburgh Housemails Taxation Book* of 1635 states that women were the landladies of 232 properties which were comprised of "837 separate dwelling houses, booths, taverns, stables, cellars, lofts, bakehouses, slaughter houses and work houses".²⁴⁰ There were two dozen markets by the seventeenth century, and they were the symbols of the city's power and economic rights.²⁴¹ Marketing was seen by Scottish society as part of the woman's household duties.²⁴² Men living within the city boundaries were given the right, as freemen, to do business and trade. Those beyond the city walls were given permission to trade only on specific market days and at the fairs. For the clerks recording the history, women working in these spaces were not usually identified in the records by their names. Instead, they were identified by the association to their husbands and their husbands' trade. They were fishwives, pudding wives, and flesheour wives. Other examples of women mentioned in the sources were water women, burgess's daughters, relicts, widows, washer women, grass women or market women. Their identity was associated with a husband, a father, or their employment, which identified them with a place such as the work spaces, wells, and their house.

With not many ways to assert one's distinctiveness, or create a personal identity, some women tried to make a statement in the public spaces with the use of dress. As

²⁴⁰ Allen and Spence, *Housemails*, "Introduction," xxx.

²⁴¹ Houston, *Social Change*, 125, 126; Allen and Spence, *Housemails*, "Introduction," xxviii.

²⁴² Elizabeth Ewan, "For Whatever Ales Ye'," 126.

public places, urban streets were also “a metaphor for visibility.”²⁴³ For both women and men, their place in the burgh of Edinburgh was partially defined by their outward appearance which included the attire they wore when out in public and at church. Certain styles of clothing were a mark of rank, marital status, and economic affiliation. For those in the ministry, it was felt that their outward appearance should represent “the sobriety and humilitie of their mindes,” which symbolised their “unfained humilitie and simplicitie of heart”.²⁴⁴ They were, after all, the representatives for God’s word. Their wives were expected to dress in the same somber manner to put forward a “comelie” and “decent” appearance which in no way could be slandered. It was felt that clothes made from colourful material, with “frivolous decoration” symbolised a person who had lightness of mind.²⁴⁵

Consumer goods like clothing and rich fabrics flowed in Edinburgh because of its monopoly on international trade, and with a rich merchant community, there was money to spend. As mentioned in the proceeding chapter, and as will be discussed more thoroughly in the next chapter on status, the kirk and magistrates were concerned about the attire of its people, especially out in public spaces. How could one identify the status of a woman if they all dressed the same or covered their heads with plaid shawls and skirts? With Scottish culture being rigidly controlled by a patriarchal system of power, women who were on the streets could find themselves associated with “sexual disorder.”²⁴⁶ With the built environment of a city associated with men’s enterprises, like business, trade, government, and the kirk, what other reason could a woman have for

²⁴³ Anu Korhonen, “To See and To Be Seen: Beauty in the Early Modern London Street,” *Journal of Early Modern History* 12, no.3/4 (2008), 335.

²⁴⁴ Calderwood, *History*, vol. Third, 345. Also see p. 354 where it was listed the types of material not allowed along with trimmings, hats, and fringes.

²⁴⁵ Calderwood, *History*, vol. Third, 345.

²⁴⁶ Gowing, “The Freedom of the Streets,” 132.

being in this public space? Similar to Gowing's findings for London, with many young women moving to the city to live and work, it was hard for the magistrates and the kirk to control their behaviour. Those found in the streets were seen to be acting outside acceptable moral parameters.²⁴⁷ The streets of the burgh of Edinburgh had been originally set up with the High Street, like most Scottish burghs, extra wide to accommodate the various markets, trade, and businesses that fronted on the street. They were "consistently imagined through gendered personifications."²⁴⁸ It was considered slanderous behaviour to have people seen coming and going from your house. The authorities needed to know who was visiting, who was a tenant, or who was in the house for unacceptable behaviour. There are numerous examples like Margaret Young who was brought before the kirk session for keeping and receiving slanderous people in her house. This was suspicious behaviour and the ministers and elders assumed that Margaret was keeping a bawdy house.²⁴⁹ Christiane Chalmers was also accused of keeping a slanderous house.²⁵⁰

Attire could be very important to identifying different people in Edinburgh, which made the removal of certain pieces of clothing as punishment even more effective. Using the removal of such a visible status symbol as punishment was a great way to send a message to others. Jeilles Williamsoun was convicted of the slander of lying in bed together with Laurence Huchesoun, a tailor. While they were both told to avoid each other's company, Jeilles was also punished by having her busk (a woman's headdress) taken from her, and was told that she was no longer to wear this symbol of an honest

²⁴⁷ Gowing, "The Freedom of the Streets," 131, 132.

²⁴⁸ Gowing, "The Freedom of the Streets," 131.

²⁴⁹ CH2/141/1, 171. The neighbours were said to be witness to her guilt of having many 'visitors'.

²⁵⁰ CH2/141/1, 30.

burgess's wife.²⁵¹ Similarly, in 1601 the Town Council put forward a statute that stated if any widow be found caught "in the filthy cryme of fornicatioun...scho sall be degradet of the busk of ane burges wyfe and discharget to weir or use the sam publictlie or privatlie."²⁵² The removal of the headdress was seen as a way to humiliate and punish the sinner by making it publicly known that her place as a burgess's wife had been damaged, and she had lost the right to wear the apparel of an honourable woman. The physical manifestation of her 'sexual disorder' followed her even as she withdrew from the public view.

The removal of apparel as part of a woman's or man's punishment was also part of the ritual of repentance in the sacred spaces. Standing in front of the whole congregation in sackcloth was a serious enough humiliation, but adding to the act of repentance by having to stand there also bare-headed and bare-footed was used to mark the sinner's guilt for a more heinous crime. Since crimes, like that of fornication and adultery, were seen as sins against the whole community, it was believed God punished the ungodly community. Reparations had to be a public event. Some repentant sinners entered into their place of repentance in sackcloth, while others entered in their own clothes the first day, sat in sackcloth the following days, and exited at the end back in their own clothes. The removal of clothing laid the sinner bare in front of their neighbours. One of the visual marks of rank, economic position, and gender was removed, and when the punishment was done they were welcomed back into the congregation again whole, physically, and spiritually. Their reputation, which had been damaged by the sin, was now repaired.

²⁵¹ Wood & Hannay, *B.R., 1589-1604*, 132.

²⁵² Wood & Hannay, *B.R., 1589-1604*, 295. *DSL*, definition of degrade – "To reduce (a person) to a lower rank; to deprive of rank or honour."

The presbytery of the burgh presented an act in September 1627 that said that all men and women found guilty of relapse fornication to sit a total of nine days in repentance with the first and last days to be in sackcloth. The next eight days were in their own clothes.²⁵³ Having to appear in front of one's parish in sackcloth, bare-headed, and bare-footed was to humble the sinner. Continuing to stand in the place of repentance in street clothes was a transition back into the community of neighbours. Bessie Alexander, a fornicatrix with Patrick Burne, was made to satisfy the discipline of the kirk the first and last days in sackcloth and the intervening days in her own clothes.²⁵⁴ Ending the repentance back in sackcloth could be a reminder to the congregation that this person was a repeat offender. Bessie had relapsed. Janet Murray had "trelapse[d]" in fornication with Robert Erle and was punished the same way.²⁵⁵

For women, their reputation was seen to be the most important aspect of their sex, and since social space was defined by who used a space and how that space was used, a woman's reputation and respectability "was defined spatially."²⁵⁶ Socially and culturally, it was a man's world. Men envisioned the built environment of the city for their uses, the buildings, streets, churches, markets, and gates were perceived through the lens of economics, politics, trades, guilds, and religion, all symbols of the male domain and power. Women's reputations could be perceived as suspect if they participated in these male-dominated spaces. One woman trying to protect her reputation was Geillis Moubray, who had confessed to her fornication with John Forbes, and who sought out Adam Nesbit, a writer, to forge a testimonial for her to prove that she had finished her

²⁵³ CH2/141/1, 38.

²⁵⁴ CH2/141/1, 50. Ending the punishment back in sackcloth could be a reminder to the sinner of their need to be humbled for not learning the lesson the first time.

²⁵⁵ CH2/141/1, 52.

²⁵⁶ Flather, *Gender and Space*, 30.

repentance and had repaired her reputation.²⁵⁷ She thought she would be able to reclaim her place in society without having to participate in the humiliating public ritual of repentance. Being found with a false testimonial though, Geillis was made to sit on the pillar of repentance in front of the congregation in sackcloth, and Adam, the forger, was made to stand three consecutive Sabbaths in the place of public repentance. He then confessed his fault in front of the whole congregation.²⁵⁸ Adam got a much lighter sentence than Sir Constene Miller, a notary public, who in 1563, had his right hand struck from his body “at þe Mercate-croce of Edinburghe, vpon ane scaffold, at ane stowp: And he to be Banist þis realme perpetualie”.²⁵⁹ Falsifying a person’s reputation, which put the whole town in spiritual danger, was a serious offence.

Another woman who worried about her respectability was Margaret Brown. Margaret had been attacked numerous times by her sometime employer, merchant burgess David Bowman. She complained about Bowman to the Privy Council in 1628. In the complaint, the Privy Council recognized her innocence, describing her as a “poore simple damosell” who had nothing but her reputation of “laughfull service”. The Council ordered that Bowman be put in ward till he paid to Margaret a penalty of one hundred merks.²⁶⁰ With no other talents or skills, and lacking the reputation of a husband or her family for protection, Margaret’s future employment or marriage prospects relied on her good name.

Justice sometimes moved slowly for both men and women who found themselves put in ward on the word of one of their fellow neighbours. They were considered guilty

²⁵⁷ CH2/141/1, 52.

²⁵⁸ CH2/141/1, 55.

²⁵⁹ Pitcairn, *Criminal Trials*, vol. First, First Part, 432. *DSL*, definition of stowp – “a block.” It was believed the seriousness of the crime pointed to Miller having forged his Notary Public instrument, or forged a document.

²⁶⁰ Brown, *Privy Council*, vol. II. Second Series, 278.

until they could prove their innocence in front of a court. The word of the pursuer (persecutor or oppressor) carried a lot of weight until the defendant could prove her innocence, paid her fine, or faced her punishment. The jailed could also face continued time in ward till they paid their bill to the jailor. Being put in ward removed the servant, apprentice, or wife from the responsibility of their master or husband. For Sibilla Cowper, a servitrix to John Binning, raising a complaint was the first step in the protection of her reputation. John's wife Grissell Denholme had charged Sibilla of stealing £300 and some gold jewellery.²⁶¹ Sibilla also "raised an action of slander" against Grissell Denholme, whose falsehoods of theft by Sibilla had put her in ward, where she languished and starved, even though her innocence had previously been proven in court.²⁶² The provost and the bailies ordered Sibilla to be put to liberty but nine days later Sibilla had raised another complaint because the keeper of the Tolbooth, Andrew Whyte, had returned her to ward. Whyte told the council that she owed for her expenses, and the council told Grissell that she was responsible to pay the bill.²⁶³

Interestingly enough, though the jail became a space that could sever the bonds of responsibility owed to a subordinate, some prisoners received support from the town for their board and food while they were warded. There are mentions in the Trinity Kirk Session records, such as that of the 8th July, 1628, where the kirk session agreed to give three Edinburgh women money to help to sustain them during their imprisonment in Dingwall.²⁶⁴ It is unknown who these women were, what their crimes were, or what their status was, but the city treasurer was told to have funds sent to the prison to aid in their

²⁶¹ Brown, *Privy Council*, vol. II., Second Series, 194.

²⁶² Brown, *Privy Council*, vol. II., Second Series, 194.

²⁶³ Brown, *Privy Council*, vol. II., Second Series, 206, 207.

²⁶⁴ CH2/141/1, 59, 60.

sustentation. They were inhabitants of the burgh, and the prison, which was situated beside the Trinity College Kirk, symbolised a place of punishment, not a severing of their burgh identity.

The courts and the kirk also intervened when evidence of domestic violence became common knowledge. This was particularly true when disruptive activity occurred beyond the private boundaries of familial space. Corrective measures to repair community harmony were usually taken to protect women from excessive abuse in a space that was where the family formed a “moral unit”.²⁶⁵ Usually, the boundaries of the walls and closed doors separated the home from the outside world, where a family could withdraw from public scrutiny, but once the business of the family came to the attention of those beyond the threshold of the entryway, either by sight, rumour, or by disruptive sounds, it now belonged to all. As Janay Nugent states, the divide between the privacy of the familial relationships, and the public domain of the town was a constant “shifting reality” with fluid boundaries, made necessary for the protection of the moral sanctity of the whole community.²⁶⁶ The proximity of the buildings, the closeness of one’s neighbours, and the level of constant surveillance by those of the authorities and the kirk made privacy hard to attain, and even the private behaviour in one’s home had to conform to the accepted moral behaviour of the reformed Scottish society. If any member of the family in this private space wanted to bring attention to undesirable behaviour, with the thinness of the walls, the open doors, and the mass of people residing in every square foot of space, it was an easy venture. The ministers of the kirk could involve themselves in the private business of any resident in their parish and any married couple, especially if

²⁶⁵ Gowing, “The Freedom of the Streets,” 136.

²⁶⁶ Nugent, “None Must Meddle,” 220.

the violence was seen to exceed “the accepted level of marital violence” and “if it was inflicted in public.”²⁶⁷ When the Town Council elected Constables, on the advice of King James, to assist the town authorities in keeping order in the town, their numerous responsibilities included being allowed to apprehend all suspicious people, ask assistance of the neighbours to help with disturbances, force entry into homes to arrest fleeing criminals, and arrest swearers and blasphemers “either in the streets or markets or at the wells”.²⁶⁸ When it came to maintaining public order within the town, all the town became a public space.

For some women, the symbolic dimension of the house as a place to withdraw from the public and the intrusion of neighbourly curiosity, was literal, and they found themselves removed from the protection that could come from having witnesses to their family strife. More than representing a place, privacy was a concept that was found within one’s core, intimate group, usually that of the family. Public was when that group’s privacy was intruded upon by an outsider, no matter in what space the intrusion occurred. The violent abuse against Barbara Gilchrist in 1630 not only endangered her life and reputation, but also her tocher of 5000 merks, and the yearly rental fee of 100 merks for her merchant booth.²⁶⁹ Barbara married Walter Thomesoun, a merchant burgess of Edinburgh in 1628. She stated to the session that she knew her place as a married woman, and added that she “has behaved herself unto him ‘frome the first houre of her mariage unto this tyme verie dewtifullie, omitting no respect unto him whilk

²⁶⁷ Mitchison and Leneman, *Girls in Trouble*, 24; Margo Todd, *The Culture of Protestantism*, 265, 266; Graham, “Women and the Church Courts,” 191, 192.

²⁶⁸ Wood, *B.R. 1604-1626*, 77, 78.

²⁶⁹ Brown, *Privy Council*, vol. III, Second Series, 464-466. *DSL*, definition of tocher – “Marriage portion, dowry paid by a bride’s family, chiefly her father, to the groom or his family.”

became ane loving spous unto her husband”²⁷⁰ Barbara told the Council that within six months, without any disrespectful behaviour from her, Walter “alienated his affection from her” and started to mistreat her. First he called her names like whore and harlot, and then he had his daughters and servants become disrespectful and violent.²⁷¹ These violent actions, and much more, remained within the privacy of the family, until Barbara took her complaint of abuse from behind the walls of her home, and out into the public domain and the notice of their minister, Mr. William Struthers and other respectable neighbours.

The large amount of Barbara’s dowry, and the fact that she was renting out what was probably her first husband’s booth for an annual rent of 100 merks, reveals to researchers that she was secure in her identity as a merchant’s wife. She stated that she knew what was socially expected of her, and her relationship with her husband was dutiful. Barbara behaved as she understood a wife was meant to, within the family unit and without. A merchant’s house symbolised to her a certain lifestyle, and an understanding of how the relationships within the house between family and servants should be conducted. The house was where she was master, after her husband, and where children and servants knew their place.

The kirk wanted to repair the damage to the harmony of the godly community, avoid divine retribution, and always tried first to mend the breach that had opened in the marriage and that had disrupted the familial space.²⁷² Walter was made to promise that he would act towards Barbara in a loving, Christian behaviour, but within a short amount of time, the abuse had escalated beyond physical violence to Walter absconding with the

²⁷⁰ Brown, *Privy Council*, vol. III, Second Series, 464.

²⁷¹ Brown, *Privy Council*, vol. III, Second Series, 464, 465.

²⁷² See Graham, “Women and the Church Courts, 188-191.

keys to her merchant booth, and locking her and everyone else out. Walter attacked Barbara, not physically, but by using the recognized space of her merchant booth as a weapon against her. This action undermined her power and her credibility in the community. He also stole her clothes, which were a symbol of her status and respectability. Intervention from the minister and neighbours had no effect on Walter's behaviour as he withheld her clothes from her, and left the merchandise in her booth to rot and be eaten by vermin.²⁷³ Trying to get entry back into her house, Barbara took her complaint to a friend, the late-baillie, Gilbert Achesoun and his wife. It was finally acknowledged by the Lords that Walter and Barbara could not continue as a married couple, they were allowed to separate from each other, with Walter financially responsible for Barbara's upkeep. He was also ordered to give her the keys to her booth and return her clothes. Under Scottish law, what property a woman brought to the marriage remained hers and could not be sold by the husband without her consent. It was kept separate from the husband's property, though he administered it for her.²⁷⁴

In a different complaint by Janet McIlroy against her husband, William Hendersoun, he was brought before the Lords of the Privy Council in April 1637. Not only had William been physically abusive towards Janet, he had also thrown her out of the house and "harled her up and doune the close, [and] exposed her naked to the violence of the tempestuous winter".²⁷⁵ Janet had brought her case before the kirk session and the town council of Edinburgh, both courts delaying in providing an answer. The Privy Council, taking into consideration that neither lower courts had passed sentence on the case, sent it back to them. What is interesting about this case is that even though William

²⁷³ Brown, *Privy Council*, vol. III, Second Series, 465, 466.

²⁷⁴ See *Housemails*, Introduction, xxx.

²⁷⁵ Brown, *Privy Council*, vol. VI, Second Series, 427.

threw his wife outside into the streets, there seems to be no witnesses who came forward. Without anyone coming forward to be a witness on behalf of Janet, could this case be labelled public? Any intervention was seen as undermining a husband's right to discipline his wife and his authority as head of the house. William intensified the fight and made it a spectacle by throwing Janet out of the house, which exposed her to the view and humiliation of the neighbourhood. By bringing the violence out into the streets, a place in the city that symbolised the public, the authorities of the town would have tried to quickly mend the harmony between the couple and the community. Was it possible no one came forward as witnesses to the abuse? Without a witness beyond the privacy of the married couple, it was difficult to determine which party to believe. The secular authorities and the Kirk did put forward a verdict of "Neutri credendum", which translates to "neither believed."²⁷⁶

The difference between public and private is more about the actions being in front of witnesses. When an outsider to the core group, whether it be family, friends, or a married couple, became intimate with their actions or words, whatever space the group was in became public. The permeability of the boundaries between public and private can be understood if the divide is seen as more than just the physicality of space. Issobell Brownfurd probably thought she was meeting with Robert Adamson in the private space of her mother's house. They were in a private space until it became known by Elspeth Muir that they were together. With Elspeth as a witness to the couple's fornication, the private behaviour and the private space was now public.²⁷⁷ When William threw Janet

²⁷⁶ The Maitland Club, ed. *The Booke of the Universall Kirk of Scotland: wherein the Headis and Conclusiouns devysit be the Ministeris and Commissionares of the Particular Kirks thereof* (Edinburgh, 1839). (Hereafter *BUK*).

²⁷⁷ CH2/141/1, 52.

out of the house and onto the streets the abuse should have become public. With no witnesses willing to come forward the actions between the couple remained private.

A well known example of spousal abuse was the case of Sibilla Dewar. The first time she appears in the Burgh Records was December 1589 when her husband John Bawty, a merchant, was ordered by the town council not to enter into the dwelling house of his wife without the town's permission. He was also ordered not to "molest or trubill hir in ony tyme heirafter in hir body or guidis, by word or deid".²⁷⁸ Separating a couple was not unusual; the Town Council and the Kirk were known to separate husbands and wives until they hopefully reached an accord. Being the authority in the family, it was usually left to the husband to settle the disputes and bring harmony back to the familial home. Having John depart the house probably meant that they recognised he was guilty of the discord, and that it was important that Sybilla remain in the house for the stability of the household and her children. Harmony of the community started with the smallest social unit—the family. Sibilla was also told to stay away from her husband. If either of them failed with these orders, they both could be fined forty pounds. It is eight years later when Sibilla's name is found in the records again. This time it is to grant "the escheitt of all guidis quhilk pertenit to umquhill Sibilla Dewar, thair mother," who was said to have drowned herself in the Nor' Loch.²⁷⁹

For ordinary women, protecting against physical harm in the intimacy of the family could be difficult if the privacy of the house remained intact. Abused women needed the protection of the public. However, to protect one's reputation, the privacy of the family and the walls of the house offered a place of protection. Interaction with

²⁷⁸ Wood & Hannay, *B.R., 1589-1603*, 12.

²⁷⁹ Wood & Hannay, *B.R., 1589-1603*, 193.

Edinburgh's residents in the streets, at the market, or gossiping with women at the well put women at the mercy of violence and gossip. This is especially true for single women who worked beyond the safety of the household or the family business. Work exposed young women to the gaze of others, put them under the authority of those besides her parents, and often changed living quarters to those of the master. These circumstances made young women the target of suspicion, jealousy, and curiosity.²⁸⁰ Under the scrutiny of the public gaze, a woman's reputation could be slandered because of where she walked, what she wore, who she talked to, or just because she was pretty. A simple rumour or bruit could be very damaging.²⁸¹

Women who worked in other occupations like taverners, toppers, servers, and water bearers were sometimes seen as being beyond the control of men.²⁸² Many of these businesses were run out of the home, or attached to the home, and those entering to do business came and went unrestricted.²⁸³ Workshops were attached, or in the back garden. Taverns, alehouses, and lodging houses could be part of the home, so interaction between men and women was unavoidable when they worked side by side. Some businesses were open to the street, or under canopies with no barriers to those passing by.²⁸⁴ It was common to have businesses established from the cellars of the tenement to the upper floors of the building. As stated in the *Extract of the Burgh*, March 1579/80, "the greit multitude of wemen tavernaris, dry topstairis, and ventaris of wyne, aill, and beir" were blamed for the vice of fornication, which was seen to provoke the wrath of God unto the

²⁸⁰ Scottish Burgh Records Society, *B.R., 1573-1589*, 491, 516, 517. Single women were constantly at the mercy of gossip from other inhabitants of the city. They were called "haires," "harlots,".

²⁸¹ *DSL*, definition of bruit – "rumour."

²⁸² *DSL*, definition of topper – "One who sells ale or wine; a publican, innkeeper."

²⁸³ Flather, *Gender and Space*, 53.

²⁸⁴ Flather, *Gender and Space*, 84.

town of Edinburgh.²⁸⁵ They were not seen to be under the control or supervision of a man. Rumours, gossip, and slander affected their reputation, because only one type of woman was without the authority of a man yet constantly in men's company, and that was prostitutes. These women were dangerous. They were an enticement to men, causing them to stray from their marriage vows and their behaviour was unacceptable for proper women.

Burgesses, merchants, and guilds also argued that businesses run by women encroached on their freedoms, and they petitioned to the magistrates to have women removed from these male spaces. In 1594, Katherine Stewart was made to close up her tavern "having no liberty thairto."²⁸⁶ James Moncreif was responsible to pay the fine against his wife in January 1580 because the council decided that she was holding "ane oppin tavern and hostlery and thairby bruikis the privilege of ane freman."²⁸⁷ The "art of chirurgerie" was being invaded by "imposter of woemen and ignorants" and the provost and bailies thought it was necessary and expedient for the freemen of the surgeons to regain their authority.²⁸⁸ Women were not allowed to enjoy the liberties of being a freeman, and managing these crafts, merchant booths, and hospitality businesses were seen to encroach on the rights of men. This type of economic space belonged to urban men. Freemen burgesses were encouraged to discharge women from their employ, or from living in their houses; they were to hire only male servants, under the penalty of five pounds and the banishing of the woman from the city.²⁸⁹

²⁸⁵ Scottish Burgh Records Society, *B.R., 1573-1589*, 154. *DSL*, definition of taverner – "innkeeper" and topstair "A (? chiefly female) person who taps or draws ale or wine for sale; a brewer and retailer of ale; a publican, innkeeper."

²⁸⁶ Scottish Burgh Records Society, *B.R., 1573-1589*, 113.

²⁸⁷ Scottish Burgh Records Society, *B.R., 1573-1589*, 547.

²⁸⁸ Wood, *B.R., 1626-1641*, 250.

²⁸⁹ Scottish Burgh Records Society, *B.R., 1573-1589*, 154, 155.

Amanda Flather argues that “while space was not organised towards rigid and static systems of segregation, prescriptive ideas interacted with practice in complex ways to shape practical experience.”²⁹⁰ The prescriptive ideas of space that women were expected to adhere to in early modern Edinburgh can be determined by looking at the laws that were passed and the social expectations of the kirk (which coincided and were linked with some of the laws). Ideas to restrict the actions and relationships of women were also accepted through long usage, tradition, or by the passage of time. But not all women conformed to the prescriptive and they pushed against the constructed boundaries of their lives.

As already stated, the boundaries and thresholds of the home, between private and public spaces were fluid and overlapping. These boundaries constantly changed with circumstances and the actions of the people in the spaces. With homes doubling as businesses and with overcrowding in the confined geographic boundaries of this unique city, the boundaries between the privacy of the home and the public streets made it difficult for those in positions of authority to control. Children played in the streets and women often worked outdoors doing tasks like cooking and washing. Many homes had no windows and because of the fire hazard the council had decreed it illegal to cook or bake in those homes without chimneys. One example of such a proclamation was in May 1636 when the council ordered the cessation of all baking of bread in “any heich or loftit housses” under the penalty of twenty pounds, and if any neighbours got a hint of someone breaking this law and they neglected to report the transgression, they would also be fined.²⁹¹ There were communal cook shops for those without chimneys where families

²⁹⁰ Flather, *Gender and Space*, 95.

²⁹¹ Wood, *B.R., 1626-1641*, 177.

could cook their meals. There were also cook shops where they could pay to have a cooked meal delivered to their home.²⁹² Such neighbourhood establishments helped to develop residents' identities. This was where close interactions and business deals happened. It was where children played together close to their homes.

To ensure control of what happened in Edinburgh, personal property was regulated as the Town Council kept track of who rented space and who visited the people of Edinburgh. On April 1588, a proclamation was made in Edinburgh listing the undesirable people that honest burgesses and freemen should not receive into their houses as renters. Among those listed were nurses and female servants who had fornicated or were under the suspicion of having committed fornication, and who had not satisfied the discipline of the kirk with the presentation of a testimonial.²⁹³ The town needed to know what kind of people were visiting the town, who the members of their community were, and where slanderous business took place. Identifying morally dangerous people, in a town of thousands, was a full time job for the authorities. When the provost, baillies, and burgh council dealt with a water shortage for the burgh in May 1580, they ordered all burnmen and women water bearers to cease drawing water for the brewers from the common wells. This was an understandable demand since the city constantly had to deal with droughts and water shortages, but they were also concerned with how all the women water bearers were "the cheif instrumentis of all thift and harlettry committit within the

²⁹² Scottish Burgh Records Society, *B.R., 1573-1589*, 13, 206, 449, 505, 515; Also see Margaret H. B. Sanderson, *A Kindly Place?*, 60.

²⁹³ Scottish Burgh Records Society, *B.R., 1573-1589*, 516, 517.

samyn, and commoun banneris, sweireris, and blasphemmeris of Godis name”.²⁹⁴ These women were also guilty of carrying water to their neighbours’ houses.²⁹⁵

In August 1592, single women and unfree women were lumped together with “all idill persouns, haiffand na other industrie”, and were barred from selling fruit in the streets of the burgh.²⁹⁶ The selling of goods was to take place in the public spaces of the markets and designated areas on the High Street; women were forbidden to sell while walking up and down the streets. As Gowing states, how these areas were used, and what they meant to those living in Edinburgh, was determined by gender—by the men in power.²⁹⁷ Markets could be controlled, areas of them could be rented out to unfreemen on certain days, and the prices and quality of merchandise could be monitored. In early modern societies, it was not moral for women to walk the streets. Without supervision, these women fell into the category of women characterised by sexual immorality.²⁹⁸

It seems that women were fair game to moral criticism and attack when out in public spaces, whether doing their own legitimate business or just walking on the High Street with their husband. In 1605, Katherine Rae and her husband Edward Johnstone were returning to their own home after supping in Edward’s father’s house. It was ten o’clock in the evening when they were walking on the High Street, and Katherine and her female servant were attacked by two men—John Brown, a goldsmith, and Patrick Robertson, a burgher of Aberdeen. These two men, unaware that Katharine was walking with her husband, and “perfaueing the said Katharene to be hir self, allane, accompaneit allanerlie [only] with ane fervand woman” first tried to persuade her with “findrie

²⁹⁴ Scottish Burgh Records Society, *B.R., 1573-1589*, 161.

²⁹⁵ Scottish Burgh Records Society, *B.R., 1573-1589*, 161.

²⁹⁶ Scottish Burgh Records Society, *B.R., 1573-1589*, 25, 162; Wood & Hannay, *B.R., 1589-1603*, 162.

²⁹⁷ Gowing, “The Freedom of the Streets,” 138.

²⁹⁸ Gowing, “The Freedom of the Streets,” 138.

vncumlie and vnhonneft fpeiches to hir,” and seeing that was not working, they proceeded to assault her .²⁹⁹ Being out on the streets at the time of curfew, Katherine was out of place for an honest woman, and the two men clearly felt that she was fair game for their advances as a prostitute.

Space could not only challenge a woman’s reputation, it could also work to save it. For Margaret and Agnes Inglissis, assistance did not come from the moral sanctity of the familial home, or the protection of a husband or father. Their honour and respectable identity was threatened by the sins of their mother, Christiane Falaw, who was being detained in ward for fornication. Margaret and Agnes had presented a supplication to the Town Council requesting that their mother not be “putt to an oppin schame”, which they felt could bring dishonour to them.³⁰⁰ They felt their mother’s public repentance in front of the congregation reflected badly back on them. The sisters sought to use space to protect themselves by requesting that their mother be put in Dingwall prison instead until the town decided to end her imprisonment. They promised to sustain her while she was there. Christiane would be ‘out of sight’ and her daughters would not be associated with her disrespectable behaviour.

Prostitution was a major problem for the magistrates of the Town Council and for the ministers and elders of the kirk, but finding evidence in the few records available for Edinburgh at this time is very difficult. Women, especially young, single women, were constantly called harlots, whores, and fornicators. Sometimes the magistrates did not know if the label was caused by rumour, suspicion, or truth. As has already been stated, the servers in taverns, the female water-bearers, and even respectable women walking the

²⁹⁹ Pitcairn, *Criminal Trials*, vol. II, Second Part, 463.

³⁰⁰ Scottish Burgh Records Society, *B.R., 1573-1589*, 219.

streets in the evening, were seen to be morally corrupt in the eyes of some men. In the Burgh records of 1578, there is evidence of the Town Council trying to curtail the “horrible vice of fornicatioun” by putting out a statute that would see “all the harlottis that salbe apprehendit in vice heirefter to be hurlyt in ane cart through the toune and banist the boundis thairof”.³⁰¹ When Thomas Bryntoun was caught in harlotry with a woman with the last name of Aikman, Thomas was sentenced to be “putt to the croce”, and Aikman was “to be banist the towne and dowket.”³⁰² This behaviour was obviously not acceptable for both sexes as both were punished in public.

One interesting example of prostitutes is found in the Trinity Kirk Session records. Without written explanation, Margaret Collace, spouse to James Bronson, elder and merchant, agreed of her own accord on 5 July 1632, to remove herself and her family from the family home, and to also leave this northeast quarter of the town.³⁰³ Two weeks later, on 19 July 1632, Margaret is again reminded to leave the house and the quarter within a week’s time. On 9th August 1632, Margaret Collace appears in front of the Kirk Session with Margaret Johnstone and “actit yaime selvis of yair awin confent yat Iff it sall be tried heirefter yat Iffobell Bannatyne hes defyld yir boddy in ye faid Margarit Collaces hous”.³⁰⁴ It seems that the two Margarets had been acting as pandrouesses (a procurer or go-between; a pimp) and willingly accepted their punishment as such. Issobell was made “publictly to depart” from Margaret’s house and ordered to never be found in her company again or she would be punished accordingly.³⁰⁵

³⁰¹ Scottish Burgh Records Society, *B.R., 1573-1589*, 72.

³⁰² Scottish Burgh Records Society, *B.R., 1573-1587*, 454. *DSL*, definition of dowket – “to plunge (a person, etc.) under water, freq. as a punishment; to duck.”

³⁰³ CH2/141/1, 123.

³⁰⁴ CH2/141/1, 125, Translation of quotation – “acted themselves of their own consent that if it shall be tried hereafter that Issobell Banatyne has defiled her body in the said Margaret Collace’s house”.

³⁰⁵ CH2/141/1, 125.

Here we see Margaret Collace, being told to leave the family house, along with all the family members. The stain that her activities had brought to the house and, by association, her family members, was such that the whole family had to not only depart from it, they also were told to find a new quarter of the city in which to live. The Kirk Session wanted them removed from within their moral boundaries, and no longer be part of the community of respectable parishioners. In this instance, Margaret's husband James could not control the conduct of his family and what happened under his own roof.

In close association with the above example, in the Trinity Kirk Session records, the only other hint we possibly have of prostitution happening behind the walls of private dwellings were the warnings given to tenants to stop resetting slanderous people in their homes.³⁰⁶ It could just be that the visitors had not been reported to the authorities as visitors or new residents of the town, or it could be that the resetter had let a person with a suspicious reputation stay in their home. In 1632, Helen Lindsay was challenged by the kirk as an adulterer and for resetting slanderous persons in her house, which she "obstinatlie denyed".³⁰⁷ One of these slanderous persons was said to be a soldier who was known to have stayed all night with her. Helen did confess to adultery with William Smeaton, which her servant Alison confessed she had witnessed. It is hard to know if Helen was running an inn, lodging or boarding house, or even a brothel. To the neighbours living near her, the details of her transgression were not the most important consideration. Instead, order and control needed to be restored. To control what happened in Edinburgh, the authorities needed to know at all times who was within private walls, and especially, to know who was sheltering whom. What was happening

³⁰⁶ *DSL*, definition of resett – "To harbor or shelter (a person); chiefly, To harbor (a law-breaker, or other person regarded as undesirable) in breach of a law or without obtaining official permission to do so."

³⁰⁷ CH2/141/1, 121.

within the private circles of Helen's home had become public knowledge and just the suspicion of improper behaviour was enough for the authorities to investigate. Margaret Young was also accused of "keeping and receiving slanderous persons in her house".³⁰⁸ Margaret is said to deny any such thing, but her neighbours said they had witnessed the haunting of her house by these slanderous people. Whatever the circumstance was for these women, their homes were not theirs for the renting or reselling of just anyone. It was expected that everyone be vigilant in reporting improper behaviour. Punishment was reserved for those who were neglectful in their duty if it was found out they knew about a neighbour's inappropriate behaviour and did not report it.

Though the line between private and public could be as simple as the difference between a whisper or a loud voice on the street, the intimacy of a couple seeking a dark stairwell or being caught cuddling in a field like Christiane Watt and Mr. Mitchell Ainslie, or looking for some private spot in one's master's house, people did expect a semblance of privacy if the door was closed or locked.³⁰⁹ Both men and women hoped for some private time with each other, but with cramped living conditions, family members and neighbours recruited by the kirk and town authorities to identify unacceptable behaviour, doors, walls, and shuttered windows were not always a barrier to public scrutiny. This was particularly true for women and girls. All aspects of a woman's life were controlled by someone other than herself. Within the household, girls were subjected to what we think of today as intrusive mental, spiritual, and physical investigation. Everyone's spiritual instruction was to be monitored, and though private

³⁰⁸ CH2/141/1, 171; Translation of quote – "keeping and receiving of slanderous persons in her house."

³⁰⁹ CH2/141/1, 85, Andrew Walker, servant of Lawrence Cockburne and Helene Forbes were caught together in Forbes' house; CH2/141/1, 89, James Dempster and Agnes Fulton expected privacy in William Mann's house the day they got together with Catherine Duncan behind locked doors.

prayer and meditation was acceptable, private study of the bible was frowned upon.³¹⁰ It was important that no one interpreted the scriptures incorrectly on their own, so they were constantly examined on their biblical knowledge. The father was responsible for religious instruction within the family and made sure there were no irregularities in belief. How women and girls viewed the world and interacted with the spaces of the city was closely constructed. Along with religious instruction the young women were instructed on acceptable gendered behaviour and how to behave in public. The correct public behaviour, gestures, dress, and deference were taught. If a girl was lucky enough to go to school, she was separated from the boys in a school just for girls,³¹¹ and was given domestic training that proved useful in marriage, as she assisted her husband with the support of the family and family business.

Sneaking a young man into her familial home for some private time was not acceptable behaviour, and her family and neighbours were vigilant in their scrutiny of any behaviour that upset the harmony of the town. Females could not be trusted alone with the opposite sex until after marriage, and even then there was scrutiny on a couple's relationship. Margaret Lowrie was caught with Andro Hamilton, a married man, in the house of her father-in-law while he and his wife were out for the evening. This house symbolised the respectability and economic success of her father-in-law. It was a symbol of his family, and she was defiling it with her crime of fornication. Her neighbor, Jonet Robeson peeked through the burden wall (a wall made of boards) that separated their

³¹⁰ "Sess. 19, August 24, 1647, ante meridian.—Act for observing the Directions of the Generall Assembly for Secret and Private Worship, and mutuall Edification, and for censuring such as neglect Familie Worship." Acts of the General Assembly of the Church of Scotland 1638-1842, BHO: British History Online, <http://www.british-history.ac.uk>.

³¹¹ Wood & Hannay, *B.R., 1589-1603*, 29.

dwellings, and spied the two together.³¹² Jonet's husband was brought to the wall to also "behold their indecent carriage".³¹³ With two witnesses now to the adulterous act, Jonet brought the crime to the attention of the kirk session.

Another young woman, Bessie Alexander, was seen almost a year earlier, in June 1627, by Ninian Tinto, a workman, while visiting the home of Patrick Burns, a man who had already been found "trelaps in fornication".³¹⁴ Ninian was at Patrick's house doing some work for him and he saw Patrick at home when Bessie entered his dwelling. A respectable early modern woman did not have the agency to act in such an immoral manner. The social understanding of the time put this place, the house of a male non-family member, out of bounds for women. Entering symbolised her sinful actions. Protesting his innocence and hoping to protect his own reputation, Patrick deponed that he would be content to be banished from Edinburgh if it was found out to be true.³¹⁵ He argued it was known that Bessie was with John MacMullins. He was given eight days to produce Bessie Alexander or be fined forty pounds.

In another case of adultery, Barbara Blackadder was told to produce her married daughter Anna Hamilton to the kirk session because Anna, who was married to William Ainsley of Leith, had been living at her mother's house for five weeks and was under suspicion of adultery and being pregnant with Thomas Tommis's child.³¹⁶ At eleven o'clock at night, Barbara let Thomas and Anna, who had been at David Gibson's house, into her house and had Anna lock the door behind them. Thomas had now entered the privacy of Barbara's home, and it is recorded in the records that at that time, no one in the

³¹² CH2/141/1, 56.

³¹³ CH2/141/1, 56.

³¹⁴ CH2/141/1, 33. 'Trelapse' meant that the young man had relapsed three times in fornication.

³¹⁵ *DSL*, definition of deponé – "To make a formal or sworn statement; to declare or testify."

³¹⁶ CH2/141/1, 34, 35.

neighbourhood was aware of this fact. The affair might have stayed hidden behind the locked door of her mother's house if Thomas had not fallen to his death through the schott.³¹⁷

As Katie Barclay states, "Power can be exercised in a myriad of ways..."³¹⁸ Women managed households and businesses, participated in the moral teachings of their families alongside their husbands, marched in procession down the High Street to fight for the rights of their families, were executed on the Castlehill and put in ward for a myriad of crimes, and they pushed against the gendered and spatial boundaries that tried to limit their involvement in their city. This can be seen every time a woman was brought in front of the courts for acting and being out of place.

Women were not always successful in asserting their agency, but by examining the gendered use of space, scholars can begin to put a picture together of how women lived and what they might have thought. Women maneuvered through the spaces of a city, amid a patriarchal system that considered them weak-minded, feeble, and emotional. Girls were raised to understand their limited and structured place in the city, and the examples found in the sources reveal how women interacted with others in these places, how they understood their place in the town, and how the understanding of the spaces could be changed by a woman's actions in that space.

³¹⁷ *DSL*, definition of schott – "The wooden shutter or shutters used to close a ? usu. Small window aperture; a window that could be closed in this fashion..."

³¹⁸ Barclay, *Love, Intimacy and Power*, 5.

Chapter Three Status

“That everie ane of you, in quhat ranke sa ever ye be, take tent to your conscience; for losing it ye loose faith, and loosing faith ye loose salvation.”³¹⁹ Robert Bruce preached this in his sermon before celebrating the Lord’s Supper on 2 March, 1589. His concern was that those in the higher levels of the social strata, especially the nobility, were behaving in such unacceptable ways that they were causing the many “social and political ills” that Scotland faced.³²⁰ Bruce was very forceful in his religious beliefs, not intimidated by those above him in social rank and often found himself in opposition to the beliefs of King James VI. James felt that the problem with the Presbyterian church government was that they were in no way concerned with those of elite status and he felt that “elders and presbyters were unwelcome interlopers in the affairs of their betters.”³²¹ It is written that in 1592 he raged against the ministers’ lack of reverence for status and stated that “it would not be weill till noblemen and gentlemen got licence to breake ministers’ heads.”³²²

This chapter on status explores the symbolic use of space in Edinburgh’s built environment by those of the social elite. With such variety in status between wealth, occupation and the intersectionalities of gender and age, this is a complex discussion. The ministers of Edinburgh enjoyed an elevated status over the common people but were still not as elite as some of the burghesses, gentlemen, nobles, and the monarch. The importance of various group identities was manifest in part through the symbolic

³¹⁹ Robert Bruce, “Collections as to the Life of Mr Robert Bruce, Minister at Edinburgh,” ed. Rev. Robert Wodrow, in *Sermons by The Rev. Robert Bruce, Minister of Edinburgh*, ed. Rev. William Cunningham (Edinburgh: Edinburgh Printing Company, 1843), 142, 143. *DSL*, definition of tent – “attention, heed, care.”

³²⁰ Graham, *The Uses of Reform*, 148.

³²¹ Graham, *The Uses of Reform*, 259.

³²² Calderwood, *History*, vol. Fifth, 148.

dimension of the Reformed Kirk, and symbolised, in Edinburgh, in the kirks of St. Giles, Trinity College, Greyfriars, and the Tron.³²³ For the burgesses, merchants, and craftsmen, who also varied in power and wealth, their identity was reflected in their homes, shops, and businesses. These places helped to develop their social, economic, spatial, and power relationships. Belonging to an incorporation like the Hammermen or the Flescheors (butchers) enhanced their standing when they became part of the civic government.³²⁴ Despite their titles being imbued with power, their relationships with the town varied a great deal. In part, their actions varied with the spaces in which they functioned.

Edinburgh offered a unique situation for those of a higher social status as their houses were not separated from the common people. They could not be identified at this point in history by their retreat to elite enclaves in the suburbs, although there were areas like the Castlehill that had higher land values. Comparing the residence patterns found in most early modern cities, it is seen that Edinburgh's unique landscape did not allow for the upper classes to have their own "social zones."³²⁵ As the tenement buildings expanded in size and were divided into many different living spaces, the elite burgesses and nobility could find themselves living in the same building with numerous families of differing social status. One example of this, found in the *Edinburgh Housemails Taxation Book 1635-1636*, is a building with two owners in the northeast quarter, first third

³²³ William Moir Bryce, *History of the Old Greyfriars' Church Edinburgh* (Edinburgh and London: William Green and Sons, 1912), 30. The kirkyard had been used by the city since the dissolution of the church in 1560. It became a parish church in 1620. The Tron Kirk was opened as a parish church in 1641. The Trinity College Kirk housed the north-east parish of the burgh of Edinburgh starting in 1593.

³²⁴ Jeremy Boulton, *Neighbourhood and Society: A London Suburb in the Seventeenth Century* (Cambridge: Cambridge University Press, 1987), 102; E. L. Ewan, "The Community of the Burgh in the Fourteenth Century," in *The Scottish Medieval Town*, eds. M. Lynch, M. Spearman, and G. Stell (Edinburgh: John Donald, 1988), 236.

³²⁵ Burke, "Urban History and Urban Anthropology," 76, 77.

section.³²⁶ Thomas Crawford owned a property in the building and lived in the property he owned. The rest of the building's properties were owned by Robert Halyburton a merchant. His remaining eleven properties ranged from laich houses renting for £20; heigh houses for £30 and £40; upmost and undermost houses of £73 rent; a house on the ground rented by Dame Coupper for £40; an undermost house rented by Dame Salton for £74; a upmost house rented by another merchant by the name of John Englis for £100; and a house under the turnpike stairs rented by James Steinson for £12.³²⁷ The differing rentals give evidence to the variety of properties in the one building and even though their trades are not mentioned, the differing rents and use of title identifiers reveal the differing statuses of those living within the same building.

Since there were no street numbers or signage, the people living within the building referred to the building either by who owned it or who the most prominent resident was within the building. Houston writes that identifying the building by the owner or a prominent tenant “indicates a degree of familiarity” by those who lived within the burgh.³²⁸ Making one's way around Edinburgh was done by familiar monuments, businesses who painted their name and trade in black letters on the building, and the recognisable built environment. As ownership of buildings changed and tenants moved out, the names for buildings, closes, and vennels could change to represent the new person. In an article on a 1970s excavation on the southside of the High Street, John

³²⁶ The burgh of Edinburgh was divided into four quarters, and those quarters were then again divided into thirds.

³²⁷ *DSL*, definition of laich hous - “the lower or downstairs part of a building; the ground floor or basement; basement apartment”, or it could also be “a lower building, often one of a group of such buildings, attached to a principle building of several storeys.” Definition of heigh - “Of considerable (or more than usual) upward extent; tall, lofty. Said of persons, and things. Also with specification of the height.” Definition of upmost – “highest” and undermost – “lowest”; Allen and Spence, *Housemails*, 170. Turnpike stairs are stairs that spiral around a central core.

³²⁸ Houston, *Social Change*, 122, 123.

Schofield informs the reader that Kinloch's Close had also been known as Blacklock's Close and Dickson's Close had gone by the names, Bruce's, Haliburton's Catchpole, Machan's and Aikman's Close. The name Catchpole, meaning a tennis court, was used in the 1600s because of the tennis court that had been on the east side of the close.³²⁹

Despite mixed living circumstances, there were spaces in the city which did define status. For example, the elite avoided areas of the city where trades were set up, where buildings were decaying, or were unsuitable for people of their social status.³³⁰ Allen and Spence, the editors of *Edinburgh Housemails*, mention Elizabeth Frame, the widow of a hatmaker who was the landlady of twenty-eight properties in two tenement buildings.³³¹ These properties were valued for rental from £3 to over £33. Elizabeth did not live in one of her own properties causing Allen and Spence to consider that this might indicate how undesirable the buildings were.³³² West Bow Port was home to a teeming market at its head and by the seventeenth century Edinburgh was home to several markets in areas the better sort avoided. They were "obvious nodes within the city" and they attracted all sorts of people.³³³ The High Street, the original space for the markets, was still home to shops, stalls, stands, and fruit and vegetable sellers, and was the most important thoroughfare in the burgh. The 1647 Rothiemay map of Edinburgh shows that the Meal Market was behind the Parliament House on the Canongate. The Fish Market was a couple of

³²⁹ John Schofield, "Excavations south of Edinburgh High Street, 1973-4," *Proceedings of Society of Antiquaries of Scotland* 107 (1975-6), 163.

³³⁰ Houston, *Social Change*, 133; Allen and Spence, *Housemails*, "Introduction," xxxi, xxxii, xxxiii.

³³¹ Allen and Spence, *Housemails*, "Introduction," xxx.

³³² Allen and Spence, *Housemails*, "Introduction," xxx.

³³³ Houston, *Social Change*, 125, 126.

alleyways east of the Meal Market, also entered from the Cowgate, and the Flesh Market was situated behind the Tron Kirk.³³⁴

Merchants set up their booths in every spare space; extended their shops out onto the High Street; set up their businesses from the basement to the fourth or fifth floors of the tenement buildings; built shops in the Tolbooth; and even set up tables and booths between the buttresses of St. Giles church. The social elite tried to establish their residences off the busy High Street, but still retained access to this main thoroughfare. Having access to the High Street was a definite symbol of status.³³⁵ Sir William Brereton, a gentleman from England, describes the High Street in 1636 as defining Edinburgh. It was “always full thronged with people, it being the market-place, and the only place where the gentlemen and merchants meet and walk”.³³⁶ It was their main stage for trade, business transactions, and social and power relationships. It was where they could be seen, conduct business, and where witnesses could be acquired when they feuded with rivals.

Edinburgh as the capital city, a royal burgh under the protection of the monarch, symbolised law, the courts, and the monarchy. Though the instances of fighting between feuding parties was declining, Edinburgh still saw some battles being waged on the streets as nobles who resided within city walls staged tulyies or skirmishes.³³⁷ Edinburgh had a “concentration of administrative and judicial bodies”, which required the building of accommodation for “attendant lords and functionaries.”³³⁸ This led to opportunities “for

³³⁴ James Gordon of Rothiemay, “Bird’s eye view of Edinburgh in 1647,” National Library of Scotland, maps.nls.uk/view/102190447.

³³⁵ Graham, *The Uses of Reform*, 138.

³³⁶ Brown, *Early Travellers*, 140.

³³⁷ *DSL*, definition of tulyie – “A quarrel, dispute, fight, brawl.”

³³⁸ RCAMS, *Inventory*, xlv.

the encounter of political partisans and gentry at feud, often leading to violent action”.³³⁹ It also did not help that so many nobles had country houses so close to Edinburgh.³⁴⁰ It was a surprise to the visitor Fynes Moryson to see so many noblemen living so close.³⁴¹ To try and put an end to these “tumultis and cummeris” it was ordained that two “crosegairdis” would be set at a place between the tron and the croce.³⁴² Some nobles even brought their fights to the High Street as it was a symbol of power and an appropriate place for powerful men to stage their spectacle.³⁴³ With the king sitting in the tolbooth in January 1595, the Master of Grahame and Sir James Sandilands staged a great combat on the High Street where men were slain on both sides.³⁴⁴ Even though fighting in Edinburgh was outlawed the king did allow single combat between the social elite as in March 1597 when he allowed the purchase of a licence to fight between Adam Bruntfield and James Carmichael. Bruntfield had challenged Carmichael for the murdering of his brother Stephen Bruntfield, the Captain of Tantallon.³⁴⁵ Birrel writes that the fight was fought on Barnbogle Links before five thousand men.

The Salt Tron, just east of St. Giles kirk, also saw a few battles. It was centrally placed on the High Street and offered maximum space for witnesses. The Tolbooth, where the Town Council, the Justiciary Court, and Parliament met, was just west of the Salt Tron beside St. Giles. All representatives of Scottish power were in one place,

³³⁹ RCAMS, *Inventory*, xlv.

³⁴⁰ RCAMS, *Inventory*, xxxvii. Described as “great landed estates.”

³⁴¹ Brown, *Early Travellers*, 82. “This City . . . is adorned with many Noblemens Towers lying about it”.

³⁴² The Scottish Burgh Records Society, *B.R.*, 1573-1589, 187.

³⁴³ Scottish Burgh Records Society, *B.R.*, 1573-1589, 512. The provost of Edinburgh produced a letter written by the king commanding the city to guard the gates as it is understood “that thair is sum nobillmen, barronis, and vtheris, our lieges, quhilkis ar to repair schortly to that our burgh in airmis, vpoun na guid intentioun as appeiris”. J. H. Burton, ed., *The Register of the Privy Council of Scotland*, Series One, vol. 2 (Edinburgh: H.M. General Register House), 585.

³⁴⁴ Calderwood, *History*, vol. Fifth, 361.

³⁴⁵ Birrel, “Diarey,” 42.

including those conducting business out of their shops. In 1595, the young Earl of Montrose fought Sir James Sandilands in single combat to avenge the slaughter of his cousin Mr John Grahame.³⁴⁶ The Laird of Ogle, younger, brought a group of his followers with him and they fought a two hour battle against the young laird of Pittarow and his men. Birrel does not indicate the reason for the fight, but numerous men were hurt and one of Pittarow's men was killed. The Earl of Bothwell also used the streets of Edinburgh to settle a dispute when he came across Sir William Stewart at the head of Black Friar Wynd and chased him into the wynd and killed him. Stewart and Bothwell had argued and Sir William told Bothwell to kiss his arse. Calderwood writes that this insult was given in the presence of the king.³⁴⁷ Upon hearing this insult, the Earl was said to have "made a voue to God, yat he should kis hesto hes no grate pleasour".³⁴⁸ When the king had left Edinburgh to go over the water, the incident escalated. When Bothwell and his company encountered Stewart on the High Street, they chased him into Black Friar Wynd where he accosted Stewart and told him that "he vould now kis his . . . , and vith yat drew his sword." In Calderwood's version of the story it is related that when the king returned, he found Bothwell still in the burgh behaving "as nothing affrayed for the king."³⁴⁹

For elite men like the Earl of Bothwell, the streets and dark alleys of Edinburgh were not where he tried to hide his crimes. This was where he staged the confrontation in front of witnesses. As Michael Lynch states, the elite "had status to impart."³⁵⁰ Almost daring the king to punish him, Bothwell waited in Edinburgh for the king to return.

³⁴⁶ Birrel, "Diarey," 34.

³⁴⁷ Calderwood, *History*, vol. Fourth, 679, 680; Birrel, "Diarey," 24.

³⁴⁸ Birrel, "Diarey," 24.

³⁴⁹ Calderwood, *History*, vol. Fourth, 680.

³⁵⁰ Michael Lynch, *The Early Modern Town in Scotland* (London: Croom Helm, 1987), 20.

Neither Birrel or Calderwood mention any repercussions for the murder done by Bothwell in avenging his honour. James needed his powerful earls to back his monarchy. As he sought to centralise the state, he needed their armies and the money they lent him. That is why, to the dismay of the Reformed ministers, James was lenient with the powerful Papist earls. James did not have a problem with the teaching of the kirk, he was raised in the Protestant faith. He needed the backing of these powerful magnates.

Favoured lords, like Lord Hume, treated the burgh of Edinburgh like an extension of his own lands, and ignored the laws in place to protect the lives, rights, and businesses of those living there. His powerful relationship with the king protected him from the law. While walking down the streets of Edinburgh in 1591, accompanied by the king and his favourite cousin the Duke of Lennox, Hume and Lennox “invaded the Laird of Logie”, a “varlet of the king’s chamber”.³⁵¹ Logie had insulted the Duke and “upbraided” him when the Duke demanded Logie leave his post of chamberlain.³⁵² As punishment Lennox and Hume were made to leave the king’s presence and that of his court. This punishment appeared to be for show only as they returned to court soon after. Lord Hume was also involved in the June 1593 kidnapping of Johnne Carnegie’s daughter by James Gray. Lord Hume stood upon the High Street for all to see; his armed men made sure that Gray was able to get away with the girl.³⁵³ The next day when the king asked the provost and bailies if they had a complaint against any of the people standing around him, they

³⁵¹ DSL definition of varlet – “A servant, a groom, an attendant, also with qualifier indicating the type of servant. Also attrib. b. Varlet of (in) (the, our, etc.) chalmere (wardrobe), a personal servant to the king, queen, etc.”

³⁵² Calderwood, *History*, vol. Fifth, 116, 117.

³⁵³ Calderwood, *History*, vol. Fifth, 252; Chambers, *Domestic Annals*, 222, 223.

answered no, even though Lord Hume was standing right there. Calderwood states that they answered that way because “they expected for no justice.”³⁵⁴

A noble title was an obvious marker of being one of the social elite, but levels of power, influence, and wealth could vary greatly. Not all nobles could expect to act as Hume. A person’s occupation and their wealth, as Houston observes, could also be useful “indicators” of social standing.³⁵⁵ This was a new type of social standing, one not based on the old notions of aristocracy. The wealth that came with trade and certain occupations, like goldsmith, brought with it undeniable economic power and influence. Even with this elevated economic status, the Housemails Tax of 1635 reveals a city where those who might have identified with the elite were still lodged beside those of lower status. Only the price of rent indicates a superior residence within a building that housed all different kinds of people. The tax roll also reveals spaces within the town that were avoided by those of greater status due to the presence of certain trades and industry. For example, the wealthy were not found residing along the Nor’ Loch where those of the Skinners trade, who needed access to water, concentrated their businesses.³⁵⁶ Thomas MacKalla rented one of his properties in the northeast quarter, at the foot of Halkerstones Wynd, to Pasquir Tollet who had “lyme pits” and used the house for his leather working trade. Sir John Scott paid £160 to live in the same tenement building, but his resident was at the other end, nowhere near the loch, with an entrance onto the High Street.³⁵⁷ The head of Halkerstones was considered a suitable place and a reasonable distance from the pits, for one of his rank to live.

³⁵⁴ Calderwood, *History*, vol. Fifth, 252. Robert Chambers quotes Calderwood in his account.

³⁵⁵ Houston, *Social Change*, 128, 133.

³⁵⁶ Allen and Spence, *Housemails*, “Introduction,” xiv.

³⁵⁷ Allen and Spence, *Housemails*, 211.

Many nobles lived in unassuming buildings owned by burgesses, and shared an alleyway or close with the other tenants. Closes were originally just enclosed spaces, like a *cul-de-sac* or courtyard, which later became alleyways to the extended buildings.³⁵⁸ As seen in the *Edinburgh Housemails Taxation Book 1635-1636*, though, some of the gates, closes, and yards were rented, thus giving the tenant some private property which was not open to the public. One person who did have a private close was Lord Haddington who rented property from Lord Cranston Riddell. Riddell owned extensive properties in the southwest quarter. For £400, Haddington rented a gate, a close, his lodging, and a yard near the Cowgate.³⁵⁹ One tenant who tried to make her property private was Lady Arrane who, in June 1585, was told to open up the passage to the castle bank which she had closed up. This was a public space, not her private space, and was for the use of the neighbours.³⁶⁰ Streets and markets were communal and open to all inhabitants, and therefore were not mentioned in the tax roll. This omission from the record gives the researcher insight into the public, communal spaces and which buildings were adjacent. When the population within the town expanded, and the burgh began building in newly acquired areas, some of the elite moved their houses into the burgh of the Canongate. Others elite moved onto the Cowgate or up towards the castle on Castle Hill. Many of the merchants and burgesses had big houses on the High Street, or set back off the main streets, with their shops opening up to the passing public. Looking at how the social elite related to the city and the spaces within builds on the ideas already presented in the preceding chapters as status becomes a point of intersectionality with age and gender.

³⁵⁸ RCAMS, *Inventory*, "Introduction," lxvi.

³⁵⁹ Allen and Spence, *Housemails*, 529, 530. Also see "Introduction," xxvi.

³⁶⁰ Scottish Burgh Records Society, *B.R., 1573-1589*, 427.

Earlier Scottish historians thought this close living of the people of Edinburgh of different status was an indication that Scots did not focus on the importance of status and rank.³⁶¹ This theory has since been refuted and it is now believed that because Scottish elites found themselves in such confined living spaces within the town, it was more important than ever to demonstrate their status in ways that successfully show their separation from the common people. This included defiance shown by some elites to the equality of the Reformed kirk when expecting sinners to repent in public spaces; carving out space within the kirk like the placement of seats, lofts, and galleries; deference given to them in gesture and speech; requesting permission for burial within the kirk when it had been forbidden to all; bringing their feuds and fights to the High Street; and the use of “immodest” dress that defined their identity in the public spaces of the street and the kirk.³⁶²

The burgh of Edinburgh was not only the capital city of Scotland it was also a royal burgh which allowed international trade to those freemen who resided within its boundaries; it was the residence of the monarchy, the royal court, Parliament, and central judicial courts; the importance of this city was reflected in the reputation and identity of the people living there. The key to Edinburgh’s growing dominance was its economic supremacy which benefited its inhabitants. Edinburgh protected its indwellers from outlanders, those who were from beyond the city walls, and those who did not have the same freedoms of trade as those living within.³⁶³ Economic and social protection was found by living inside the boundaries of the walls. This tight proximity Houston points

³⁶¹ Houston, *Social Change*, 18.

³⁶² For an in-depth study on this topic see Houston, *Social Change*. Also see Michael Graham’s article, “Equality before the Kirk? Church Discipline and the Elite in Reformation-Era Scotland.”

³⁶³ Allen and Spence, *Housemails*, “Introduction,” xxviii.

out, created a “shared religious adherence, membership of occupational associations, common privileges, oaths and obligations”. It created a community bound together by commonalities and a sense of belonging.³⁶⁴ The sense of privilege felt by the inhabitants of Edinburgh led them to protect its influence. In some ways this retained its medieval nature by supporting its inward-looking conservatism.³⁶⁵

Since the city offered privileges and freedoms to those who had permission to trade and work within its walls, the council made sure that those receiving these special concessions resided there. James Michell, a burghess of Edinburgh, was given from 20th September 1594, when he was summoned in front of the Town Council, until 20th November to take up residence in the burgh or “lose his freedom and that right for his descendants.”³⁶⁶ On the 20th November the council realized that Michell had taken up residence in Ayr, so they deprived him of his liberty and freedom of the burgh and deleted his name from the guild book.³⁶⁷ In March 1606, James Alexander was having his burghesship restored after he was deprived of it for non-residence.³⁶⁸ For James Ker, it was necessary to have Johnne Ker, surgeon, act as surety for him in 1626 because it was found that he and his family were not living in Edinburgh.³⁶⁹ Patrick Ramsay, a burghess of the town, and his wife promised to pay a fine of £20 for every night they slept in Leith.³⁷⁰ It was not only merchants that were being watched for residency. In September 1584, the Town Council, “[f]or the weill of the estaitts of frie burrowes,” ordained that an

³⁶⁴ Houston, *Social Change*, 104.

³⁶⁵ Lynch, *Edinburgh*, 3; Adams, *The Making of Urban Scotland*, 42, 97,

³⁶⁶ Wood & Hannay, *B.R., 1589-1604*, 120.

³⁶⁷ Wood & Hannay, *B.R., 1589-1604*, 124.

³⁶⁸ Wood, *B.R., 1604-1626*, 18.

³⁶⁹ Wood, *B.R., 1604-1626*, 299.

³⁷⁰ Wood, *B.R., 1604-1626*, 81.

article should be presented to Parliament against all craftsmen that were found residing in the suburbs.³⁷¹

This identification with being an inhabitant of Edinburgh affected self-perception, how they interacted with other people, and how they interacted with their surroundings. The growth of the city was contained within the walls, and there was no real boundary expansion until Edinburgh gained superiority over the Canongate in 1636. The swelling population was a close-knit community of economic jurisdictions, neighbourhoods, and parishes. Edinburgh was a one parish town until 1583, when it was divided into four parishes, with all four parishes still worshipping within a partitioned St. Giles Church. It was not till 1593, with the acquisition of the Trinity College Kirk, that the northeast parish moved out of St. Giles. St. Giles remained the home to the other three parishes. It was about seven years later when the city started to acquire or build the other two churches, Greyfriars and the Tron. This left only one parish within St. Giles. So, the identification of belonging to another parish within this town was not that much of a significant separation until the beginning of the seventeenth century.

Research on the people of the burgh of Edinburgh must also be understood from the standpoint of politics and economics. In her examination of the town counsels, Helen Dingwall argues that the political makeup of early modern burgh governments was shaped by their status first and foremost as a corporate, trading city. This meant that oligarchies of the powerful, rich merchants dominated politics.³⁷² As the city grew, the civil government changed to include men of varying social status, with good standing and reputation. It included men from the burgess list, craftsmen, and nobility, who were

³⁷¹ Scottish Burgh Records Society, *B.R., 1573-1589*, 350.

³⁷² Helen Dingwall, "The Importance of Social Factors in Determining the composition of the Town Councils in Edinburgh 1550-1650," *The Scottish Historical Review* 65, no. 179, Part 1 (Apr., 1986), 17.

intertwined with the moral instruction and leadership of the kirk.³⁷³ Being part of the Town Council elevated the status of those elected, which enhanced their ability to make beneficial social and economic relationships. With the addition of craftsmen to the Town Council after the Decreet Arbitral of 1583, merchants still held a powerful majority. They were able to re-elect each other even after James VI started to interfere by suggesting his choice for positions such as that of provost. They represented all the different levels of the social elite, with each having an understanding of their own elevated social status in the burgh.

This was challenged to a certain degree by the Reformed kirk's consideration that all Scots were equal in the eyes of God. These changes affected their understanding of their social status. Nobles, gentlemen, and even wealthy burgesses who were involved with civic government balked at the thought of having to humiliate themselves in a public space in front of their neighbours and those of lesser rank. This, they believed, reflected on their reputations, their business associations, and their social relationships. They were secure in the identities they had developed as residents of the burgh and successful business transactions relied on the respect one received from an honest reputation.

One's social status and reputation was sometimes seen as more important than one's wealth in consideration for civil government.³⁷⁴ This allowed merchants and craftsmen of modest means to also be seen as acceptable candidates. These same men, who were part of the Town Council, could also find themselves as elders of the Kirk Session, providing an overlapping of civil and religious government, or as Lynch states,

³⁷³ The craftsmen became part of the governing body of the Town Council in 1583 with the passing of the Decreet Arbitral. See Wood, *B.R., 1573-1589*, 266, 267; Michael Lynch, *Edinburgh and the Reformation*, 3, 5.

³⁷⁴ Dingwall, "Town Councils," 23.

“an interlocking relationship of council, kirk session and merchant and craft guilds.”³⁷⁵

Julian Goodare also recognises this in his book, *State and Society in Early Modern Scotland* where he argues that it was important to understand post-Reformation Scotland as a “strikingly powerful and effective network of authority in religious affairs,” that involved not just the kirk but also civil authorities from burgh councils all the way to Parliament.³⁷⁶ The jurisdictions of these two entities often overlapped but, as stated at the Parliament held on 20 October 1579, “jurisdiction granted to the kirk is declared to stand in preaching of the Word, ministratioun of the sacraments, and correctioun of maners . . .”³⁷⁷ This vague description of “correction of manners” proved to be problematic for some within and outside the church. *The Second Book of Discipline* called the policy of the kirk a form of “spiritual government” with no temporal head of the kirk on earth.³⁷⁸ This, of course, challenged James VI’s position as head of the Church of England after 1603.

Being of the nobility meant that person held a lot of power, and an honest reputation could be very important for some. As Graham states in “Equality before the Kirk?”, submitting to the civic authorities and to the kirk session reinforced one’s “godlie” standing in the community.³⁷⁹ At the General Assembly in December 1563, it was decided that all who offend should make their public repentance, “without exception

³⁷⁵ Michael Lynch, *Edinburgh*, 56.

³⁷⁶ Julian Goodare, *State and Society in Early Modern Scotland* (Oxford: Oxford University Press, 1999), 173.

³⁷⁷ Calderwood, *History*, vol. Third, 460; also covered in the *Second Book of Discipline*, on pgs. 529, 530, 531, 532. In the *BUK*, Part First, pg. 74, it was stated “for civill things we remit to the civile magistrat...”, 187; *BUK*, Part Second, 490, excerpts from the *Book of Discipline*, “The ciuile power is callit the power of the sword; the vther is callit the power of the keyis.” “The magistrat aucht to affilt, mantene, and fortifie the iurisdiction of the Kirk. The ministeris fhuld affilt thair princes in all thingis aggregable to the Woord . . .”

³⁷⁸ Calderwood, *History*, vol. Third, 530.

³⁷⁹ Graham, “Equality before the Kirk?,” 291, 292, 293.

of persons”.³⁸⁰ In 1573, noblemen needed to be reminded that they were all “subject to the discipline of the kirk as the poorer sort.”³⁸¹

Some rich, powerful, and politically-connected men like the merchant Robert Gourlay tried to avoid the humiliation of having to repent in public. In 1574, under the protection of Regent Morton, Gourlay was given a license to export grain even though at the time there was a scarcity in the country, and other merchants were forbidden to do the same.³⁸² Between the anger of the people and the fulmination of the kirk, Gourlay felt compelled to repent and give up his eldership in St. Giles. He was made to stand in the kirk, “in a penitential gown of his own, which was to be given to the poor, and also to crave forgiveness for his temporary disobedience.”³⁸³ This, Chambers believes, Gourlay did for his own “political economy”.³⁸⁴

For the minister Mr. Thomas MacCalzean, being made an example in front of his congregation and the kirk session, for the “injurie done” to the minister John Drury, was unacceptable to him and he put in a request to the General Assembly that he be allowed to do his public repentance in his own seat before the pulpit and in his own gown.³⁸⁵ One of his kinsmen came forward and told the Assembly that Thomas did not want to offend his “social position.” The General Assembly was not moved by his refusal for three months to do his repentance and was not agreeable to the conditions he stated. In Oct 1575, Thomas was warned to submit to his repentance. The mandate for the Reformed Kirk of Scotland did not just cover the moral crimes of fornication, adultery,

³⁸⁰ *BUK*, Part First, 41.

³⁸¹ Calderwood, *History*, vol. III, 300; Graham, “Equality before the Kirk?,” 291, 292.

³⁸² Chambers, *Ancient Domestic Architecture*, 16, 17.

³⁸³ Chambers, *Ancient Domestic Architecture*, 17.

³⁸⁴ Chambers, *Ancient Domestic Architecture*, 17.

³⁸⁵ Parish of Edinburgh Session, Records National Archive of Scotland, CH2/450/1, 105-108; Graham, “Equality before the Kirk?,” 299.

and slander. All crimes could be considered sins by the reformers, and this reading of the church's mandate sometimes caused problems with the civil magistrates. Power was described as such—"The civill power sould command the spiritual to exercise and doe their office according to the Word of God: The spiritual rewlaris sould requyre the Christian magistrate to minister justice, and punish vyce, and to maintaine the libertie and quietness of the kirk within their boundis."³⁸⁶ Both magistrates and ministers were to work together for the quietness and conscience of the town which definitely caused problems with many of the nobility and others who considered themselves amongst the social elite. They, along with the king, took offence when ordinary ministers tried to punish them in a similar manner as the common people, criticised their behaviour, or pronounced excommunication against them.

Looking at punishment is important as it reveals how the social elite, from nobles to wealthy merchants, understood their expected privileges, and how the Reformed kirk was affecting the culture that granted those privileges. It also exposes the evolving power relationships between the social elite and the ministers, and the reaction these relationships caused in certain spaces. As Keith Brown states, the Reformers, along with John Knox, knew that establishing the Protestant religion throughout Scotland required the power and authority of the nobility in combination with the doctrinal message of the ministers.³⁸⁷ How those of privileged status understood their place and their identity needed to be adjusted to the new interpretations of kirk teachings. This adjustment was,

³⁸⁶ The Acts of the *Second Book of Discipline*, as described in Calderwood, *History*, vol. Third, 531.

³⁸⁷ K. M. Brown, "In Search of the Godly Magistrate in Reformation Scotland," *Journal of Ecclesiastical History* 40, no. 4 (October, 1989), 553, 554.

as Michael Graham writes, “an attempt at social engineering on a societal scale.”³⁸⁸ Not only did it require the nobles and the monarch to reconcile their status to the beliefs of the Reformed kirk, it required the same from the burgesses, merchants, and craftsmen who believed they inhabited a place in society above the commoners. Status and the separation of estates was still culturally present, but the Reformed kirk informed all Scots through their teachings that, in the eyes of the church, punishment for offences and sins should not be measured by a person’s status.

In May 1582, John Durie, minister of Edinburgh, was charged by the king to remove himself from the town of Edinburgh after he called the Duke of Lennox and the Earl of Arran “abusers of the king” during a sermon.³⁸⁹ Durie was upset with the influence these Papist nobles had with James. The king was offended by an ordinary minister rebuking his noblemen, especially his favourite cousin, the Duke of Lennox. This was particularly offensive to the king because it took place in a public sermon in the kirk without first counselling him privately. This was a direct public attack on the king and his nobility. Another minister, David Ferguson, defended Durie’s actions by stating that any public fault should be dealt with publicly, and that Lennox was also entertaining a person under sentence of excommunication in his house.³⁹⁰ When confronted by the Assembly, and admonished for his behaviour, Lennox asked them “whether the kirk or the king were superiors”, and that he would continue with his actions as long as the king said he could.³⁹¹

³⁸⁸ Graham, *Uses of Reform*, 2. Also see Geoffrey Parker, “The ‘Kirk By Law Established’ and the Origins of ‘The Taming of Scotland’: St Andrews 1559-1600,” in *Perspectives in Scottish Social History, essays in honour of Rosalind Mitchison*, ed. Leah Leneman (Aberdeen: Aberdeen University Press, 1988), 3-5.

³⁸⁹ Calderwood, *History*, vol. Third, 620; *BUK*, Part Second, 576, 577.

³⁹⁰ Calderwood, *History*, vol. Third, 626.

³⁹¹ Calderwood, *History*, vol. Third, 627.

Of course, ministers themselves enjoyed a slightly higher status than ordinary people, but they were not above the law either. In fact, the Reformed kirk came down quite hard on their own as they tried to ‘plant’ new kirks in all districts, and fill them with properly trained and approved ministers. In the volumes of the *Acts and Proceedings of the General Assemblies of the Kirk of Scotland*, there is evidence of many ministers being chastised, punished, and fired for not following the expectations of the ministry. In June 1562 the ministers, followed by the elders, were tried to see if any had a charge facing them, and whether the charge was serious enough to have them removed from the ministry.³⁹² As God’s representatives on earth, their lives were under scrutiny in all places, public and private. In 1578, the Assembly decided that those who had lost their benefices and their ecclesiastical stipends due to offences, or even rumours of offences where they could not prove their innocence, would be removed from the ministry. If they did not give up their benefices they would be excommunicated.³⁹³ Like the nobles, ministers were expected to lead an exemplary life. They were to perform their work, such as church teachings, discipline, baptisms, and marriages, in public settings.

Scrutiny of sermons began right from the start of the Reformation, as seen in one example from 1570 when the ministers of Edinburgh were accused by the Bishop of Orkney, Adam Bothwell, of having “paft the bounds of Gods word in their publick teaching”.³⁹⁴ The bishop was accused by the ministers during the General Assembly of March 1570 of not fulfilling the mandate of the office to which he had been elected. One of the things he was charged with was his lack of preaching in the kirk of Edinburgh even though he occupied his dwelling in the burgh. In the 1580s and 1590s, as more

³⁹² *BUK*, Part First, 14.

³⁹³ *BUK*, Part Second, 424.

³⁹⁴ *BUK*, Part First, 163.

Episcopalian practices were introduced into the reformed kirk by the king, the ministers, especially of Edinburgh, had many confrontations with James VI. This charge of unacceptable words being spoken by the ministers of Edinburgh became a constant problem, especially for the king.³⁹⁵ James was beginning to consolidate his power and felt that the church's power should not exceed that of a monarch.³⁹⁶ Feeling that the actions of all Scots fell under their mandate of creating a godly community, they felt free to criticise all people, including the king and his nobles.³⁹⁷ In October 1581, James Melvill, the Gentleman of the King's Chamber, presented to the Kirk a complaint by the king, who often went to hear the sermons in St. Giles or heard reports of what was being taught by the ministers. The king was told that Mr. Walter Balcanquell had slandered his cousin the Duke of Lennox, and had remarked on his supposed influence on spreading Papistrie.³⁹⁸ James felt the words were not spoken "quyetlie," but that everyone had heard.³⁹⁹ The king preferred that any complaints against those of the social elite should be brought to him and discussed in private. This discussion was not for common consumption. Because the words were spoken publicly, the king desired Balcanquell to either be tried publicly, or that the Assembly should convene and judge his actions since they had all heard the slander.⁴⁰⁰

³⁹⁵ One example of James confronting the ministers happened in June of 1591 when he called the ministers to attend him in the tolbooth where he sat among his Lords of the Session. "'I thinke I have,' said the king, 'soverane judgement in all thing within this realme.'" Calderwood, *History*, vol Fifth, 130, 131.

³⁹⁶ Graham, "Equality before the Kirk?," 308, 309. Graham states the "Edinburgh Presbytery found itself up against another powerful interest—the crown—in the late 1580s when it tried to take action against Catholics at court." It was clear that "Scotland was unaccustomed to central power."

³⁹⁷ Colville and Thomeson, *Hist. K. Ja. VI.*, 254, 255. Upset with the burgesses and merchants of Edinburgh trading with Spain, the ministers used the pulpit to harangue them in to ending their trade with that Catholic country. The merchants took their complaint to the king, who sided with the merchants.

³⁹⁸ *BUK*, Part Second, 527, 528, 529.

³⁹⁹ *BUK*, Part Second, 529.

⁴⁰⁰ *BUK*, Part Second, 540.

Under Calvin's teachings, the ministers of Scotland were charged with bringing conformity and control to the godly community of Scots and cleanse the country of any slander. This included the social elite along with the commoners. The late 1580s and early 1590s give a glimpse into the religious battle fought by the ministers to have the king get the Papist lords under his control and the control of the Protestant faith. The ministers used their pulpits, to the detriment of their relationships with the king, to preach against the leniency given the lords. The righteousness of the message delivered from the pulpits symbolised how the ministers viewed their relationship with the king. They felt justified in calling him out in front of all his subjects, and used the most powerful tool they had, their sermons from the pulpit. Calderwood writes that "the ministers of the kirk of Edinburgh . . . [were] in a maner, the watche-towre to the rest."⁴⁰¹

For James VI, the pulpit was a place for preaching the word of God, and not for interfering in how he ran the country. Since early in his reign James had begun the process of centralising the government around the crown and away from the localities, he did not accept that the Scottish ministry was above the crown. There are numerous examples of the king going up against the ministers during this time period as they tried to bring him to task on his governance. After what the king called "their free speeches" regarding his lifting of excommunication from the earls, Calderwood reports that James demanded of the ministers, "How they durst be so pert, as to make him odious to his subjects, by invectives in their sermons?"⁴⁰² As he had told them in 1591, the pulpit was not the place to reprove him.⁴⁰³ Admitting to being a sinner like all men, James felt his position as king should allow for some consideration of his status. The problem was the

⁴⁰¹ Calderwood, *History*, vol. Fifth, 388.

⁴⁰² Calderwood, *History*, vol. Fifth, 282.

⁴⁰³ Calderwood, *History*, vol. Fifth, 130.

publicness of the pulpit and the ministerial authority that came from it. The king wanted the ministers to come see him privately, away from the kirk, and discuss what they saw as his sins. He told him that “his chamber doore sould be made patent to the meanest minister in Scotland”. If found guilty and not repenting, the king felt then “they might deale publictlye” with him.⁴⁰⁴

Where before those of elite status could avoid presenting themselves for punishment by delaying or paying a fine, now they were being ordered to present themselves like those of the lower order, to the public places of repentance reveal a great deal about the functioning of social status in early modern Edinburgh. The authorities, be they civil magistrates or ministers, took into consideration a person’s status at times and adjusted the punishment to accommodate the person’s rank. In the April 1635 meeting of the Privy Council and in the presence of the Lords of Secret Council, Sir Lewis Lauder, knight, who was cautioner and surety for Katharine Forbes, Lady Rothemay, assured the lords that she would remain in ward in the city of Edinburgh or Leith. She promised that she would not travel more than four miles from the city under the pain of a 5,000 merk fine.⁴⁰⁵ This lady was not put in the Tolbooth to await the decision of the court. For her, the city itself now represented her prison. Those of higher social rank could also be warded in Edinburgh Castle as was the case with Sir James MacConnell. A notorious criminal, MacConnell had been imprisoned for eighteen years in the castle before he made his escape in 1615.⁴⁰⁶

⁴⁰⁴ Calderwood, *History*, vol. Fifth, 397.

⁴⁰⁵ Brown, *Privy Council*, Vol. VI., 1635-1637, 11. *DSL*, definition of cautioner as “one who becomes security for another, a surety.”

⁴⁰⁶ Calderwood, *History*, vol. Seventh, 200.

For Dame Marion Boyd, Countess of Abircorne, her ordeal of imprisonment began in 1627. She was known to not subscribe to the Reformed religion. She did not attend the kirk in time of sermon and was known to have Papists and Jesuits to her house.⁴⁰⁷ Unlike Elizabeth Knowes, who had been a prisoner in the Tolbooth for nine weeks for her religious belief, Marion Boyd was imprisoned within the burgh of Edinburgh.⁴⁰⁸ Like Lady Rothiemay, Boyd's prison was the whole city, which she found confining. In 1629, Marion Boyd requested she be allowed to leave Edinburgh due to the affect the city had on her health. She sent a petition to the king "that she might have his Majesteis gracious allowance and warrand" to return to her home.⁴⁰⁹

Repentance for sinful behaviour was another type of punishment. This could vary from kneeling in front of the kirk session elders or the person that had been harmed, all the way up to excommunication and death, depending on the severity of the crime. Public penance was usually in the church in front of one's congregation. The General Assembly of 1563 passed an act that stated all those whose offence was of public knowledge, either by witness, publication, announcement, or even brute (rumour), must make their repentance in a public manner, without exception.⁴¹⁰ To the Reformed kirk, religion was not a private matter. The powerful were not able to bend the rules to avoid universal observance and their own personal conscience and teaching were a matter of public concern. Those of higher social standing were expected to participate as leaders in their community "as godly magistrates".⁴¹¹ The Edinburgh minister Robert Bruce preached against those who expected special treatment due to rank and those who

⁴⁰⁷ Brown, *Privy Council*, vol. II, 343, 392, 433.

⁴⁰⁸ Brown, *Privy Council*, vol. III, 253, 259.

⁴⁰⁹ Brown, *Privy Council*, vol. III, 253.

⁴¹⁰ BUK, Part First, 125; Michael F. Graham, "Equality before the Kirk?," 291.

⁴¹¹ Keith M. Brown, *Noble Society in Scotland: Wealth, Family and Culture, from Reformation to Revolution* (Edinburgh: Edinburgh University Press, 2000), 235.

condoned the special treatment. “Let not the thief pass because he is your servant, nor the murderer because he is your kinsman, nor the oppressor because he is your dependor.”⁴¹²

This conformity, as Goodare states, strengthened the idea of shared identity, which was easier to do in an enclosed, close-knit city like Edinburgh, than across the diverse geographical land that was Scotland.⁴¹³

Those of higher social status could still try to postpone their punishment. In November of 1589, Francis Stewart, Earl of Bothwell finally made his public repentance, after a year of avoidance, for the killing of Sir William Stewart in the Blackfriars Wynd and other crimes. He knelt in the Little Kirk before noon and then knelt again that same day in the Great Kirk.⁴¹⁴ The act of repentance by Bothwell in these religious spaces was highly symbolic. Bothwell submitted to the authority of the godly community. Even though his repentance was not done from a humble position, it was believed his participation in the ritual resonated with the people. Even burgesses like Alexander Steven could postpone repenting in front of the congregation. He denied his adultery with Jonet Crichton from July 1631 until October 1632 when he finally confessed before the Presbytery.⁴¹⁵

One really important space that affected the nobility and other social elite, especially when they no longer had access to it, was the space around the monarch. With the monarchy situated for the most part in Edinburgh, this made the city a very important space. Instead of being warded in the tolbooth, castle, or within one's home, the punishment for some of the social elite was to find themselves excluded from the

⁴¹² Bruce, *Sermons*, 355; Graham, “Equality before the Kirk?”, 308.

⁴¹³ Goodare, *State and Society*, 4, 5.

⁴¹⁴ Calderwood, *History*, vol. Fifth, 68.

⁴¹⁵ CH2/141/1, 108, 118, 128, 133.

monarch's presence. This exclusion from royal space could affect many aspects of their lives. They were not able to petition the king, receive benefits or council, which all affected their power and social relationships. Being the object of royal displeasure was a sure way to affect one's social standing whether a noble, burgess or minister. After the Gowrie conspiracy in August 1600, five ministers from Edinburgh were banished for not "affirming the King's words" about the incident.⁴¹⁶ They were removed from their station and forbidden to preach in Edinburgh. They did not defend his labelling of the affair as treason because, not being present at the incident, they were not sure of the truth. Even when called in front of the Lords of Secret Council, Robert Bruce, their representative, answered that not being sure, they would not mention the episode from the pulpit as the king wished.⁴¹⁷ Not only were Robert Bruce, James Balfour, William Watson, Walter McCanquell, and John Hall punished with banishment, they were charged not to come within ten miles of wherever James VI was, and not to be found within ten miles of Edinburgh.⁴¹⁸ Another incident happened in March 1584 when there was a rumour of a possible conspiracy against the king. It was proclaimed that all followers of the Earls of Angus, Mar and the Master of Glames should leave the city and not come within ten miles of the king.⁴¹⁹ After all the grief that the Earl of Bothwell had caused the

⁴¹⁶ Birrel, "Diarey," 51. There is a mystery to the Gowrie Conspiracy. The king swore that he had been lured by Alexander Ruthven and his brother the Earl of Gowrie to their home with the intention by the brothers to kidnap or kill him. Some did not believe the king's story after the brothers ended up killed by the king's retinue, and the two younger brothers were tracked down and also killed. The king owed the Gowrie's thousands of pounds and some Scots believed the king conspired to have them killed and the debt erased.

⁴¹⁷ Calderwood, *History*, vol. Sixth, 45. Calderwood's account of the whole affair appears on pages 27-45.

⁴¹⁸ Birrel, "Diarey," 51.

⁴¹⁹ Calderwood, *History*, vol. Fourth, 20.

country and the king, by September 1593 he too, along with his followers, was ordered by proclamation to not come within ten miles of the king unless summoned.⁴²⁰

One of the decisions that the twenty-seventh General Assembly made in August 1573 was that any nobleman that offended “in suche crimes as deserve discipline in sackcloath are als mucche subject to the discipline of the kirk as the poorer sort.”⁴²¹ A magistrate’s standing in society was affected politically if they refused to perform their repentance in the space desired by the kirk, and many influential elites knew that repenting in public, as Gourlay did, enhanced their reputation, as they were seen as a moral example to others and abiding by the laws of the kirk. Appearance and reputation were of great importance so being required to stand in front of those that were thought to be inferior and remove one’s hat and shoes was beyond what some of the social elite could bear. Those that were unmarried were bare-headed, and being unmarried meant that you were not recognised as an adult. Being bare-footed and bare-headed intentionally humbled the sinner.

The kirk provided two more spaces that were symbolically significant and used to set apart the social elite from those of lower status. The first space was the special seating that they could afford to rent or have built. Seating was seen as a mark of status, as “a social indicator.”⁴²² By 1611, those who could not afford their own seats decided that the Council, with their allotting seats to “such personages”, should end “the greitt confusioun croppin up” and stop the building.⁴²³ The Council continued in the practice of allowing special seating as seen by the seat built for the Lord Secretary’s wife in the following

⁴²⁰ Calderwood, *History*, vol. Fifth, 261.

⁴²¹ Calderwood, *History*, vol. Third, 300. See also Michael Graham, “Equality before the Kirk?,” 392, 293.

⁴²² Houston, *Social Change*, 64, 66.

⁴²³ Wood, *B.R., 1604-1626*, 70.

November.⁴²⁴ Like the street, the kirk was a place to be seen. The symbolic dimension of the kirk went beyond a space of religious worship and it was also the spectacle of the stage. New seats and repairs to lofts and galleries continued as the Lords of Session requested a seat or loft in 1613; the Council wanted repairs done to make their loft more “commodious”; the Earl of Dunfermline wanted a certain seat, which was granted by Town Council; and in 1616 there was a desire to build seats for the bishops.⁴²⁵ When King Charles decided in 1628 to have his coronation in St. Giles all the partition walls had to be taken down, which opened up new spaces for special seats and lofts.⁴²⁶ In December 1639 the Town Council, to raise money to support the kirk and the ministry, decided that the churches of Edinburgh would be “filled with pewes or daskes and that thair be ane certan yeirlie deutie imposed upone ilk pew or saitt to be uplifted of these to whome the same salbe allotted be the counsall”.⁴²⁷ In 1642 the Council allotted seats, not because of status, but “for good ordour” and for “avoiding thes accustomed misrules”. Every parishioner would have their own “proper seat and pew or dask”.⁴²⁸ Now the space was used to symbolised good character and Christian behaviour, not status or wealth. This incentive could be used to control the parishioners’ behaviour and entice conformity.

The second way the kirk was used to distinguish one’s status was allowing burials inside the kirk. This practice had been seen as Popish and had ended with the Reformation, but some Scots still wanted to be buried on what they saw as consecrated

⁴²⁴ Wood, *B.R., 1604-1626*, 67.

⁴²⁵ Wood, *B.R., 1604-1626*, 96, 135, 142, 152. Alexander Seton, Earl of Dunfermline was at one time the Chancellor of Scotland (1604 to 1622) and had also been the provost of the burgh of Edinburgh (ten years altogether). It was seen fit to build him a seat in the Great Kirk situated on the east side of the Provost’s loft, and to also build a seat for his wife on the north side of his seat. These seats will be passed down to the male heirs “in all tyme cuming”. Wood, *B.R., 1604-1626*, 142.

⁴²⁶ Brown, *Privy Council*, vol. II, 389, 391.

⁴²⁷ Wood, *B.R., 1626-1641*, 227.

⁴²⁸ Wood, *B.R., 1642-1655*, 14.

ground, or to be entombed in an already existing tomb or sepulcher. The General Assembly stated in 1576 that burials should not be in the kirk, and in Oct 1582, the General Assembly passed an act that made burials in parish kirks an offence accompanied by “a special punishment appointed for transgressours.”⁴²⁹ Besides being buried or entombed in the kirk, some important tombs needed seats and benches built so people could go and show proper reverence. In 1574, William Patersoun, dean of guild, was ordained by the provost and baillies to “mak saitis and benkis befor the Regentis tomb and langis the kirk wall”.⁴³⁰ This way deference could be given to this important man even in death. This continuing deference and the placement of the seats and benches before his tomb also reflected the importance and influence of his family. William, late bishop of Edinburgh was buried in the choir in St. Giles by recommendation of the provost, baillies, council, and deacons in 1634.⁴³¹

To elevate those of a higher station above those of a common sort, the Town Council decided in October 1625 that in “weill governit cities” magistrates were to dress appropriately for their elevated status. Nothing was seen as more “unseemlie then privat persounes to tak ather in publict or privat precedencie of plaice befor magistrattis.” They were to be seen throughout the burgh, “exposed to the publict viewe” of every inhabitant whether gentlemen or common.⁴³² Being identified in the city by their elegant attire was one of the main ways that people of a high social standing could reinforce their group

⁴²⁹ Maitland Club, *BUK*, Part First, 378; *BUK*, 603.

⁴³⁰ Scottish Burgh Records Society, *B.R.*, 1573-1589, 26.

⁴³¹ Wood, *B.R.*, 1626-1641, 142.

⁴³² Wood, *B.R.*, 1604-1626, 280, 281.

identity in Edinburgh. These magistrates were to be seen “abroad in the streittes, churche or counsalhous in this burgh”.⁴³³ The streets symbolised a place to display their status.

Being seen on the streets of the city in the proper dress for one’s station was a universal concern for those residing in urban settings. People worked hard to maintain their station and wanted to be recognised for it.⁴³⁴ That is why when Robert Vernour, skinner was admitted as a guild brother of the burgh he was reminded to stop “fra all tred and occupatioun in his awin persoun”.⁴³⁵ He was not to be seen on the streets in the attire of a common “cuikry” and to make sure his wife and his servants did not appear on the streets in their aprons.⁴³⁶ He had the reputation of a guild brother to uphold now. The streets were the major stage for the performance of identity, for all levels of social rank, but especially for the social elite. How could the proper expressions of deference be given if a prostitute looked like a lady, or a rich merchant dressed better than a noble?

Edinburgh was no different from other early modern contexts in applying laws to restrict dressing above one’s station. Sumptuary laws were a way for authorities to enforce social control, though not always successfully.⁴³⁷ With wealth flowing into the businesses of the merchants, burgesses, and craftsmen extravagant fabrics and adornments were within financial reach and a favourite commodity for consumption. To announce their wealth, Houston states, that the goldsmiths wore “cocked hats and scarlet cloaks set off by gold-topped canes.”⁴³⁸ The social elite were interested in enforcing

⁴³³ Wood, *B.R., 1604-1626*, 280, 281.

⁴³⁴ Arnot, *The History of Edinburgh*, 43. Arnot writes that “it was found necessary to restrain excess in dress by sumptuary laws.”

⁴³⁵ Scottish Burgh Records Society, *B.R., 1573-1589*, 515. Becoming a guild member meant the man was finished as a worker and was expected to manage workers and hire apprentices.

⁴³⁶ Scottish Burgh Records Society, *B.R., 1573-1589*, 515.

⁴³⁷ Meikle, *The Scottish People*, 16.

⁴³⁸ Houston, *Social Change*, 56.

“their social superiority” as they became alarmed by the “changes in wealth levels”.⁴³⁹ Clothing was used as a group identifier and its social standing, and the use of different kinds of attire were “symbolic signifiers of power, position, legitimacy and social primacy.”⁴⁴⁰ A separation of estates was always desired and restricting attire was like putting rank-displaying uniforms on the populace.

The laws restricting attire to the people dated back to the 1400s were the elite were permitted to wear imported silks.⁴⁴¹ More legislation followed to restrict the dress of Scots. In 1581, Meikle states that the common people were again informed by Parliament that they could face fines if they wore expensive materials or imported woolens, which was felt to have an impact on the local wool industry.⁴⁴² How the common people and burgesses dressed differently from the social elite was of “fundamental importance in verifying and legitimizing social position as indicated through clothing.”⁴⁴³ Even foreigners to Scotland, such as Sir Anthony Weldon who came north with James VI in 1617, could identify and understand the differences between age, rank, marital status, and sex by looking at the person’s clothing. The better sort of man he was able to identify, because that man was lucky enough to be plucked from his mother’s breast and sent to France to learn good manners “an there they learn to put on their cloaths, and then return into their country to wear them out”.⁴⁴⁴

⁴³⁹ Meikle, *The Scottish People*, 16.

⁴⁴⁰ Matthew Glozier, “Clothing and the Fashion System in Early Modern Scotland” (M.Phil candidate, University of Sydney, 2013), 37; Houston, *Social Change*, 56.

⁴⁴¹ Meikle, *The Scottish People*, 16.

⁴⁴² Meikle, *The Scottish People*, 16.

⁴⁴³ Glozier, “Clothing and the Fashion System,” 37.

⁴⁴⁴ Brown, *Early Travellers*, 101, 102. Sir Anthony Weldon did not like Scotland and is said to have written a bit of a diatribe and he was quite critical of the country and its people.

Another visitor who commented on the fashions, especially the women, was Sir William Brereton, who came to Edinburgh in 1636. This is how he described the fashions.

Touching the fashion of the citizens, the women here wear and use upon festival days six or seven several habits and fashions; some for distinction of widows, wives and maids, others appalled according to their own humour and phantasy. Many wear (especially of the meaner sort) plaids, which is a garment of the same woollen stuff whereof saddle cloths in England are made, which is cast over their heads, and covers their faces on both sides, and would reach almost to the ground, but that they pluck them up, and wear them cast under their arms. Some ancient women and citizens wear satin straight-bodied gowns, short little cloaks with great capes, and a broad boun-grace coming over their brows, and going out with a corner behind their heads; and this boun-grace is, as it were, lined with a white stracht cambric suitable unto it. Young maids not married all are bare-headed; some with broad thin shag ruffs, which lie flat to their shoulders, and others with half bands with wide necks, either much stiffend or set in wire, which comes only behind; and these shag ruffs some are more broad and thick than others.⁴⁴⁵

All levels of society, as was seen in the previous chapter with the removal of a busk for punishment against a burgess' wife, had attire that made a statement of who they were, where they worked, and what their station was. Even the lokman, or executioner, was given money by the Town Council to dress himself appropriately. He was given a suit of clothes and a staff every winter as his badge of office.⁴⁴⁶ Three years later, the records show the council giving money to the new lokman for a gown for his wife so that she would be properly attired as his spouse.⁴⁴⁷ The Town Council was concerned in October 1587 with their own attire and resolved that they should be seen in robes that represented “the honestie and gravitie” of their office (“ . . . cled with gownis in maist

⁴⁴⁵ Brown, *Early Travellers*, 140, 141; *DSL* definition of bongrace/boungrace – “a shade in front of the bonnet to protect from the sun.”

⁴⁴⁶ Wood & Hannay, *B.R., 1589-1604*, 29.

⁴⁴⁷ Wood & Hannay, *B.R., 1589-1604*, 96.

decent maner and nocht with cloikis. . .).⁴⁴⁸ In 1603 when James VI departed for England to take up the crown, he became more aware of the differences between the attire of the Scottish elite and that of the English. There is an increase in the records for the necessity of proper dress for those in all levels of the government. The first Parliamentary robes came into effect in June 1604 and were made in red with white lining.⁴⁴⁹

The dress of government officials was an important marker of authority. Though difficult to enforce, the Town Council's gowns were again mentioned in the records as a requirement in 1605. All were to make sure to procure for themselves the proper gown and to wear it to and from the council house.⁴⁵⁰ In February 1610, the magistrates were again reminded to wear their gowns when sitting in the council house. They were also required to wear their gowns in the kirk during Sundays sermons. These gowns symbolised their office and to further demonstrate their power, the men were also ordered to sit together as a group in church or be fined twenty shillings for each offence.⁴⁵¹ In June 1609, a Parliamentary act ordained that all magistrates who held office should attire themselves for all meetings and conventions, "when their dignities all require it," in "suche comelie and decent apparel as his Majesties all prescribe, whereby they may be discerned from other commoun burgesses."⁴⁵² In June 1610, the provost was also ordered to acquire two gowns for himself; one red and one black.⁴⁵³

⁴⁴⁸ The Scottish Burgh Records Society, *B.R., 1573-1589*, lxxix, lxxx, 503.

⁴⁴⁹ *BUK*, Second Part, 63.

⁴⁵⁰ Wood, *B.R., 1604-1626*, 10.

⁴⁵¹ Wood, *B.R., 1604-1626*, 60, 61.

⁴⁵² Calderwood, *History*, vol. Seventh, 40, 41. See pages 54, 55 for the 1610 Act of Apparell and a list of what Senators of the College of Justice, advocates, clerks, scribes, provosts, bailiffs, counsellors, bishops, and ministers were required to wear.

⁴⁵³ Wood, *B.R., 1604-1626*, 62.

These robes were a definite marker of authority but were much more than that. Forcing the men to all dress alike, make their robes in specific colours, remove any cloaks that covered their robes, sit together as a group, and be seen in specific public places were actions that set these men apart from everyone and it displayed their authority to all. It conferred their authority on all who were with them in the streets, council house, kirk, and meetings. The people of Edinburgh were constantly reminded that the power bestowed on this group of men enveloped all places in the burgh.

With James VI continuing the centralising of state power away from “[r]egional political control”, which had always been a problem for Scottish monarchs, and placing it under his own control, his efforts are witnessed in small symbolic actions like the dress of his representatives of authority.⁴⁵⁴ Edinburgh’s authority as a royal burgh came directly from the king to the civic government, and as believed by James, it also flowed directly to the governance of the kirk. As representatives of the king’s authority, the men of the Town Council were attired to symbolise from where their power came.

Even the ministry, as stated in the description of dress for ministers’ wives, was concerned that their brethren clothed themselves in appropriate apparel. In Session 3 of the General Assembly of August 1575, it was ordained that “comely and decent apparrell is requisite in all”.⁴⁵⁵ Calderwood writes that in 1596 there was concern for the dress of the ministers as some were seen “in gorgeous and light apparel” which symbolised “light and wantoun in behaviour”.⁴⁵⁶ Like a symbol of nobility and the centralising state for

⁴⁵⁴ R.G. Rodger, “The Evolution of Scottish Town Planning,” in *Scottish Urban History*, eds. George Gordon and Brian Dicks (Aberdeen: Aberdeen University Press, 1983), 72.

⁴⁵⁵ *BUK*, First Part, 335.

⁴⁵⁶ Calderwood, *History*, vol. Fifth, 404.

some of higher status the attire of the ministry was the outward symbol of the kirk and had to reflect the gravity of the gospels.

One type of clothing that the people of Edinburgh desired not to be seen in was the yellow hat and the “parti-coloured garments” of a debtor.⁴⁵⁷ The yellow hat, that the debtor had to buy or make, appeared in an Act in 1606, with the addition of the colourful attire years later.⁴⁵⁸ Being forced to wear these distinctive clothes removed the debtor from whatever station they belonged to; they were also made to sit on a “huen stane beside the Mercat Croce” from ten in the morning until one in the afternoon until they became solvent again.⁴⁵⁹ Displayed in public in colourful attire, the hewn stone seat symbolised the financial failure of the debtor or dyvours as they were called. The stone they sat in could not be placed in a more public space. It symbolised an economic space of public punishment similar to the symbolism of the repentance stool as a sacred place of public repentance. Like the repentant sinners displayed in sackcloth the public the space of the debtor was used as punishment and to humble the defaulter to pay his outstanding accounts.

Public spaces were settings where all inhabitants of the burgh were expected to act with proper respect and politeness. A person’s reputation could be ruined and cause them to be unable to do business, or for a woman, make her ineligible to find a husband or be hired in service. As already shown, James VI had continuous problems receiving from the Edinburgh ministers the deference and respect he felt he deserved as king. Calderwood writes that the ministry complained in 1597 that there was corruption in all

⁴⁵⁷ Dunlop & Dunlop, *B.O.E.C.*, 84.

⁴⁵⁸ John A. Fairley, “The Old Tolbooth with Extras from the Original Records,” in *B.O.E.C.*, vol. Four, 106.

⁴⁵⁹ Dunlop & Dunlop, *B.O.E.C.*, 84.

the estates and “[l]ittle care, reverence, and obedience of inferiours to their superiours”.⁴⁶⁰ James Stevenson, barber, was found guilty for the “odious and sclanderous words spokkin be him aganis [] Symsoun, spous to William Hay, tailor.”⁴⁶¹ Stevenson was ordered to be taken to the croce and then to the house of William Hay, and with a paper on his head, he was to ask them both for forgiveness on his knees. The disrespect shown to Hay’s wife reflected on William Hay himself. The punishment needed to be public to correct the impression he created about Symsoun’s reputation and the authorities felt it was necessary for Stevenson to repent in front of Hay’s house to remove the stain of the slander from his name. Jhonn Leyes, merchant, was overheard by Henry Nesbet, one of the baillies, saying injurious words when asked to pay his extent.⁴⁶² Nesbet heard him say “that he wald the devils of hell wer bailyeis and the mekill horne devil provost, and curset thame that maid the agreance betuix merchants and craftismen”.⁴⁶³ It was beneath him as a merchant to be denigrating the men on the council. One of the school masters, Robert Burale was found to have done wrong by uttering the “maist injurious and filthy speiches agains the maistres of the Cuyiehou”.⁴⁶⁴ Burale was ordered to ask her forgiveness on his knees, and then in front of the Session he was discharged from his position at the school.

The development of one’s identity came with belonging to the city and was, as Houston writes, “tied up with buildings and streets, signs and symbols, boundaries and thoroughfares.”⁴⁶⁵ The familiarity an inhabitant felt for Edinburgh bolstered their identity

⁴⁶⁰ Calderwood, *History*, vol. Fifth, 409, 410.

⁴⁶¹ Wood & Hannay, *B.R., 1589-1603*, 61.

⁴⁶² The Scottish Burgh Records Society, *B.R., 1573-1589*, 348. *DSL*, definition of extent – “The part or amount assigned to one. The valuation or assessment of land; the value as fixed by assessment.”

⁴⁶³ The Scottish Burgh Records Society, *B.R., 1573-1589*, 348.

⁴⁶⁴ Wood & Hannay, *B.R., 1589-1603*, 29. *DSL*, definition of cunyiehou – the mint.

⁴⁶⁵ Houston, *Social Change*, 104.

as one of its members. Sidestreets changed names over the years depending on the owner of the most prominent house at the head of the street.⁴⁶⁶ Mr Joseph Taylor's visit in Edinburgh was made easier as he noticed that on the High Street the name of the inhabitants and their profession was written in great black letters on every door.⁴⁶⁷

The ability to differentiate one's status from one's neighbours offered a unique challenge to those of elite status living in Edinburgh. The streets of the city provided a place for all levels of society to develop their separate identities. All inhabitants identified as members of the burgh and for the freemen burgesses the city made their identity and was responsible for the relationships they created. To the social elite the streets symbolised places to display their elevated status using their attire and behaviour. Their expectations were based on their belief in the power of their station.

⁴⁶⁶ Houston, *Social Change*, 122.

⁴⁶⁷ Taylor, *A Journey to Edenborough*, 103.

Conclusion

Edinburgh was a unique city. The natural and built features of its landscape offered a variety of experiences for the people that lived there in the early modern era. Understanding those experiences requires an investigation into how they saw, knew, and used the environment around them. It requires an understanding of the cultural and social expectations by which the people of the city were expected to live, and the power brought to bear on their behaviour by the different levels of government and the Reformed kirk. With this understanding, scholars can begin to observe the variety of ways that the early modern Scots acted in the walled environment of Edinburgh. By showing that the symbolic dimension of the built environment directly affected the development of individual and group identity, and also affected their power, spatial, and social relationships scholars can move on to analysing urban history that includes people based on age, gender, and status.

Why is this important? As Laura Stewart states, the lives of the people in urban settings such as Edinburgh were not obscure. Some had influence on Edinburgh's development and its history, either as individuals or with the power they found in their identification with a group.⁴⁶⁸ Investigating the symbolic dimension of Edinburgh, and its perception by the different people who lived there, informs us that the unique built environment affected the identity of its inhabitants, their actions, and the relationships they developed. With this research on Edinburgh scholars can now compare it to other Scottish burghs or other European cities.

⁴⁶⁸ Stewart, "Power and Faith," 35.

If Scottish burghs were uniform in their organisation and co-operation, as I.F. Grant stated in 1930, there should be a sameness to how all Scots perceived the built environments in which they lived.⁴⁶⁹ The city aided in these developments. Individual dwellings, gates, wynds, closes, turnpike stairs, the tolbooth, and at the walls were all important symbolic spaces, but the three places which hold prominence in the records are the High Street, the kirk and kirkyard, and the markets. These were the most important spaces used by the people of Edinburgh to develop and assert their identities, and to create and maintain their power, spatial, and social relationships. These three spaces symbolised the political, religious, social, and economic power of the city for its inhabitants and it was within these built dimensions that meaning was created. And meaning shifted with those involved; defined by their life experiences, their power relationships, and those with whom they interacted. These spaces were experienced, understood, and used differently depending on one's age, gender, and social status.

The High Street is one example of a highly symbolic space in Edinburgh. Because the High Street was really the only main street, except for the Cowgate, it was the hub for economic transactions, it hosted St. Giles, the only church for the four parishes, it housed the Town Council, Parliament, the Judiciary courts, the tolbooth, the mercat cross, and the occasional stroll by James VI. As a result, it was the symbolic political, religious, economic, and social centre of Edinburgh and of the nation. Being the centre of city life meant it differed from European cities that could expand out into the surrounding countryside and use different neighbourhoods to house the courts, prisons, churches,

⁴⁶⁹ I. F. Grant, *The Social and Economic Development of Scotland before 1603* (Edinburgh and London: Oliver and Boyd, 1930), 366.

parks, and markets. This one street symbolised the burgh of Edinburgh and offered different symbolic interpretations depending on its use and who used it.

As inhabitants hurried to dodge flying stones between rival groups of young men or ran to find an appropriate place to view the action, the symbolism of the High Street of Edinburgh changed from the political, economic, and religious hub of the country and became, for the young men, an outlet to fight over territory, somewhere to prove their character and build their reputation, and a place to let off some steam. The young scholars who barred out their teachers and the baillies saw the street as the place to protest their grievances as a united group. At night this same street became a place to vaig, drink, and attract the attention of young women. Where young men were seen using the street, day or night, in many different ways, to the young women of the burgh it symbolised a dangerous place where they tried to avoid unwanted attention.

For the nobles like the Earls of Bothwell and Lennox, the High Street was where they flaunted their status by confronting rivals without concern and strolling with the king. This is where they would process when Parliament was in session. They and others of the social elite dressed to their station to be easily recognised by the common people. The High Street was where the status of the elite was affirmed.

With the recent scholarship on gender and women it is obvious that Scottish women were everywhere in Edinburgh. Those in the High Street would work alongside their husband in his shop, gather water at the wells, manage taverns, inns, and booths, and own property in the tenement buildings that lined both sides of the street. Their behaviour was a concern and constantly scrutinised by the religious and civic authorities. At times women used this space to assert their identities. Women might flyte on the High Street to defend their reputation and that of their household. This is also where the border

women asserted themselves as mistresses of households by marching to defend the needs of their families when their husbands had died. The High Street was a stage for all to shape and assert their identities.

The kirk and the kirkyard was also a stage where reformers erased the past of Scottish Catholicism and became the symbol for reformed teaching, worship, piety, and repentance. The kirk symbolised the mandate of the ministry to bring order and control to all Scots through their beliefs and teachings. The elite saw it as a place to separate themselves from others by their ability to have seats built for them, such as the Lord Secretary's wife, and to sit above the rest in balconies and lofts. Enough prestige or money allowed important Scots permission for burial in the kirk when it was otherwise forbidden. The Reformed Kirk also symbolised a perceived loss of status for the elite as they were forced, by those they thought beneath them, to present themselves for repentance in the public space of the kirk.

For young people the kirk represented the place of religious teachings where they would learn the lessons that would take them into adulthood. It was where, by the age of fourteen, they would face a final test of their religious knowledge allowing them to participate in the sacrament of Communion. And, just like the other members of the congregation, it symbolised a place of humiliation as they stood before their neighbours at the pillar of repentance for giving in to youthful ways through disorderly behavior such as fornication, drunkenness, not observing the Sabbath. With repentance the young women and men of Edinburgh repaired their reputations and were received back into the community.

As the economic centre of the country with its monopoly on international trade Edinburgh had numerous markets. They were the symbols of the wealth that flowed into

the city. The markets provided control for those participating economically by regulating trade to indwellers of the city. During the day young people worked alongside family members in the shops and booths or learned a trade under their masters. At night the market place became a space where the young were free to meet without the supervision of adults. They developed their group identity alongside their peers and focused on maintaining their reputation and meeting young women. For women the market was seen as a definite space for them. Doing the marketing was seen as a woman's job and many of them, such as flesheour wives, fish wives, pudding wives, and many more worked in the market. Nobles were not seen in the markets. They definitely did not work there and avoided living near them. Their elevated status meant address was important and entrance off the High Street was preferred.

To understand how the city influenced people, the theories of geography, sociology, and anthropology combine with the theories of historical study. Space must be looked at by including the interactions of people, and by considering that there was agency between people and the built environment in which they lived. Considering Edinburgh's symbolic dimension is knowing that to Jonet Craig and her friends the mercat croce was a great place to play. In October 1617, it was where the Town Council moved the bread, poultry, and "vtheris vivers" markets.⁴⁷⁰ To James VI, the mercat croce was the place to stage a banquet with his nobility on 25th May 1587.⁴⁷¹ It also was where those guilty of slanderous speeches could find themselves standing in the jogs for three hours.⁴⁷²

⁴⁷⁰ Wood, *B.R., 1604-1626*, 168.

⁴⁷¹ Scottish Burgh Records Society, *B.R., 1573-1589*, 492.

⁴⁷² Scottish Burgh Records Society, *B.R., 1573-1589*, 295.

Since age, gender, and status can affect how a person perceived a space and how they used it, the people of Edinburgh become fully formed individuals whose actions had an affect on the history of the city. This social understanding towards history is largely missing in the historiography, and with that, the history of Edinburgh is hollow. As the city changed and cultural norms and values evolved, the symbolic understanding of the city affected the identity of those living there. The built environment symbolised an idea, a feeling, or a value which means, with changes occurring in the built environment or as a child grew towards adulthood, the value put on a place changed. This assists in understanding why people do the things they do or why they push back against the new boundaries these changes have brought to their understanding. Acting out against the perceived norm exposed a person's attitude towards the people around him/her and feelings about their physical surroundings.⁴⁷³ In 1645, the “undecent and strumpetlyk habit of [wearing] plaids” was still a problem.⁴⁷⁴ What caused women to ignore the proclamations against the wearing of this piece of attire; proclamations that were drummed through the streets of Edinburgh and blamed the plaids as one of the dangers that brought about “publict pestilence”?⁴⁷⁵

By examining the spaces within Edinburgh, what they symbolised to different people, and the affect on the identities of those people and the relationships they developed, the evolution of society over time is revealed. From this can be understood the choices people made and the affect those choices had on history. From this study of Edinburgh, can come comparative studies of other Scottish or European cities. Scotland's diverse geography had an impact on the different regions of the country and it will be

⁴⁷³ Houston, *Social Change*, 105.

⁴⁷⁴ Wood, *B.R., 1642-1655*, 65, 66.

⁴⁷⁵ Wood, *B.R., 1642-1655*, 65.

interesting to compare the development of the different identities found and how the spatial dimension of different built environments affected their development.

Bibliography

Primary Sources

Allen, Aaron and Catherine Spence, eds. *Edinburgh Housemails Taxation Book 1634-1636*. Suffolk: The Boydell Press, 2014.

Birrel, Robert. "The Diarey of Robert Birrel, Burges of Edinburghe, containing divers passages of staite, and uthers memorable accidents." In *Fragments of Scottish History*, edited by Sir John Graham Dalyell. Edinburgh: Constable, 1798.

Brown, P. Hume. ed. *Early Travellers in Scotland*. Edinburgh: David Douglas, 1891. <http://www.archive.org>.

- - - *The Register of the Privy Council of Scotland*, Second Series. Vol. II -VI., A.D. 1627-1637. Edinburgh: H. M. General Register House, 1900-1905.

Bruce, Robert. "Collections as to the Life of Mr Robert Bruce, Minister at Edinburgh." Edited by Rev. Robert Wodrow. In *Sermons by The Rev. Robert Bruce, Minister of Edinburgh*, edited by Rev. William Cunningham, 1-201. Edinburgh: Edinburgh Printing Company, 1843.

Burton, J. H. *The Register of the Privy Council of Scotland*, Series One, Vol. 2. Edinburgh: H.M. General Register House.

Calderwood, David. *The History of the Kirk of Scotland*. Vols. 1-7. Edited by Rev. Thomas Thomson. Edinburgh: The Edinburgh Printing Company, 1842-1845.

Lumby, J. Rawson, ed. *Ratis Raving, and Other Moral and Religious Pieces, in Prose and Verse*. London: Trübner & Co., 1870.

Maitland Club, *Acts and Proceedings of the General Assemblies of the Kirk of Scotland*. Part First. Edinburgh: The Maitland Club, 1839.

Parish of Edinburgh Session. Records National Archives of Scotland [NAS], CH2/450/1.

Pitcairn, Robert. *Ancient Criminal Trials in Scotland, from A.D. M.CCCC.LXXXVIII to A.D. M.DC.XXIV, embracing the entire Reigns of James IV. and V., Mary Queen of Scots, and James VI*. Vol. First-Part Second. Edinburgh: William Tait, 1833. <http://www.archive.org>.

- - - *Ancient Criminal Trials in Scotland; compiled from the original records and MSS., with historical illustrations, &c.* Vol. II. Part Second. Edinburgh: Printed for the Bannatyne Club, 1833. <http://www.archive.org>.

Records of the Parliaments of Scotland to 1707. www.rps.ac.uk.

- Scottish Burgh Records Society, ed. *Extracts from the Records of the Burgh of Edinburgh, A.D. 1573-1589*. Edinburgh: Colston & Son, 1882.
- Taylor, Joseph. *A Journey to Edenborough in Scotland*. Edinburgh: William Brown, 1903.
- Thomson, Thomas, ed. *Acts and Proceedings of the General Assemblies of the Kirk of Scotland, From the Year M.C.LX. Part Third-M.D.XVIII.—M.DC.XVIII*. Edinburgh, 1845.
- Trinity College Kirk Session Records, National Records Scotland [NRS], CH2/141/1.
- Vives, Juan Luis. *Instruction of a Christian Woman*. London, 1584.
- Wood, M. & R. K. Hannay, eds. *Extracts from the Records of the Burgh of Edinburgh 1589-1604*. Edinburgh: Oliver and Boyd, 1927. <http://www.babel.hathitrust.org>
- Wood, Marguerite, ed. *Extracts from the Records of the Burgh of Edinburgh 1604 to 1626*. Edinburgh: Oliver & Boyd, 1931. <http://www.babel.hathitrust.org>.
- - - *Extracts from the Records of the Burgh of Edinburgh 1626 to 1641*. Edinburgh: Oliver & Boyd, 1936. <http://www.babel.hathitrust.org>.
- - - *Extracts from the Records of the Burgh of Edinburgh 1665 to 1680*. Edinburgh: Oliver & Boyd, 1950. <http://www.babel.hathitrust.org>.

Secondary Sources

- Adams, Ian H. *The Making of Urban Scotland*. Montreal: McGill-Queen's University Press, 1978.
- Allen, A. M. *The Locksmith Craft in Early Modern Edinburgh*. Edinburgh: Society of Antiquaries of Scotland, 2007.
- Amussen, Susan Dwyer. "Elizabeth I and Alice Balstone: Gender, Class, and the Exceptional Woman in Early Modern England." In *Attending to Women in Early Modern England*, edited by Betty S. Travitsky and Adele F. Seeff, 291-240. Newark: University of Delaware Press, 1994.
- Arias, Santa "Rethinking space: an outsider's view of the spatial turn." *GeoJournal* 75, no. 1 (2010): 29-41.
- Arnot, Hugo. *The History of Edinburgh, from the earliest accounts, to the year 1780*. Edinburgh: Thomas Turnbull, 1816.
- Barclay, Katie. *Love, Intimacy and Power: Marriage and Patriarchy in Scotland, 1650-1860*. Manchester: Manchester University Press, 2011.

- Beebe, Kathryn, Angela Davis and Kathryn Gleadle. "Introduction." In *Space, Place and Gendered Identities: Feminist History and the Spatial Turn*, 1-10. London and New York: Routledge, 2015.
- Benjamin, Robert. "Drinking like a Man: The Paradox of Excessive Drinking for Seventeenth-Century Dutch Youths." *Journal of Family History* 29, no. 3 (July 2004): 237-252.
- Boulton, J. *Neighbourhood and Society: A London Suburb in the Seventeenth Century*. Cambridge: Cambridge University Press, 1987.
- Brown, K. M. "In Search of the Godly Magistrate in Reformation Scotland." *Journal of Ecclesiastical History* 40, no. 4 (October, 1989): 553-581.
- - - *Noble Society in Scotland: Wealth, Family and Culture, from Reformation to Revolution*. Edinburgh: Edinburgh University Press, 2000.
- Brown, P. Hume. *Early Travellers in Scotland*. Edinburgh: David Douglas, 1891.
- Bryce, William Moir. *History of the Old Greyfriars' Church Edinburgh*. Edinburgh and London: William Green and Sons, 1912.
- Burke, Peter. "Urban History and Urban Anthropology of Early Modern Europe." In *The Pursuit of Urban History*, edited by Derek Fraser and Anthony Sutcliffe. 69-82. London: Edward Arnold, 1983.
- Campbell, Ian and Margaret Stewart. "The evolution of the medieval and Renaissance city." In *Edinburgh: The Making of a Capital City*, edited by Brian Edwards and Paul Jenkins, 21-41. Edinburgh: Edinburgh University Press, 2005.
- Chambers, Robert. *Domestic Annals of Scotland, from the Reformation to the Revolution*. Vol. 1-3. Edinburgh and London: W. & R. Chambers, 1874.
- - - *Traditions of Edinburgh*. Vol. 1. Edinburgh: William Chambers, 1825.
- - - *Ancient Domestic Architecture of Edinburgh*. Oxford: Oxford University, 1859.
- Colville, John and Thomas Thomseon, eds. *The Historie and Life of King James the Sext, being an Account of the Affairs of Scotland, from the year 1566, to the year 1596; with a Short Continuation to the year 1617*. Edinburgh: James Ballantyne and Co., 1825. <http://archive.org>.
- Corley, Christopher R. "On the Threshold: Youth as Arbiters of Urban Space in Early Modern France." *Journal of Social History* 43, no. 1 (2009): 130-156.

- Cowan, Mairi and Laura E. Walkling. "A 'gret cradil of stait': Growing up with the Court of James IV." In *Children and Youth in Premodern Scotland*, edited by Janay Nugent and Elizabeth Ewan, 15-31. Woodbridge: Boydell Press, 2015.
- Cresswell, Tim. *Place: a short introduction*. Oxford: Blackwell Publishing, 2004.
- Cressy, David. "Response: Private Lives, Public Performance, and Rites of Passage." In *Attending to Women in Early Modern England*," edited by Betty S. Travitsky and Adele F. Seeff, 187-197. Newark: University of Delaware Press, 1994.
- Dodgshon, Robert A. "Geography's Place in Time." *Geografiska Annaler. Series B, Human Geography* 90, no. 1 (2008).
- Dunlop, John Charles and Alison Hay Dunlop. *The Book of Old Edinburgh: And Handbook to the Old Edinburgh Street*. Edinburgh: T. and A. Constable, 1886.
- Edwards, Brian and Paul Jenkins, eds. *Edinburgh: The Making of a Capital City*. Edinburgh: Edinburgh University Press, 2005.
- Ewan, Elizabeth. "The Community of the Burgh in the Fourteenth Century." In *The Scottish Medieval Town*. Edited by M. Lynch, M. Spearman, and G. Stell. Edinburgh: John Donald, 1988.
- - - "For Whatever Ales Ye': Women as Consumers and Producers in Late Medieval Scottish Towns." In *Women in Scotland c. 1100-c. 1750*, edited by Elizabeth Ewan and Maureen M. Meikle, 125-135. East Linton: Tuckwell Press, 1999.
- - - "The Early Modern Family." In *The Oxford Handbook of Early Modern Scotland*, edited by T. M. Devine and Jenny Wormald, 268-284. Oxford: Oxford University Press, 2012.
- Fairley, John A. "The Old Tolbooth with Extras from the Original Records" In *The Book of the Old Edinburgh Club*, Vol. Four. Edinburgh: T. & A. Constable, 1911.
- Foyster, Elizabeth. "Sensory Experiences: Smells, Sounds and Touch," In *A History of Everyday Life in Scotland, 1600 to 1800*, edited by Elizabeth Foyster and Christopher A. Whatley. Edinburgh: Edinburgh University Press, 2010.
- Flather, Amanda. *Gender and Space in Early Modern England*. Woodbridge: The Boydell Press, 2007.
- Gillies, J. B. *Edinburgh Past and Present*. Edinburgh: Oliphant, Anderson & Ferrier, 1886.
- Glozier, Matthew. "Clothing and the Fashion System in Early Modern Scotland." M.Phil candidate, University of Sydney, 2013.

- Goodare, Julian. *State and Society in Early Modern Scotland*. Oxford: Oxford University Press, 1999.
- Gowing, Laura. “‘The Freedom of the Streets’ Women and Social Space, 1560-1640.” In *Londinopolis: Essays in the Cultural and Social History of Early Modern London*, edited by Paul Griffiths and Mark S.R. Jenner, 130-153. Manchester: Manchester University Press, 2000.
- Graham, Michael F. “Equality before the Kirk? Church Discipline and the Elite in Reformation-Era Scotland.” *Archive for Reformation History* 84 (1993).
- - - *The Uses of Reform: ‘Godly Discipline’ and Popular Behavior in Scotland and Beyond, 1560-1610*. Leiden, New York, Koln: E. J. Brill, 1996.
- - - “Women and the Church Courts in Reformation-Era Scotland.” In *Women in Scotland c. 1100 – c. 1750*, edited by Elizabeth Ewan and Maureen M. Meikle, 187-198. East Linton: Tuckwell, 1999.
- Grant, I. F. *The Social and Economic Development of Scotland before 1603*. Edinburgh and London: Oliver and Boyd, 1930.
- Grant, James. *History of the Burgh and Parish Schools of Scotland*, in Two Volumes. Vol. 1. Burgh Schools. London and Glasgow: William Collins, Sons & Co., 1876.
- Habermas, Jürgen. *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*. Translated by Thomas Burger with the assistance of Frederick Lawrence. Boston: First MIT Press, 1991. Originally published, 1962.
- Hadley, D.M. and K.A. Herner. Introduction to *Medieval Childhood Archaeological Approaches*, Edited by D.M. Hadley and K.A. Herner. Oxford: Oxbow Books, 2014.
- Hall, Edward T. “Proxemics,” In *The Anthropology of Space and Place: Locating Culture*, edited by Setha M. Low and Denise Lawrence-Zúñiga, 51-73. Oxford: Blackwell Publishing, 2003.
- Hall, Mark A. “‘Merely players’? Playtime, material culture and medieval childhood.” In *Medieval Childhood Archaeology Approaches*, edited by D. M. Hadley and K. A. Hemer, 39-56. Oxford: Oxbow Books, 2014.
- Hägerstrand, Torsten. “What about People in Regional Science?” *Paper in Regional Science* 24, no. 1 (Jan., 1970): 7-24.
- Hanawalt, Barbara. “Historical Descriptions and Prescriptions for Adolescence.” *Journal of Family History* 17, no. 4 (Jan., 1992): 341-351.

- Hannay, Margaret P. "'O Daughter Heare': Reconstructing the Lives of Aristocratic Englishwomen." In *Attending to Women in Early Modern England*, edited by Betty S. Travitsky and Adele F. Seeff, 35-63. Newark: University of Delaware, 1994.
- Hargreaves, John D. "Historical Study in Scotland." *Aberdeen University Review* 40 (1964): 237-250.
- Houston, R. A. *Social Change in the Age of Enlightenment: Edinburgh 1660-1760*. Oxford: Clarendon Press, 1998. Originally published 1994.
- - - "People, Space, and Law in Late Medieval and Early Modern Britain and Ireland." *Past and Present*, no. 230 (Feb. 2016): 47-89.
- James, Allison, Chris Jenks and Alan Prout. *Theorizing Childhood*. New York: Teachers College Columbia University, 1998.
- Jardine, Lisa. "Unpicking the Tapestry: The Scholar of Women's History as Penelope among her suitors." In *Attending to Women in Early Modern England*, edited by Betty S. Travitsky and Adele F. Seeff, 123-144. Newark: University of Delaware Press, 1994.
- Lefebvre, Henri. *The Production of Space*. Translated by Donald Nicholson-Smith. Oxford: Blackwell Publishing, 1991.
- Lynch, Michael. *Edinburgh and the Reformation*. Aldershot: Gregg Revivals, 1981.
- - - "The Scottish Early Modern Burgh." *History Today* 35, no. 2. (February, 1985): 30-35.
- - - *The Early Modern Town in Scotland*. London: Croom Helm, 1987.
- McDowell, Linda. "Space, place and gender relations: Part 1. Feminist empiricism and the geography of social relations." *Progress in Human Geography* 17, no. 2 (1993): 157-179.
- Maitland, William. *The history of Edinburgh, from its foundation to the present time. ...In nine books*. London: Gale ECCO, Print Edition, 2010. Originally published in 1753.
- Makey, Walter. "Edinburgh in Mid-Seventeenth Century." In *The Early Modern Town in Scotland*, edited by Michael Lynch, 192-218. London: Croom Helm, 1987.
- Marshall, Rosalind K. *Women in Scotland 1660-1780*. Edinburgh: Trustees of the National Galleries of Scotland, 1979.

- Massey, Doreen. *Space, Place, and Gender*. Minneapolis: University of Minnesota Press, 1994.
- Maynes, Mary Jo. "Age as a Category of Historical Analysis: History, Agency, and Narratives of Childhood." *Journal of the History of Childhood and Youth* 1, no. 1 (2008): 114-125.
- Meikle, Maureen. *The Scottish People, 1490-1625*. Great Britain: Lulu.com, 2013.
- Mitchison, Rosalind and Leah Leneman. *Girls in Trouble: Sexuality and Social Control in Rural Scotland 1660-1780*. Edinburgh: Scottish Cultural Press, 1998.
- Monnet, Jérôme. "The symbolism of place: a geography of relationships between space, power and identity." Translated by Angéla Verdier. *cybergeog: european journal of geography*, 2011. <http://cybergeog.revues.org/24747>.
- Munson, Elizabeth. "Walking on the Periphery: Gender and the Discourse of Modernization." *Journal of Social History* 36, no. 1 (Fall, 2002): 63-75.
- Nugent, Janay. "'None Must Meddle Betweene Man and Wife': Assessing Family and the Fluidity of Public and Private in Early Modern Scotland." *Journal of Family History* 35 no. 3 (July, 2010): 219-231.
- Nugent, Janay and Elizabeth Ewan. Introduction to *Children and Youth in Premodern Scotland*, edited by Janay Nugent and Elizabeth Ewan. Woodbridge: Boydell Press, 2015.
- Parker, Geoffrey. "The 'Kirk By Law Established' and the Origins of 'The Taming of Scotland': St Andrews 1559-1600." In *Perspectives in Scottish Social History, essays in honour of Rosalind Mitchison*, edited by Leah Leneman, 1-32.
- Parker, Heather. "'At thair perfect age': Elite Child Betrothal and Parental Control, 1530-1560." In *Children and Youth in Premodern Scotland*, edited by Janay Nugent and Elizabeth Ewan, 173-186. Woodbridge: The Boydell Press, 2015.
- Renwick, R. "Preface," In *Edinburgh Guilds and Crafts*, edited by James D. Marwick. Edinburgh: The Scottish Burgh Records Society, 1809.
- Rodger, R. G. "The Evolution of Scottish Town Planning." In *Scottish Urban History*, edited by George Gordon and Brian Dicks, 71-91. Aberdeen: Aberdeen University Press, 1983.
- The Royal Commission on the Ancient Monuments of Scotland. *An Inventory of the Ancient and Historical Monuments of the City of Edinburgh with the Thirteenth Report of the Commission*. Edinburgh: His Majesty's Stationery Office, 1951.

- Sanderson, Margaret H. B. *A Kindly Place? Living in Sixteenth-Century Scotland*. East Linton: Tuckwell Press, 2002.
- Schofield, John. "Excavations south of Edinburgh High Street, 1973-4." *Proceedings of Society of Antiquaries of Scotland* 107 (1975-6): 155-241.
- Seixas, Peter. "Historical Agency as a Problem. Researchers in History Education." *Antíteses* 5, no. 10 (2012): 537-553.
- Soja, Edward W. *Postmodern Geographies: The Reassertion of Space in Critical Social Theory*. London & New York: Verso, 1989.
- Sommerville, James, Eleventh Lord. *Memorie of the Somervills; being a History of the Baronial House of Somerville*. Vol. II. Edinburgh: James Ballantyne and Co., 1815.
- Spence, Cathryn R. "A Perl for Your Debts?: Young Women and Apprenticeships in Early Modern Edinburgh." In *Children and Youth in Premodern Scotland*, edited by Janay Nugent and Elizabeth Ewan, 32-46. Woodbridge: Boydell Press, 2015.
- Stark, J. *Inquiry into Some Points of the Sanitary State of Edinburgh*. Edinburgh, 1847.
- Stewart, Laura A. M. "Power and Faith in Early Modern Scotland." *Scottish Historical Review* 92 Supplement: No. 234 (April, 2013): 25-37.
- Thompson, E. P. *Making of the English Working Class*. First Vintage Ed. Random House, 1966.
- Todd, Margo. *The Culture of Protestantism in Early Modern Scotland*. New Haven: Yale University Press, 2002.
- Travitsky, Betty S. and Adele F. Seeff. eds. *Attending to Women in Early Modern England*. Newark: University of Delaware, 1994.
- Tsolidis, Georgina. "The (im)possibility of poststructuralist ethnography—researching identities in borrowed spaces." *Ethnography and Education* 3, no. 3 (September, 2008): 271-281.
- Tuan, Yi-Fu. *Space and Place: The Perspective of Experience*. Minneapolis: University of Minnesota Press, 1977.
- Warf, Barney and Santa Arias. "Introduction: the reinsertion of space into the social sciences and humanities." In *The Spatial Turn: Interdisciplinary perspectives*, edited by Barney Warf and Santa Arias, 1-10. New York: Routledge, 2009.

Wilson, Adrian. "A critical portrait of social history." In *Rethinking social history: English Society 1570-1920 and its interpretation*, edited by Adrian Wilson, 9-58. Manchester & New York: Manchester University Press, 1993.

Wood, Marguerite. "The Domestic Affairs of the Burgh. 1554-1589." In *The Book of the Old Edinburgh Club*, Fifteenth Volume, 1-54. Edinburgh: T. and A. Constable Ltd., 1927.