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The Death of John Comyn: What Was Going On?

ABSTRACT

The aim of this article is to explore in depth what was ‘going on’ – as opposed to simply what ‘happened’ – when John Comyn was killed by Robert Bruce in Dumfries on 10 February 1306, in one of the most dramatic and pivotal events in Scotland’s history. It divides into two parts. The first considers the main medieval sources. These were of course all written after the event, and so are invariably coloured by hindsight and what is nowadays called ‘spin’; hence they are not ‘true’ accounts but constructed narratives. Their treatment here aims to elucidate what each author was trying to present to his intended audience. The article deals with, in turn: the narratives in the English government documents produced in the killing’s aftermath; the near-contemporary English chronicle narratives; the rather later Scottish chronicle narratives; some additional Scottish narratives found within certain poems; and finally the lay-authored *Scalacronica*, which has a significantly different perspective from other English chronicles. In general, the narratives are revealingly complex; despite their slants, they are far from being exercises in crude propaganda. And, significantly, the Scottish chronicles (especially Wyntoun) and *Scalacronica* give emphasis to the fact that the victim of the killing, John Comyn, was the nephew of King John Balliol and grandson of Dervorguilla, lady of Galloway, and thus was a leading member of the senior Scottish royal line. Moreover, close reading of ‘The Scottish poem’ in *Liber Extravagans* (appended to Bower’s *Scotichronicon*) reveals a contemporary plea for John Comyn to become king of Scots. In the second half of the article, the implications of this ‘Comyn-for-king’ concept are pursued. None of the standard accounts of the period pays serious attention to Comyn’s royal descent; discussions of the killing invariably focus on Robert Bruce. Therefore an attempt is made here – despite the understandable absence of hard evidence – to consider the killing more from the victim’s point of view. It is argued that, after the *de facto* collapse of Balliol kingship in 1303–4, John Comyn (because of his own lineage) would never have accepted Robert Bruce (whose line of descent had been declared inferior in 1292) as king. Consequently, political compromise between the two men was obviously out of the question. Therefore, although none of the chronicle narratives can be taken at face value, their consistent presentations of the killing as premeditated are possibly valid after all, despite the

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denials of the main modern studies. And although (because of the problem of evidence) it is impossible to achieve certainty over this question, what does become clear is that Comyn's claim to the throne is the crucial factor for understanding what was going on when he was killed.

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This article's subtitle and initial inspiration come from a piece of English history, a discussion of the battle of Bosworth by Professor Colin Richmond.¹ It begins:

There is a distinction between what happens and what is going on. For instance, about 30 A.D. a troublesome Galilean peasant is crucified. That is what happens; but what is going on? The historian has to be longer sighted than Pilate. It is not a question of his being able to be: hindsight is not long sight. The Roman centurion at the execution of Jesus understood what was going on; centuries later Roman historians still had no idea. What happened at Bosworth is clear: Richard III was defeated by Henry Tudor. Yet how that happened and why is not clear; and what was going on at Bosworth on 22 August 1485 remains a mystery which I shall endeavour to explore if not explain ...

Professor Richmond's paper highlights three methodological points. First, when historians try to look beyond the basic facts of any political event, they are heavily dependent on contemporary or near contemporary 'narratives', which can be presented not only in chronicles but also in government records, charters and the like – yet such 'narratives' do not represent neutral facts, but, instead, are constructions by the men who produced them of what they wanted their audiences to understand was going on.² Second, the explorations and explanations of historians in the modern era are little different; they too are trying to present their

¹ C. Richmond, '1485 and All That, or what was going on at the Battle of Bosworth?', in P. W. Hammond (ed.), *Richard III: Loyalty, Lordship and Law*, 2nd edn (London, 2000), 199–242.

² Thus Professor Richmond argues that many of those summoned by Richard III either did not turn up or (if they did) failed to fight, which he attributes to disenchantment with Richard's kingship, even among erstwhile supporters; but to make the point he has to show that the near-contemporary poem 'The Battle of Bosworth Feilde', which gives a long list of men who fought for Richard, is heavily slanted and unreliable: *ibid.*, 200–15, 237–42. One obvious Scottish example is the consistent presentation of Robert I in his documents as Alexander III's direct successor, thus denying the reign of King John (Balliol): N. Reid, 'Crown and community under Robert I', in A. Grant and K. J. Stringer (eds), *Medieval Scotland: Crown, Lordship and Community. Essays presented to G. W. S. Barrow* (Edinburgh, 1993), 203–7. Another is John Barbour's claim that the 1320 conspiracy against Robert I aimed to put Sir William Soules on the throne. Professor Duncan has persuaded us that circumstantial evidence 'scarcely permit[s] a doubt' that that should be rejected, and that 'the conspiracy was surely intended to restore the Balliol line' by bringing Edward Balliol back from France: A. A. M. Duncan, 'The war of the Scots, 1306–1323', *Transactions of the Royal Historical Society*, 6th series, 2 (1992) 129–31; John Barbour, *The Bruce*, ed. A. A. M. Duncan (Edinburgh, 1997), 698–701; also M. Penman, "A fell coniuiracioun agayn Robert the douchty king": the Soules conspiracy of 1318–1320', *Innes Review* 50 (1999) 25–57.

(generally more sophisticated) accounts of what was going on in the past, but their work (no matter how convincing) should be regarded as academic opinion rather than absolute truth.³ Third, all efforts to explain what was going on with any piece of history are necessarily constructed after the event, and so are bound to be affected by hindsight and (preferably) long sight; that is not necessarily detrimental,⁴ but historians must bear it in mind.⁵

These points are particularly relevant to medieval Scottish history, because of the relative scarcity and hence difficulty of the contemporary source material. They are especially significant with respect to the event that (with long sight as well as hindsight) has the same pivotal importance, *mutatis mutandis*, for Scotland as Richard III's defeat and death at Bosworth has for England: the death of John Comyn of Badenoch on 10 February 1306.⁶ All we know for certain about what happened is that

³ The notoriously wide variety of opinions about the reign of Richard III illustrates the point perfectly; and for Bosworth, see now the important if unconventional arguments of M. K. Jones, *Bosworth 1485: Psychology of a Battle* (Stroud, 2002). For Scotland, the best parallel is the dramatically contrasting treatments that Queen Mary's reign has received: e.g., M. Lynch (ed.), *Mary Stewart: Queen in Three Kingdoms* (Oxford, 1988); J. Wormald, *Mary Queen of Scots: Politics, Passion and a Kingdom Lost* (London, 2001); J. Guy, *'My Heart is My Own': The Life of Mary Queen of Scots* (London, 2004) – all very different, but all effectively and academically argued. Or, on the 1320 conspiracy (see previous note), Professor Barrow seems unconvinced by Professor Duncan's argument: G. W. S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (London, 1965), 429–30; 3rd edn (Edinburgh, 1988), 309–10; 4th edn (Edinburgh, 2005), 402–3 (the accounts in the 3rd and 4th editions are identical, both stating that 'odd as it may seem for men who supposedly believed in Balliol legitimacy, the plotters aimed to set de Soules on the throne'). Or compare the political analyses in A. Grant, *Independence and Nationhood: Scotland 1306–1469* (London, 1984), with M. Brown, 'Scotland tamed? Kings and magnates in late medieval Scotland: a review of recent work', *Innes Review* 45 (1994) 120–46. As Dr Brown once tellingly remarked to me, nobody has a monopoly over any part of history.

⁴ Though note the important remark of the late Sir Rees Davies, apropos Owain Glyn Dwr's revolt of 1400–9: 'Hindsight is the besetting sin of the historian. Nowhere is it, perhaps, more pernicious in its impact than when discussing a war or a revolt. Chaos is turned into order at the stroke of the historian's pen; isolated and unrelated episodes are arranged into neat causal patterns; lines of development and crucial turning points are perceived with a clarity and confidence denied to contemporaries Therefore, it behoves us to try to reconstruct as best we can the way contemporaries responded to the revolt and likewise to re-create what the experience of the revolt meant for them'. R. R. Davies, *The Revolt of Owain Glyn Dwr* (Oxford, 1995), 263; quoted in F. Watson, *Under the Hammer: Edward I and Scotland, 1286–1306* (East Linton, 1998), 230.

⁵ Obviously, all accounts of Bosworth, and indeed of Richard III's reign as a whole, have been written in the knowledge of Richard's defeat and death; but for two (very different) exceptions, written while he was alive, see Domenico Mancini, *The Usurpation of Richard III*, ed. C. A. J. Armstrong, 2nd edn (Oxford, 1969), and John Rous, *The Rous Roll*, ed. W. Pickering (1859; repr. Gloucester, 1980), no. 63. For Scotland, it seems safe to say that every Scottish account of the Wars of Independence – both medieval and modern, with the sole exception of 'The Scottish poem' in the appendix to Bower's *Scotichronicon* called *Liber Extravagans* (see below, p. 202) – has been written with, and coloured by, knowledge of Robert I's eventual victory.

⁶ Traditionally, Bosworth ended the Wars of the Roses and, with the establishment of the Tudor dynasty, brought England into a new era (as expressed most famously in Shakespeare's *Richard III*); although modern historians would not see it in such stark terms,

Comyn and Robert Bruce were together in the church of the Franciscan Friary at Dumfries, that Comyn and his uncle Sir Robert Comyn were killed, and that Robert Bruce was responsible.⁷ But (as with Bosworth) 'how that happened and why is not clear'. Nevertheless, following Professor Richmond's 'endeavour to explore if not explain', this article contends that there is room for significant further exploration, especially from the victim's point of view.

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The exploration starts with the only contemporary portrayal of what was going on when John Comyn was killed, in other words the 'narrative' that can be excavated from the immediate documentation of Edward I's reign. The earliest date by which we can be sure that Edward I knew of Comyn's death is 20 February (ten days after the event, though he may have been informed slightly earlier), when he sent orders to the constable of Bordeaux to purvey 200 tuns of wine and send them to Skinburness (the port for Carlisle) by 12 May at the latest, for 'the king's use in the fresh rebellion of the Scots'.⁸ Three days later, on 23 February, he granted Sir John de Mowbray custody of the English lands 'of the late John Comyn', because Comyn's son and heir was under age.⁹ The following day (24 February), there is the first explicit statement that Comyn had been killed: Edward wrote to his main financial agent in southern Scotland, James de Dalilegh, stating that, because he had heard Comyn and his uncle 'had been murdered by certain persons who were making efforts to disturb the peace and quiet of our land of Scotland', Dalilegh was to see to the peace and quiet of Edward's faithful lieges in his parts, and warn them against dealings with their adversaries by which they might be surprised or suffer shame

⁶ (*continued*) the concept of a major break in political continuity (whether or not historians agree with that) certainly survives. In Scotland, of course, John Comyn's death initiated rather than concluded all-out civil war; yet in paving the way for the accession of Robert Bruce, it produced an even more important dynastic 'regime change' than that of Bosworth. Interestingly, 10 February was also the date of another hugely significant Scottish killing, that of 'King' Henry, i.e. Darnley, in 1567. I assume that was merely coincidence – but was it?

⁷ There are no reasons to doubt Edward I's statements to that effect in February and April 1306.

⁸ *Calendar of Patent Rolls preserved in the Public Record Office [CPR]: Edward I, A.D. 1301–1307* (London, 1898), 417; but the decision to organise the new campaign may not have been absolutely instant. Edward seems not to have known on 16 February, however, when he appointed deputies for his nephew John of Brittany, the new 'lieutenant and guardian of Scotland': *ibid.*, 415; J. Bain *et al.* (eds), *Calendar of Documents relating to Scotland* (Edinburgh, 1881–1986) [CDS], ii. no. 1745. Further instructions for procuring wine are dated 23 February, and mandates for extensive purveyance of victuals from Ireland and England before 12 May, all 'against the new Scottish rebellion', were issued on 1 March: *CPR 1301–7*, 417–19. The planned campaign, under the Prince of Wales, actually began in July (by which time Robert I had been defeated by Aymer de Valence at Methven on 19 June): M. Prestwich, *Edward I* (London, 1988), 506–7.

⁹ The National Archives, Kew: Public Record Office [TNA: PRO], C 66/127, m. 34 (summarised *CPR 1301–7*, 417; *CDS*, ii. no. 1746).

or damage.¹⁰ Next, on 1 March, Edward announced that he would lead an army north via Berwick in the summer, ‘to repress, God willing, the malice of certain Scots who have maliciously risen anew against us’;¹¹ and early that month he had two Franciscan friars from Oxford sent to Dumfries, ‘to enquire into the death of John Comyn at the church of the Friars Minor at Dumfries’.¹² But also in March, a report was sent from Berwick about Robert Bruce’s activities in Scotland and the measures taken against them, including two warnings: that, ‘no matter what any man has given you to understand of the said earl of Carrick [i.e., Robert Bruce], he nevertheless [?] is attempting to seize the kingdom of Scotland, and to be king’; and that Bruce had stated that if Edward I would not grant his demand, ‘he would defend himself with the longest staff that he had’.¹³ The warning (or similar reports) was heeded: a later document shows that by 20 March at the latest Edward was taking action, ‘having heard both of the murder and killing of the late Sir John Comyn lord of Badenoch, and of the infidelity, rebellion and premeditated iniquity of Robert Bruce and his supporters’.¹⁴ On 25 March, however, Bruce had himself made king.

Edward’s fury about that explodes from his dramatically changed rhetoric. On 5 April, he made Aymer de Valence and Henry Percy his commanders in southern Scotland,

because lately Robert de Brus, former earl of Carrick, in whom we had full trust, contemptuous of his homage and fealty given under oath to us, along with certain malefactors, partisans and accomplices, wickedly and treasonably killed (*interfecit*) the noble John Comyn of Badenoch, our faithful man, and certain others in our fealty, in the church of the Friars Minor of Dumfries in Scotland. And not content with such an outrageous and wicked crime, but heaping on more wickednesses, he hostilely disturbed our peace, which we had publicly proclaimed should be firmly

¹⁰ TNA: PRO, E 101/13/3, no. 2 (summarised *CDS*, ii. no. 1747, not quite accurately): *Par ce que nous avoms entendu que mons^r Johan Comyn et mons^r Robert Comyn son uncle sont murdriz par aucunes gentes: qi mettent poine a trubler la pees et la quiece de nostre terre descocce.*

¹¹ TNA: PRO, C 54/123, m. 17 (summarised *CDS*, ii. no. 1748): *ad maliciam quorundam Scotorum de novo contra nos in partibus Scocie maliciose insurgencium deo dante reprenandum.*

¹² *CDS*, v. 199–200.

¹³ E. L. G. Stones (ed.), *Anglo-Scottish Relations, 1174–1328: Some Selected Documents* (1965; repr. Oxford, 1970), 264–7 (partly my translation). This was from an obviously important administrator, to ‘his beloved friend, if it please him’; in other words not to Edward I himself, but (presumably) to a prominent member of the royal council.

¹⁴ *Ibid.*, 274–5: from an accusation in Bishop Lamberton’s interrogation by Edward I’s representatives at Newcastle, 9 August 1306, that he had ignored Edward’s order to hand over James the Steward’s heir to Edward, and instead delivered him to Robert Bruce. Lamberton admitted receiving the order – so Edward must have sent it several days before Lamberton left Berwick in time to be with Robert I at Scone on 27 March. On the day Lamberton left Berwick, he was said to have been with other members of Edward’s Scottish council, discussing ‘the offence which Robert de Brus had committed of the murder of Sir John Comyn, and ... the king’s affairs in Scotland’; this was ‘attested by a public document made at Berwick, sealed by great lords of Scotland’: F. Palgrave (ed.), *Documents and Records illustrating the History of Scotland* (London, 1837), 336. Although these statements are later, there seems no reason to doubt their accuracy.

observed in our land, following the homages and fealties that its inhabitants gave us, by making war against them; and he strove to usurp the lordship of that land to himself by force.¹⁵

Similar fulminations followed in what had clearly become a standard formula, stressing Bruce's sedition, treachery and sacrilege, and that Comyn had been 'in our faith and allegiance';¹⁶ while by 18 May, Robert I had been excommunicated by the pope, 'because with some followers ... approaching the Franciscan church at Dumfries ... with arms at hand, he audaciously violated its immunity, committing the sacrilege of homicide within it'.¹⁷ Most strikingly, subsequent charges made to the pope against Bishop Lamberton of St Andrews said that Bruce had murdered Sir John Comyn because Comyn 'did not wish to assent to the treason which the said Robert thought of committing against the said king of England, that is to say, of raising war against him and making himself king of Scotland by force';¹⁸ while on 7 July 1307 the formal report of Edward I's death announced that he had been going to Scotland

to avenge the contempt and the outrageous sacrilege inhumanly committed against God and the holy Church by Robert de Brus, who seditiously killed Sir John de Comyn of Scotland, in the church of the Friars Minor of Dumfries, and also with powerful hand to soundly repress the same Robert's obstinacy and rebellion, in that against the sacrament of his homage and fealty he treasonably made himself be crowned (*coronari*) king of Scotland.¹⁹

Here, as in most of these fulminations, the sacrilegious killing of Comyn is highlighted. However, can that be taken at face value? Edward's immediate response to Comyn's death was fairly low-key; the fury started only with Bruce's bid for the throne. Now it may be, as some authorities have suggested, that Edward – taken by surprise – was initially 'mystified', and 'unwilling to credit ... that it was really Bruce who had risen against him'.²⁰ Yet such dithering seems uncharacteristic of Edward I. And, despite the statements of 24 February and 1 March that Comyn had been killed by certain persons and that some Scots had risen, it is

¹⁵ T. Rymer (ed.), *Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica*, Record Commission (London, 1816–18), vol. i (2), 982–3; from TNA: PRO, C 66/127, m. 28 (summarised *CPR 1301–7*, 426, and *CDS*, ii. no. 1754).

¹⁶ TNA: PRO, DL 10/205, 10 April (summarised *CDS*, ii. no. 1757); TNA: PRO, C 66/127, m. 22, 26 May (summarised *CPR 1301–7*, 436, and *CDS*, ii. no. 1776): granting land forfeited by Robert Bruce, our enemy and rebel, *quod ratione inimicitie et rebellionis eiusdem necnon et per feloniam quam idem Robertus ... fecit interficiendo fraudulenter et sediciose in ecclesiam fratrorum minorum de Dumfries coram magno altari Johannem Comyn de Badenagh ad pacem et fidem nostram existentem sicque sacrilegium committendo*. The relevant wording of both documents is identical, and presumably formulaic.

¹⁷ Rymer (ed.), *Foedera*, i (2), 987; the papal bull presumably repeats the wording of Edward's accusation.

¹⁸ Palgrave (ed.), *Docs. Hist. Scot.*, 335.

¹⁹ Rymer (ed.), *Foedera*, i (2), 1018.

²⁰ Prestwich, *Edward I*, 505; Barrow, *Robert Bruce*, 153 (3rd edn); 198 (4th edn).

difficult to believe that he did not already know of Bruce's responsibility. After all, one of the first persons to be informed of what had happened to Comyn would have been his widow, Joan de Valence – who would surely have immediately transmitted the news, plus a demand for vengeance on Bruce, to both her brother Aymer de Valence and her cousin, Edward I.²¹ Similarly, when John de Mowbray (a prominent Scottish baron with high-level English contacts, John Comyn's first cousin and close supporter, and leader of anti-Bruce efforts in south-west Scotland during March 1306) was given custody of Comyn's English lands,²² the normal workings of medieval patronage would suggest that this was in response to a petition from Mowbray himself between 10 and 23 February;²³ in which case, it is likely to have been appended to a message detailing Comyn's killing, in which Bruce would surely have been blamed.

The likelihood is, therefore, that soon after John Comyn was killed, Edward I knew what had happened and who had done it. But that is not the same as understanding what had been going on – which Edward clearly did not do until late March. Why not? One factor might be Bruce disinformation; the warning report from Berwick in mid-March said, 'however you are *given to understand* of the earl of Carrick', he aimed to become king.²⁴ Yet it is also worth asking whether Edward was, initially, particularly angry over the killing of John Comyn. He obviously did not think that it would lead to a Bruce coup d'état; instead, he probably saw it as simply the fatal result of a quarrel between two leading Scottish magnates – which could have been expected to produce a major bloodfeud, seriously weaken the Scottish political community, and greatly assist the consolidation of his conquest: divide and rule. Moreover, given that John Comyn (despite the 1304 surrender) had a much stronger record of opposition to the English than Robert Bruce's,²⁵ Edward would probably have regarded him as a far more problematic figure. In that case, he is unlikely to have mourned Comyn's death; it is more likely that he was pleased. However, 'certain Scots [had] risen anew',²⁶ and had to be put down. But a rising without Comyn involvement would not have appeared a particularly serious matter; and if it was headed by Robert Bruce, Edward's experience would have led him to expect a speedy end to resistance once an English army was on the scene. Also, it can be added that when Bruce submitted, as Edward presumably anticipated he would (if the Comyns had not already killed him in revenge), he could have been put on trial for Comyn's killing²⁷ – which would probably have

²¹ A. Young, *Robert the Bruce's Rivals: The Comyns, 1212–1314* (East Linton, 1997), 131, 207.

²² *Ibid.*, 191, 194–5; Stones (ed.), *Anglo-Scottish Relations*, 262–5; and above, at note 10.

²³ TNA: PRO, C 47/22/12/27, shows Mowbray petitioning the English king for patronage; the PRO provisional dating is 1308, rather than the '[no date] [1305]' of *CDS*, ii. no. 1726.

²⁴ Stones (ed.), *Anglo-Scottish Relations*, 264–5 (my emphasis).

²⁵ This point is developed below, pp. 218–19.

²⁶ Above, at n.11.

²⁷ In which case, the report of the friars who were sent to Dumfries would have been vital.

led to his removal from the Scottish political scene in one way or another. It may be suggested, therefore, that Edward I's immediate reaction to Comyn's death was one of understandable complacency, coupled with some disingenuously vague statements about what had happened.

Whether or not that suggestion is correct, what the developed 'Edward I narrative' does demonstrate is that Edward had no serious grounds for suspecting Robert Bruce of treason until late March. This means that the Scottish chronicle accounts (discussed below) of Comyn betraying Bruce to Edward in the months before his killing should be rejected.²⁸ On the other hand, both Scottish and English chronicles tell of a two-part killing, with Bruce wounding Comyn, and (in the Scottish accounts) others having to 'mak siccar'. In the 'Edward I narrative', however, although Bruce's companions and accomplices are generally mentioned, every statement about the actual killing uses a singular verb (mostly *interfecit* or *fecit interficiendo*) – so that Bruce is made totally responsible. Once Robert I had become king, of course, the more he could be blackened the better – which is probably why the sacrilegious killing is generally prioritised in public statements of what, according to the English crown, had been going on. But it can reasonably be assumed that, in Edward I's own mind, Robert's treasonable rebellion and seizure of the throne, rather than Comyn's death, was what really mattered.

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Unsurprisingly, most contemporary and near-contemporary English chronicles follow the 'Edward I narrative'. These brief accounts from the 1320s or 1330s are typical:

Robert de Brus, aspiring to the kingdom of Scotland, sacrilegiously killed the noble man John Comyn at Dumfries (where the justiciar of the king of England was then sitting in the castle) in the church of the Friars Minor, because [Comyn] would not consent to his treasonable action.²⁹

Robert de Brus junior, earl of Carrick, grievously killed John Comyn, the greatest man in the whole nation of Scotland after the king, because the same John refused to consent to the treason of the same Robert and of the Scots against the king of England.³⁰

But there are also some fuller narratives that purport to show in detail what had been going on.

The first comes from a section of the *Flores Historiarum* written shortly after 1306 at Westminster Abbey – which of course was closely associated

²⁸ And see, e.g., Barrow, *Robert Bruce*, 139–40 (3rd edn); 182 (4th edn).

²⁹ H. T. Riley (ed.), *Willelmi Rishanger, Chronica et Annales*, Rolls Series (London, 1865), 229; from a continuation of Rishanger's chronicle written in the 1320s or 1330s (cf. A. Gransden, *Historical Writing in England II, c. 1307 to the Early Sixteenth Century* (London, 1982), 4–8).

³⁰ W. Stubbs (ed.), *The Historical Works of Gervase of Canterbury*, Rolls Series (London, 1879–80), ii. 321; from an annalistic continuation of the Canterbury Chronicle covering 1278–1327 (A. Gransden, *Historical Writing in England c. 550 to c. 1307* (London, 1974), 448–9).

with Edward I.³¹ In it, Robert Bruce meets with various Scottish nobles, 'first secretly and then openly'; he tells them that, as they know, his father was not made king because of Edward I's trickery, but now, if they crown him, he will wage their war and liberate Scotland. Many perjure themselves and agree. But when he asks the noble and powerful John Comyn for support, Comyn 'firmly replied no' – 'so he slaughtered him' in the Franciscan church at Dumfries.

This narrative was expanded in the fuller 'Merton' version of the *Flores*, possibly written for Edward II's coronation in 1307.³² Here, Comyn is given an eloquent speech saying the king of England has subjugated Scotland four times, and all Scots, knights and clergy, have therefore sworn fealty and homage to him for both the present and the future; so 'let me take no part in this – truly, I shall never give assent in this matter, lest I am forsworn'. They argue at length, until Bruce draws a sword and strikes the unarmed Comyn on the head; but the extremely strong Comyn tries to seize the sword from his assailant's hands, and throws him down. However, the traitor's attendants, rushing up to free their lord, stab Comyn with their swords. Comyn escapes to the altar; but 'Robert followed ... and the impious and cruel man sacrificed his holy victim'. It is the most dramatic of all the accounts of the killing.

A year or so later, at Guisborough Priory in North Yorkshire, a rather different narrative was produced in the *Chronicle of Walter of Guisborough*, by either Walter himself or a continuator.³³ The priory had been founded by Bruce's ancestor, and the account is not quite so hostile as in the *Flores* (though certainly not sympathetic). Bruce, 'following perverted counsel, aspired to the kingdom of Scotland', but fears that Comyn, who is 'faithful to the king of England to whom he had done homage', can stop him; so 'in deceit' he sends his brothers Thomas and Neil to Comyn, to invite him to a meeting at Dumfries, 'to deal with certain business touching them both'.³⁴ Comyn, 'suspecting no evil', and

³¹ H. R. Luard (ed.), *Flores Historiarum*, Rolls Series (London, 1890), iii. 128; Gransden, *Historical Writing c.550 to c.1307*, 453–6.

³² Luard (ed.), *Flores Historiarum*, iii. 322–3; Gransden, *Historical Writing c.550 to c.1307*, 456–62.

³³ H. Rothwell (ed.), *The Chronicle of Walter of Guisborough*, Royal Hist. Soc., Camden 3rd series no. lxxxix (London, 1957), 366–7. The main chronicle appears to end in 1305, but annalistic additions down to 1312 were made by Walter and others: *ibid.*, xxx–xxxii; Gransden, *Historical Writing c.550 to c.1307*, 470–5. (That, however, hinges on the fact that both Robert Bruce VII, the future king, and his father Robert Bruce VI are called *Robertus de Brus quintus*, the father at his death in 1304, the son when he killed Comyn. But since confusion between the two is common in most of the narrative sources, this might simply have been a slip of the pen, especially since the relevant passage reads *Anno domini .M^o. CCC^o. quinto Robertus de Brus quintus*. By *quintus*, the chronicler meant the fifth Robert to be lord of Annandale; the man now called Robert Bruce III predeceased his father, and so would not have counted.) Much of the account of the killing is translated in Barbour, *Bruce*, 78–80, ed. Duncan, and is followed here.

³⁴ The other main northern chronicle, from Lanercost (which oddly, given its general attention to the Scottish War, is extremely laconic on Comyn's killing), also says that Bruce asked for the meeting. 'Sir Robert Bruce, earl of Carrick, seditiously and in deceit sent for Sir John Comyn, that he should come to talk with him at the Friars

with few attendants, duly meets Bruce in the Friary cloister, and after a kiss – ‘but not of peace’ – they converse peacefully. Then Bruce suddenly starts accusing Comyn of treachery: ‘that he had denounced him to the king of England and worsened his position to his harm’. Comyn peaceably denies that, but Bruce refuses to listen: ‘as he had conspired, he struck him with foot and sword’, and then leaves. Bruce’s followers throw Comyn to the pavement in front of the altar, leaving him for dead. His uncle Sir Robert Comyn runs to his aid, but is killed by Bruce’s brother-in-law Sir Christopher Seton. After that, Bruce and his men ride off, and seize Dumfries castle. While they are there, ‘certain evil people’ report that Comyn is still alive: the friars have carried him to the altar vestry, for treatment and confession. However, ‘when he had confessed and was truly repentant, by the tyrant’s order he was dragged out of the vestry and killed on the steps of the high altar’.

Subsequently – probably by 1322 – these different narratives were combined into one, incorporated within a revision of Peter Langtoft’s French verse *Chronicle*; this has never been published, but its main points have been printed and examined by Mr T. M. Smallwood.³⁵ This ‘Langtoft-revision’ starts by developing the *Flores* story of Bruce’s consultation of Scottish nobles into a full-scale Scottish parliament for 9 December 1305, in which there is widespread support for helping Robert win his rightful heritage of the Scottish throne. But then Comyn says that would be madness, because of English might, and he will not break his allegiance to Edward I. He leaves the parliament, and a furious Bruce, threatening vengeance on him if he betrays the Scots, arranges another meeting at Dumfries. Switching now to the Guisborough narrative, the ‘Langtoft-revision’ has Comyn summoned to Dumfries by Bruce’s two brothers. Comyn agrees courteously, meets Bruce at the Dumfries Franciscans, embraces him, and enters another assembly of leading nobles and churchmen, who again enthusiastically discuss pro-Bruce rebellion – until once again Comyn refuses to agree, calling Bruce a ‘miscreant felon’ for contemplating war against King Edward.

³⁴ (*continued*) Minor of Dumfries; and when he came, [Bruce] killed him and his uncle Sir Robert Comyn in the friars’ church’: J. Stevenson (ed.), *Chronicon de Lanercost, M.CC.I.–M.CCC.XLVI.*, Bannatyne and Maitland Clubs (Edinburgh, 1839), 203.

³⁵ T. M. Smallwood, ‘An unpublished early account of Bruce’s murder of Comyn’, *SHR* 54 (1975) 1–10. A ‘cryptic’ line about gaining Ireland (*ibid.*, 3) may relate to Edward Bruce’s invasion, and thus may suggest a date of 1315–18. Langtoft’s own chronicle has a much briefer account, simply a short version of the standard story: Bruce ‘invited’ / the Lord of Badenoch to come and talk with him / In Dumfries in the Church of the Friars Minor, / Where Earl Robert, leaning upon the altar, / Slew the Badenoch through felony of heart / Because he would not agree with him / To raise war against King Edward / And by dint of sword obtain the kingdom / For him, who then said he was the right king.’ Later, on the death of Edward I, it adds (echoing the formal report): ‘Death has taken him, alas! henceforth who will do justice / Upon John of Badenoch, except him who has the care? / Edward the son of Edward, king of the tenure / Which is held by vow to destroy King Robin.’ T. Wright (ed.), *The Chronicle of Pierre de Langtoft*, Rolls Series (London, 1868), ii. 364–7, 380–1; Gransden, *Historical Writing c.550 to c.1307*, 476–86.

He prepares to leave, but having gone out of the door, is pursued by Bruce with a sword. Comyn's brother tries to intervene with a knife, but Bruce is wearing concealed armour,³⁶ and the brother is chased on horseback and killed. Meanwhile friars look after the wounded Comyn beside the altar; but Bruce returns, forces them to hand him over, and kills him. Comyn dies with the words:

Come, if you are killing me – do not let me linger.
I commend my soul to God, who is able to do justice on you.³⁷

The 'Langtoft-revision' is a perfect illustration of how chronicle narratives were developed and embellished. But actually all the narratives are full of impossibilities, ranging from the Comyn–Bruce wrestling in the 'Merton' *Flores*, to Guisborough's making the seizure of Dumfries Castle take place between Comyn's wounding and eventual death, to the *Flores* and 'Langtoft-revision' accounts of Bruce publicly consulting the Scottish nobility about rebelling and making him king – which could never have been kept secret from the English authorities. Such impossibilities, however, are crucial elements in the chroniclers' constructions of what was going on. They all believe that Robert Bruce was planning to become king well before Comyn's death, which (though plausible)³⁸ is obviously based on hindsight. Logically, therefore, Comyn had to be removed: in all the English chronicles, just as in the government documents produced after 25 March 1306, the killing is premeditated. That said, Guisborough's narrative is interestingly different. Bruce plans the killing because he fears Comyn will block his plans, not because he has already experienced outright opposition; and when the fatal meeting takes place, the quarrel is over Comyn's denigrating Bruce to Edward I, while the kingship issue is not specifically mentioned. Here, therefore, a more complex scenario is presented.

The chronicle narratives are not merely about Bruce, however; Comyn's role is equally important. Again in line with Edward I's pronouncements after 25 March, their accounts highlight Comyn's insistence on upholding his homage and fealty to the English king:³⁹ 'I shall never give assent in this matter, lest I am forsworn', which clearly the other Scots were. Such stress on dutiful, almost obsessive, loyalty to Edward I has helped establish the Comyns' subsequent 'quisling' image in Scotland – though Edward himself would probably have been more cynical, given that Comyn had become his liegeman in 1296 when he was taken to Flanders in Edward's service, only to desert early in 1298 and

³⁶ This is called 'an amusing detail but presumably quite without authority' (Smallwood, 'Bruce's murder of Comyn', 8); but it is also found, admittedly later, in *Scalacronica*: see below, p. 210.

³⁷ Smallwood, 'Bruce's murder of Comyn', 8.

³⁸ This is accepted by, e.g., Barrow, in *Robert Bruce*, 143–6 (3rd edn); 186–9 (4th edn); and Young, *Robert the Bruce's Rivals*, 196–9. Duncan, in Barbour, *Bruce*, 68–82, is ambivalent.

³⁹ Though the 'Merton' *Flores* and the 'Langtoft-revision' add the more pragmatic reason that Edward had subjugated the Scots several times.

join the Scottish resistance.⁴⁰ But the concept of the ultra-loyal, ultra-honourable Comyn was a vital piece of English propaganda against Robert I. Moreover, it would have been vehemently promoted by the rest of the Comyn kin, since the killing at Dumfries had transformed its members from leading upholders of the Scottish cause into dependent allies of Edward I who looked for his support in the bloodfeud with Robert I. As already pointed out, Comyn's wife (Edward I's cousin) would have learned very quickly about the circumstances of his death, and so would his kin – through his surviving attendants, not to mention the Dumfries friars. Thus it is highly likely that much of the detail in the subsequent English narratives originated within a Comyn milieu.

That may help explain the long time-lag between wounding and death found in Guisborough's account: it enables him to show Comyn confessing and being truly repentant, so that he would not 'de [die] as beistis without confessioun'⁴¹ and be damned in Hell. This could be one reason why almost every detailed chronicle account gives Comyn a two-stage death (though we cannot be absolutely sure that that is what happened).⁴² But Comyn's death is more than simply a shriven one. In Guisborough's *Chronicle*, he is dragged back to the altar to be killed; in the 'Merton' *Flores*, he is 'sacrificed' on the altar; and in the 'Langtoft-revision', he dies at the altar, commending his soul to God who he trusts will do justice for him. On the latter, Mr Smallwood has commented that this reflects 'a simple-minded wish to make a martyr out of Comyn'.⁴³ In all probability, there was nothing 'simple-minded' about what the chroniclers were doing; but the main point is surely correct and has a general application.

Furthermore, religious symbolism was especially employed, or inverted, in a remarkable text written in or shortly after 1307, *Passio Scotorum Perjuratorum*⁴⁴ – a mock 'homily' on the Scottish rebellion of 1306. It begins, 'At that time ... there was a strife, not among the disciples of Jesus, but among the greatest men of Scotland, which of them should be accounted the greatest in wickedness'. Various earls (shown as personified trees) are asked to be king by the people; they decline, until 'the bramble, that is ... Robert Bruce, Earl of Carrick', accepted. But after Bruce proclaimed his right, and told the Scots, 'Behold, I send you forth as wolves among lambs',

⁴⁰ Comyn had been captured in Dunbar Castle after the battle. His homage is not found in the Ragman Rolls, but since his father was alive then, technically he was not a landowner. In 1298, however, Edward complained about desertion by 'some Scottish knights and others [our] liegemen' (*CDS*, ii. no. 990), which certainly included Comyn: Barrow, *Robert Bruce*, 98, 345 n.41 (3rd edn); 128, 447 n.41 (4th edn).

⁴¹ D. Fox (ed.), *The Poems of Robert Henryson* (Oxford, 1981), 167.

⁴² The Dumfries friars would certainly have known the truth about that. If they *had* heard a confession, they might also have learned something from the dying man about why he had been stabbed, and if so, would have told the Oxford friars whom Edward sent to investigate.

⁴³ Smallwood, 'Bruce's murder of Comyn', 9.

⁴⁴ Edited in [J. Crichton-Stuart, 4th] Marquess of Bute, 'Notice of a manuscript of the latter part of the fourteenth century, entitled *Passio Scotorum Perjuratorum*', *Proc. Soc. Antiquaries of Scotland*, 2nd series, 7 (1884–5) 166–92.

a certain noble commander, John Comyn, came, and saith: 'We have no inheritance nor peace in Robert, and no king but Caesar, King of the English'. And the other [Bruce] spake unto him craftily: 'Friend, wherefore art thou come? Consent unto us, and live in the land, and thou shalt be worse than thou hast been.' And John Comyn said unto him: 'Though I should die, yet will I not deny the king of England.'

Then arose against him two false witnesses, saying: 'We heard him forbidding to give tribute to our king, and proclaiming that faith should be kept unto the king of England, from Galilee to this place.' Then Robert saith unto them: 'What further need have we of witnesses? We ourselves have heard the blasphemy out of his own mouth.' And he drew his dagger, and slew him in the church. The Friars Minor said unto him: 'Thou hast now done foolishly, for it is not lawful for us to put any man to death in the temple of God.' And he answered them: 'His blood be on me and on my brethren and on my well-wishers for ever.'

At that time, Robert Bruce said unto his disciples: 'Behold, I have sent my messenger William Wallace before your face, which shall prepare unto you a way like unto his own, for he shall be very high and exalted in the kingdom of England.' And they understood none of these things.⁴⁵

To modern eyes, this is a brilliant – and indeed hilarious – adaptation of numerous well-known passages from the Bible. It might have been received like that in the early fourteenth century too, but it had an extremely serious side. As the final part of the quotation shows, Bruce is the equivalent of Jesus (and Wallace of John the Baptist); but of course there is inversion. Bruce is actually Antichrist, and Comyn is his godly victim, whose death ultimately brings Wallace's gruesome fate to many of Bruce's supporters (as the 'homily' describes), and (by implication) will in due course do the same to Bruce himself. The message to its audience is obvious – and since clear echoes of it can be found in the 'Merton' *Flores*,⁴⁶ that audience was probably not insignificant. But in the latter, the message is presented in normal chronicle form, whereas in the *Passio* the style – outrageously parodying the Bible and especially the lead-up to Christ's own *passio* on the Cross – could have been seen as blasphemous. That, however, was probably the purpose. In a culture where politics and religion were closely interlinked, to English eyes Bruce's shocking rebellion against his liege lord, not to mention his sacrilegious killing of Comyn, must have been religious as well as political crimes, and so what had been going on in Scotland during early 1306 would have involved the most awful blasphemy.

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⁴⁵ *Ibid.*, 167–71. The Biblical quotations are mostly from the four Gospels, but also from the Old Testament (Genesis, Judges, 1 and 2 Samuel, Daniel, and Malachi). Bute's translation uses the Authorised ('King James') Version; I have amended some of the translations of non-Biblical wording.

⁴⁶ *Ibid.*, 186–9: the 'Matthew of Westminster' cited there is the 'Merton' *Flores*; the passages are from Luard (ed.), *Flores Historiarum*, iii. 333–4. The link with the 'Merton' *Flores* suggests that the *Passio* might also have been written for Edward II's coronation.

We turn now to the main late-medieval Scottish chronicles.⁴⁷ As is well known, only four survive for the Wars of Independence era: *Gesta Annalia II* (formerly attributed to John of Fordun), from the early 1360s;⁴⁸ John Barbour's *The Bruce*, from the mid-1370s;⁴⁹ Andrew Wyntoun's *Original Chronicle*, from the 1410s;⁵⁰ and Walter Bower's *Scotichronicon*, from the 1440s, which incorporated *Gesta II* almost verbatim but expanded it extensively.⁵¹ Unlike the English chronicles considered above, of course, none of them counts as contemporary or near contemporary with respect to 1306. However, they all drew on other sources which have since been lost, including not only romances and popular ballads but also, most importantly (as Dr Dauvit Broun has shown), two chronicles produced, like *Gesta Annalia II*, at St Andrews: an annalistic compilation that probably went down to the 1320s, and a more discursive narrative (which, following Dr Broun, can be dubbed a 'St Andrews History') covering the years 1283–1363 – exactly the period dealt with in *Gesta Annalia II*, which is surely a revision (possibly an abbreviation) of it.⁵² This 'St Andrews History', however, fed not only into *Gesta Annalia II*, but also, for the years until 1304, into Wyntoun's *Chronicle* (which is independent of *Gesta II*); and in *Scotichronicon* Bower also used it to supplement the incorporated *Gesta II*.⁵³

Irrespective of the date, authorship or provenance of these Scottish chronicles, they were all written under the Bruce/Stewart regime that originated with Robert I after 1306; so, naturally, their presentations of what was going on can be expected to have reversed the English chronicle narratives and 'spins', by praising King Robert and the Bruce faction and, conversely, demonising their Balliol and Comyn opponents. Such demonising is certainly to be found. Thus, in the years 1305–6 John

⁴⁷ Though one more major English chronicle has yet to be considered: Sir Thomas Grey's *Scalacronica*. But that was written later, and, as will be seen, draws on Scottish as well as English material, and also perhaps first-hand memories transmitted by Grey's father. Therefore it is best to postpone its analysis until after the Scottish chronicles have been discussed: see below, pp. 207–12.

⁴⁸ Included in W. F. Skene (ed.), *Johannis de Fordun Chronica Gentis Scotorum* (Edinburgh, 1871) [*Chron. Fordun*, i], 309–82; trans. F. H. Skene (Edinburgh, 1872) [*Chron. Fordun*, ii], 304–70; written in the years up to and perhaps just after 1363. See D. Broun, 'A new look at *Gesta Annalia* attributed to John of Fordun', in B. E. Crawford (ed.), *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland* (Edinburgh, 1999), 9–30.

⁴⁹ The most recent, and best, version is Barbour, *Bruce*, ed. Duncan.

⁵⁰ *The Original Chronicle of Andrew of Wyntoun*, ed. F. J. Amours (Scottish Text Society, 1903–14) [*Chron. Wyntoun*].

⁵¹ D. E. R. Watt *et al.*, *Scotichronicon by Walter Bower, in Latin and English* (Aberdeen and Edinburgh, 1987–98) [*Chron. Bower*].

⁵² Given that Bower produced an abbreviated revised version of *Scotichronicon* (surviving in the 'Coupar Angus MS') almost in parallel with his main text (*Chron. Bower*; ix. xiii, 12–19, 208), it is not impossible that the same happened with *Gesta II*. Alternatively, Dr Steve Boardman has argued persuasively in an unpublished paper that *Gesta II* was written by Thomas Bisset, prior of St Andrews – who retired in 1363 and probably died shortly afterwards: see M. Penman, *David II, 1329–71* (East Linton, 2004), 56 and n.45, 323; and *Chron. Bower*, iii. 422–3, for Prior Bisset.

⁵³ Broun, 'New look at *Gesta Annalia*', 17–21.

Comyn is consistently (and famously) portrayed as agreeing to help Robert Bruce become king in return for Robert's lands, and then betraying this agreement to Edward I.⁵⁴ Reflecting on this, Bower depicts Comyn as overcome by 'the spirit of iniquity'; in other words he is an agent of the Devil. That, too, is certainly how he figures in Barbour's *Bruce*,⁵⁵ and how he has figured in Scottish historical memory ever since: the consequence, Professor Barrow has remarked, of 'the necessity of giving the Comyns a bad name in post-Bruce Scotland'.⁵⁶

On the other hand, the main chronicle narrative, as presented in *Gesta Annalia II*, Wyntoun's *Original Chronicle* and *Scotichronicon*,⁵⁷ is not so unequivocally pro-Bruce as might be anticipated. For a start, although the accounts of the Great Cause of 1291–2 all state that Bruce the Competitor had the better claim to the throne, the relevant genealogies are also set out, so that, as *Gesta II* put it, the rights of Balliol and Bruce, 'who long wrangled for the throne of Scotland, will be more easily and clearly evident'. *Gesta II* concludes with the words 'let skilled men seek and trace which of the suitors had the stronger right',⁵⁸ which hardly confirm its earlier categorical statement in favour of Bruce the Competitor. Indeed, the genealogies as presented in all three chronicles would probably have demonstrated to everybody who accepted the principle of primogeniture – in other words, most contemporary landowners – that John Balliol had the better case.⁵⁹ The treatment of the genealogies, therefore, seems to reflect some unhappiness about the Bruces' claim.

Furthermore, the main chronicle narrative actually presents a much more complex treatment of the Comyns than modern historians appear to have recognised, especially for the period 1297–1305 (ignored in Barbour's *Bruce*). Admittedly, the Comyns are shown as antipathetic towards William Wallace, for instance deserting him at Falkirk out of jealousy and 'clear wickedness', according to *Gesta Annalia II*; yet this is followed by the remark that 'it is commonly said that Robert de Bruce,

⁵⁴ *Chron. Fordun*, i. 337–9; Barbour, *Bruce*, ed. Duncan, 69–75; *Chron. Wyntoun*, v. 352–7; *Chron. Bower*, vi. 302–7; and see below, pp. 193–201.

⁵⁵ The agreement over the crown is Comyn's first appearance in the poem; then there are no fewer than 57 lines expounding treachery; then Comyn betrays the agreement to Edward I, 'Quharfor syne he tholit ded'. Barbour, *Bruce*, ed. Duncan, 69–75.

⁵⁶ Barrow, *Robert Bruce*, 140 (3rd edn); 182 (4th edn). Blackening of the Comyns by the Bruce/Stewart regime is particularly emphasised in Young, *Robert the Bruce's Rivals*, chap. 1. See also F. Watson, 'The demonisation of King John', in E. J. Cowan and R. J. Finlay (eds), *Scottish History: The Power of the Past* (Edinburgh, 2002), 29–45.

⁵⁷ Barbour's *Bruce*, with its biographical focus, is of course rather different.

⁵⁸ *Chron. Fordun*, i. 314–18; quotations at 315, 318, trans. *ibid.*, ii. 309, 312. Similarly, Wyntoun wrote: 'Cast al þar generacyonys, / As þai ran in successionys, / Off Broyis and Ballyol; be ȝoure sycht / Qwhilk war lik to haf þe richt?': *Chron. Wyntoun*, v. 257. Bower's version rewords *Gesta II*, however, toning the final point down: 'let those whom it concerns, or who wish to know, seek out the better right': *Chron. Bower*, vi. 39.

⁵⁹ A. A. M. Duncan, *The Kingship of the Scots 842–1292: Succession and Independence* (Edinburgh, 2002), chaps 12–13, shows that the legal arguments were far less simple than that. Nevertheless, outside the narrow, technical world of the 'Great Cause' claimants and their lawyers, most landowners would probably have thought in more simple terms, involving straightforward primogeniture – which was, after all, essentially why Balliol won the throne.

who ... at that time supported the king of England ... provided the opportunity for this victory'.⁶⁰ So when *Gesta II* sums up its narrative of Falkirk – 'we rarely if ever read that Scots were overcome by the English except as a result of jealousy among their leaders or by guile and deceit on the part of natives going over to the other side'⁶¹ – the jealousy is presumably attributable to the Comyns, but the treacherous 'guile and deceit' must be Bruce's.⁶² Also, after Falkirk, John Comyn's achievements are highlighted, especially his victory over the English at Roslin in February 1303: 'Since the beginning of the first war between the English and the Scots there is no report of so fierce a fight in which the bravery of the Scots so shone out in warlike power. The leader and captain in this engagement was John Comyn the younger.'⁶³ In *Gesta II*, in fact, Roslin gets significantly fuller treatment than Bannockburn.⁶⁴ Therefore, although in their accounts of 1305–6 all the chronicles condemn Comyn's (alleged) betrayal of Bruce to Edward I, that cannot be simply a matter of automatic blackening.

Bower's words about the 'spirit of iniquity', indeed, can be seen in a different light: '*it now instilled* in the said John the Red Comyn such a strong sense of greed and such a great and culpable ambition that he broke his agreement and made null his oath'.⁶⁵ Hence Comyn was not permanently bad, but became corrupted in 1305. The comment should be regarded as an explanatory gloss on the starker *Gesta II* text, comparable with Bower's tale of the Wallace–Bruce encounter after Falkirk, which was probably inserted to show Wallace forgiving Bruce's (alleged) pro-English activity at Falkirk and hence sanctioning his subsequent kingship.⁶⁶ Moreover, Bower's narrative of Comyn's killing concludes with two remarkable passages: first, a story that an aged friar praying over Comyn's corpse heard one voice crying out for vengeance and another replying that that would take place 52 years later, as (Bower subsequently records) duly happened;⁶⁷ and second, with lines taken from an earlier poem on Scottish history:

⁶⁰ *Chron. Fordun*, i. 330. See also *Chron. Wyntoun*, v. 314–17; *Chron. Bower*, vi. 94–7.

⁶¹ *Chron. Fordun*, i. 330; trans. *Chron. Bower*, vi. 97 (since *Gesta II* was incorporated into *Scotichronicon*, I have as far as possible used the translations in Watt's edition of the latter, in preference to those of *Chron. Fordun*, ii). See also *Chron. Wyntoun*, v. 316–17, though there the point is not quite so explicit.

⁶² The myth about Bruce at Falkirk is examined in A. Grant, 'Bravehearts and coronets: images of William Wallace and the Scottish nobility', in E. J. Cowan (ed.), *The Wallace Book* (Edinburgh, 2007), 95–8.

⁶³ *Chron. Fordun*, i. 333; trans. *Chron. Bower*, vi. 291. See also *Chron. Wyntoun*, v. 342–3. He is 'younger' because until ca 1302 his father, the elder John Comyn, was lord of Badenoch; and although the elder Comyn was almost certainly dead by the time of Roslin, *Gesta II* kept the designation 'younger'.

⁶⁴ *Chron. Fordun*, i. 333–5, 346–7.

⁶⁵ *Chron. Bower*, vi. 304–5 (my emphasis).

⁶⁶ *Ibid.*, vi. 94–7.

⁶⁷ *Ibid.*, vi. 312–13. The 'vengeance' occurred in 1358, when, Bower relates, a Roger de Kirkpatrick was killed by a Sir James Lindsay; both men, he goes on, were heirs of men who participated in Comyn's slaughter, so that the 'sons [were] punished for the crimes of their fathers': *ibid.*, vii. 308–11, 487.

In the thirteen hundred and fifth year
 Saint Scholastica⁶⁸ brought a mournful festival to the Scots,
 for the death of John Comyn in Dumfries
 cast many down and made their hearts stand still.
 The cause of his death is an old and serious quarrel.
 From this let the Scots learn about discords, in order to
 come to their senses
 and be united, or they will be worn away by the struggle.⁶⁹

Even when writing about Comyn's death, therefore, Bower shows ambivalence.

Now, those lines highlight a different theme, that of the horrors of internal discord. This theme strikingly permeates *Gesta Annalia* II, together with its corollary, the absolute necessity of strict unchallenged government.⁷⁰ Accordingly, in its first chapter *Gesta* II portrays Alexander III as an ideal king who represses rebels with 'harsh discipline' and threats of hanging. Unfortunately, when (after Alexander III and the Maid of Norway died) the Balliol–Bruce dispute over the crown arises, 'they had no superior who by the strength of his power' can enforce any decision, and so Edward I has to be called in⁷¹ – enabling him to impose his own lordship. With the kingdom 'split in two', the Scots are defeated at Dunbar – because the pro-Bruce earls of Mar and Atholl desert the battlefield:

and thus a great disaster befell the opposing [Balliol] party, and the enemy of both gained such a welcome and pleasing victory. And, just as afterwards when King Robert Bruce was making war, all the supporters of Balliol were suspected of treason in his war, so also in this Balliol's war ... all the supporters of Bruce's party were generally considered traitors to the king and kingdom.⁷²

Following Edward I's conquest of Scotland, Wallace comes to the fore, and re-imposes unity by force. But at Falkirk Comyn jealousy and Bruce treachery destroy him. He is replaced as guardian by John Comyn III of Badenoch⁷³ (*Gesta* II ignores the joint guardianships with Bruce and others), who appears to have restored unity once again, despite the temporary appointment of the 'foolish and not firm' John de Soules as guardian by the absent King John.⁷⁴ Considerable Scottish success

⁶⁸ St Scholastica's feast day is 10 February; it was in '1305' because the poem follows the common medieval practice of starting the year on 25 March.

⁶⁹ *Ibid.*, vi. 312–13 (translation amended to make it more literal). See also below, p. 202.

⁷⁰ *Chron. Fordun*, i. 309–82; Grant, 'Bravehearts and coronets', 98–101.

⁷¹ *Chron. Fordun*, i. 310, 312, 325; trans. *Chron. Bower*, v. 423; vi. 5, 75.

⁷² *Chron. Fordun*, i. 326; trans. *Chron. Bower*, vi. 75.

⁷³ I.e., Robert Bruce's victim in 1306. At this time, his father John Comyn II, lord of Badenoch, was still alive, though probably inactive.

⁷⁴ *Chron. Fordun*, i. 331; trans. *Chron. Bower*, vi. 97. Bower read the *Gesta* II passage as applying to Balliol, not Soules, and Professor Watt reckoned that he 'was surely right' (*ibid.*, vi. 96, 244). But *Gesta* II's Latin clearly agrees better with Soules, and while the description was 'unjust' (Barrow, *Bruce*, 114 [3rd edn]; 150 [4th edn]), it fits *Gesta* II's

follows, including Roslin – but then, after the 1304 submission, discord breaks out once more between John Comyn and Robert Bruce, with fatal consequences. Subsequently, *Gesta II* narrates the Bruce triumph which eventually restores unity and firm government to Scotland – yet in the subsequent wars following Robert I's death discord strikes again, especially with the killing of Alexander Ramsay in 1342, after which 'all campaigns undertaken for the benefit of the kingdom straight away took an unfortunate turn ... because ... an almost eternal quarrel and unending strife arose in the kingdom, not only amongst the magnates, but also among those of middle rank'.⁷⁵ Discord produces disaster; concord and unity produce success: that is the message of *Gesta Annalia II*.

Within this message, the killing of John Comyn has an integral role. Despite the victory of Roslin, Edward I's massive campaign of 1303–4 cannot be resisted, and 'after the whole community of Scotland was received into the king of England's peace, John Comyn, then guardian, and all the magnates (except William Wallace) came to his peace'.⁷⁶ Consequently, despite the surrender there is unity, at least among the magnates and political community. But after the surrender, Robert Bruce, 'for the good of the state', and 'with an eye to the common advantage rather than the private'⁷⁷ (because his hereditary right to the throne is better than anyone else's), 'humbly' goes to Comyn with an offer, to choose one of two alternatives:

either to reign and assume for himself the entire government of the kingdom with its appurtenances and royal honours for ever, while granting to the same Robert all his lands and possessions; or to assume perpetual rights over all the lands and possessions of the said Robert for John himself and his [heirs], leaving to the same Robert the kingdom and kingly honour. By this means through their common consultation and aid for each other the liberation of the Scottish people ... might ultimately be achieved, and agreements for indissoluble friendship and lasting peace might remain between them ... [T]he second of these propositions was highly satisfactory to this John, and an agreement was made between them about this and confirmed by their indentures with seals attached and by the pledging of their good faith with the swearing of oaths between them.⁷⁸

⁷⁴ (*continued*) main argument. Also, *Gesta II*'s character soon left Scotland and went to France, which fits Soules (who did that in 1302) far better than Balliol. Note also *Gesta II*'s statement that 'John de Soules, one of the guardians of Scotland, without mentioning the other guardian (*alter custodum Scocie, non facta mentione alterius custodis*), with the advice of the prelates, earls, barons and other nobles' sent Baldred Bisset and others to the pope: *Chron. Fordun*, i. 332; ii. 325. Bower deals with this differently: Soules, 'as chief guardian, in the presence of his fellow guardians ...': *Chron. Bower*, vi. 98–9.

⁷⁵ *Chron. Fordun*, i. 366; trans. *Chron. Bower*, vii. 155.

⁷⁶ *Chron. Fordun*, i. 336; trans. *Chron. Bower*, vi. 299, with amendments.

⁷⁷ *Chron. Fordun*, i. 337; trans. *Chron. Bower*, vi. 303 – except that I translate *reipublicae* as 'state', rather than 'country' (as *Chron. Bower*) or 'commonwealth' (as *Chron. Fordun*, ii. 330). None of the terms feels quite right, but presumably the author was deliberately avoiding 'kingdom'.

⁷⁸ *Chron. Fordun*, i. 338; trans. *Chron. Bower*, vi. 303–5.

Thus the famous crown-for-land offer is presented by *Gesta II* as an ideal act of unification, guaranteed by sworn and sealed promises from the heads of the two main rival kindreds. However, Comyn destroys this unity by betraying the agreement to Edward I, and that is why Bruce kills him.⁷⁹

The narrative purveying that message – which has hugely influenced the subsequent understanding of what was going on in this period of Scotland's history – must, however, be treated with the utmost caution, because it involves significant misrepresentations of the likely historical actuality. For instance, there are no grounds for believing that the pro-Bruce earls of Mar and Atholl deserted the Scottish army at Dunbar for anti-Balliol/Comyn reasons.⁸⁰ Similarly, the remarkable statement about Bruce's responsibility for the English victory at Falkirk has to be rejected.⁸¹ Thirdly, *Gesta II* dates the creation of the executive council of twelve to 1296, after King John's removal by Edward I, whereas English chronicles and Scottish documents show it was appointed in mid-1295, to work with or above King John;⁸² this distortion surely reflects the author's belief in the need for unchallenged royal power.⁸³ And fourthly, the *Gesta* account of the Bruce–Comyn crown-for-land agreement cannot be valid, at least with respect to the sealed indenture story: as Professor Duncan has pointed out, 'The existence of a written promise of treason (as here) is so improbable as to be ludicrous'. Indeed if any such agreement, written or otherwise, had been divulged to Edward I, he would have acted against Robert Bruce as soon as he learned of Comyn's death.⁸⁴ *Gesta Annalia II* should not, therefore, be trusted as a 'straight-forward' account of events; these are subordinated to the author's message.

That message, significantly, is one of the main themes of medieval European religion. The evils of discord and social conflict, and the necessity of the peace brought by concord and unity, were a vital aspect

⁷⁹ *Chron. Fordun*, i. 338–40.

⁸⁰ They had supported the Comyn invasion of northern England, Atholl was in Dunbar Castle during the battle, Mar probably fled in the general rout, and both were imprisoned in England along with the Comyns: *Chron. Fordun*, i. 325–6; Rothwell (ed.), *Chronicle of Walter of Guisborough*, 273, 277–9; Young, *Robert the Bruce's Rivals*, 159; Grant, 'Bravehearts and coronets', 98.

⁸¹ As the following questions make clear: why do English chroniclers ignore him; why did he quickly desert the victors for the vanquished; and why did other Scots leaders, especially the Comyns, then accept him as joint Guardian? See Grant, 'Bravehearts and coronets', 99.

⁸² *Chron. Fordun*, i. 327–8; Stevenson (ed.), *Chronicon de Lanercost*, 161–2; Rothwell (ed.), *Chronicle of Walter of Guisborough*, 264; A. A. B. McQueen, 'Parliament, the Guardians and John Balliol, 1284–96', in K. M. Brown and R. J. Tanner (eds), *Parliament and Politics in Scotland, 1235–1560* (Edinburgh, 2004), 46–8; A. Beam, *The Balliol Dynasty, c.1210–1364* (Edinburgh, forthcoming), chap. 5 (based on her 'The Political Ambitions and Influences of the Balliol Dynasty, c.1210–1364', Stirling University Ph.D. thesis, 2005). I am extremely grateful to Dr Beam for her advice on King John and for letting me read the pre-publication draft of her important book.

⁸³ Though for an alternative view see Watson, 'Demonisation of King John', 31–3.

⁸⁴ Barbour, *Bruce*, ed. Duncan, 70; above, pp. 179–83. The crown-for-land offer is discussed further below, pp. 196–201, 209–11.

of late medieval Christianity. The re-enactment of Christ's death in the sacrament of the Mass was believed to be a ritual sacrifice enabling humans to make peace with God and thus pacify the divine feud with mankind caused by Adam's Original Sin⁸⁵ – but only so long as all members of the particular human community were at peace with one another.⁸⁶ In other words, discord brings God's wrath; concord brings redemption. Since the author of *Gesta II* was almost certainly a St Andrews ecclesiastic, quite probably prior of the Augustinian Priory there,⁸⁷ it is impossible to believe that he would have been anything other than highly conscious of this fundamental point.

In that case, what is going on in *Gesta II*'s narrative of John Comyn's death? As already stressed, *Gesta II* does not simply produce a post-1306 pro-Bruce blackening of the Comyns; and, indeed, from the aftermath of Falkirk to the submission in 1304 it is distinctly favourable towards John Comyn of Badenoch. However, this suddenly changes. After describing the submission and the cruel English dominance, *Gesta II* announces:

God in his mercy took pity on the miseries and continuous complaints and griefs of the Scots, and in the usual manner of his fatherly kindness raised up for them a saviour and champion, that is one of their fellow-countrymen called Robert de Bruce, who ... adopting forceful measures in order to free his fellow-countrymen ... endured innumerable burdens and toils of the heat of the day, cold and hunger by land and sea. He happily faced up to plots and weariness, hunger and dangers arising not only from enemies, but also from false fellow-countrymen.⁸⁸

One significant aspect of this passage is that it is the only occurrence in *Gesta II* of divine agency directed towards an individual. Previously, God appears only as making Edward I so busy that he had to leave Scotland alone in 1302; and, at Roslin, as being trusted by the Scottish forces to whom he gave victory (but not explicitly helping John Comyn). Moreover, God is conspicuously absent from the account of Wallace's career.⁸⁹

According to *Gesta II*, therefore, it is during the period 1304–6 that God makes his greatest intervention in Scotland's wars – by raising up Robert Bruce, who, from the way he is presented in the text, is virtually a new character.⁹⁰ How does Bruce respond to God's call? His first recorded action is the indenture with John Comyn (detailed above), made after Bruce decided to put the public good before his own private interests and therefore approached Comyn humbly with the offer: he is clearly acting under divine influence. *Gesta II*, moreover, refers to 'the

⁸⁵ As dramatically rendered in Henryson's 'Ane Prayer for the Peste': 'O King most he [high], now pacife thy feid'. Fox (ed.), *Poems of Henryson*, 167.

⁸⁶ J. Bossy, 'The Mass as a social institution, 1200–1700', *Past and Present* 100 (1983).

⁸⁷ Above, p.189.

⁸⁸ *Chron. Fordun*, i. 337; trans. *Chron. Bower*, vi. 301.

⁸⁹ *Chron. Fordun*, i. 328–31, 333–5.

⁹⁰ ... unum, scilicet, de suis confratribus, *Robertum de Bruyse nomine*. This is the first mention of Bruce in *Gesta II* since the account of Falkirk in 1298 (eleven chapters earlier).

sanctity of the oath' (*juramenti religione*)⁹¹ which Bruce and Comyn swore to keep their indenture. Thus the crown-for-land agreement is presented as a holy sacrament that ought to replace discord with peace: the final healing of Scotland's disastrous political divisions. Comyn, however, broke his oath – and so smashed the divinely promoted peace – by betraying it to Edward I. In the rest of the story, God again features prominently. When Edward challenges Bruce, God inspires him to give acceptable answers; and when Edward decides to take action, God's guidance enables him to escape and reach home safely, 'no less miraculously than by God's grace', intercepting and beheading Comyn's messenger on the way.⁹² He then arranges to meet Comyn at Dumfries – and the wording changes, to the impersonal, passive and present:

John Comyn is accused of his treachery and breach of faith. But the reply is then given: 'You lie!' A lethal wound is inflicted in the church of the friars, and the wounded man is laid behind the altar by the friars. He is asked by those around if he might live, and it is at once replied, 'I can'. On hearing this a second wound is dealt him by his foes, and so on 10 February he is removed from this life.⁹³

After that, the style reverts to the personal, active and past: Robert Bruce becomes king, and eventually defeats all his enemies 'with the Lord's help'. But, significantly, God does not appear nearly so much in the post-Comyn chapters⁹⁴ – the overall tone has reverted to what it was for the period before 1304/5.

Thus *Gesta Annalia* II's narrative records far more divine activity in 1305–6 than in the rest of the period. Why? Obviously the terrible fact that Bruce had killed Comyn in a church had to be explained; and the change of style no doubt betrays the author's embarrassment and unhappiness. Yet, given *Gesta* II's overall theme, it is also possible to suggest that its author was actually trying to explain what had been going on by invoking religious symbolism related to the Mass. Obviously, Comyn is not a Christ figure; but Scotland's internecine discord has to be ended before the English conquest can be overturned, and so when the concord promised by the Bruce–Comyn indenture breaks down, a sacrifice to restore peace is required. The sacrifice cannot be Bruce, because (as everyone knows, with hindsight) he will ultimately triumph. Therefore it has to be Comyn: so God actively enables Bruce to escape

⁹¹ *Chron. Fordun*, i. 338; 'sanctity' is a Ciceronian usage of *religio*. *Ibid.*, ii. 331, translates it equally satisfactorily as 'sacredness'; but 'obligations' (*Chron. Bower*, vi. 305) seems to miss the point.

⁹² *Chron. Fordun*, i. 338–9.

⁹³ *Ibid.*, i. 340; my translation, following *ibid.*, ii. 333, and *Chron. Bower*, vi. 311–13 (which is not quite the same as the *Gesta* II text).

⁹⁴ *Chron. Fordun*, i. 341–53. The only instances are that God eventually took pity on him after a year of ill luck following the defeat at Methven (p. 343); that by God's judgement Robert invaded England in 1311 (p. 346); that Robert trusted in God at Bannockburn (p. 347); and that his invasion of England in 1322 was divine punishment for English destruction of Scottish abbeys (p. 350).

Comyn's treachery and, in effect, carry out a ritual killing before an altar (where Mass was usually celebrated), in a divinely inspired inversion of the normal re-enactment of Christ's sacrifice, in order to end the discord and bring ultimate concord and unity to Scotland (admittedly several years of civil war would follow first, but *Gesta II*'s readers already know that Bruce is God's instrument for the salvation of Scotland, and so the years of struggle are telescoped). For the author of *Gesta Annalia II*, this was the only way by which the killing of John Comyn – medieval Scotland's pivotal political catharsis – could be legitimised.

Gesta II's author, therefore, was thinking along much the same lines (though from the opposing political standpoint) as the earlier English authors of the 'Merton' *Flores Historiarum* (in which Comyn is explicitly 'sacrificed') and the remarkable *Passio Scotorum Perjuratorum*.⁹⁵ And there are also – to go back for a moment to this article's starting point – parallels with how one of the greatest authors of all, William Shakespeare, dealt with Richard III. Shakespeare's play narrates how a kingdom riven by discord, civil war and political killing is reunited and healed through the accession of a new dynasty: Henry Tudor is in the same position as Robert Bruce (at least eventually). And the way Shakespeare portrays Richard's fate at Bosworth makes it clear that he had Christ's crucifixion in mind: Richard (who undergoes a quasi-Gethsemane experience the night before the battle) is the essential sacrifice whose death takes the poison out of the English body politic and enables it to become whole again, after the 30-year trauma of the Wars of the Roses.⁹⁶ Although the parallels are not entirely exact (Richard's III's death has immediate effect, whereas the consequences of Comyn's take longer to come to fruition),⁹⁷ nevertheless, if Shakespeare could conceive of the coming of the Tudor dynasty in that way, it is reasonable to assume that the author of *Gesta II* could do much the same with the coming of the Bruces. He may not have been comfortable about it, but in the last resort he needed to present John Comyn's killing as an act of God!

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⁹⁵ Above, pp. 184, 187–8.

⁹⁶ William Shakespeare, *King Richard III*, ed. A. Hammond, The Arden Shakespeare (London, 1981), editor's introduction, §6, especially 106–12. Shakespeare's equivalent for Scotland, however, was *Macbeth*, rather than a play about Comyn, Bruce or Wallace, which would have had unfortunate anti-English overtones.

⁹⁷ Though in real life (if political propaganda can be regarded as 'real') what is particularly striking is the parallel between the 'petition' which justified Richard's accession to the throne – in which it was stated that illegitimate kingship had brought disasters to England, that now, by divine grace, hereditary right and popular election Richard should be king, and that his people would prefer to die for him than suffer thralldom under any other monarch – and the Declaration of Arbroath! See R. Horrox (ed.), *The Parliament Rolls of Medieval England, 1275–1504*, vol. xv: *Richard III 1484–1485, Henry VII 1485–1487* (Woodbridge, 2005), 14–15. Since Richard had been in Edinburgh in 1482, and knew both the duke of Albany and the ninth earl of Douglas, it is not impossible that he and his spin doctors were aware of the Declaration, especially through the *Scotichronicon* text.

What of the other Scottish chronicles? Bower of course includes the *Gesta II* account, but expands it considerably. He makes Bruce rush immediately from the church ‘like a man beyond endurance and beside himself’ (presumably to emphasise that the killing was ‘in hot blood’,⁹⁸ but also perhaps giving him a conscience), blames James Lindsay and Roger Kirkpatrick (the ‘Mak Siccar’ of later legend) for the actual killing, and adds the tale about the vengeance cry and the sympathetic lines on Comyn’s death:⁹⁹ the aim was no doubt to present the killing in the best possible light, but in so doing he rather blurs the religious implications.

John Barbour, on the other hand, is much more secular. There is hardly any divine agency in his narrative of Bruce and Comyn: merely a general comment at the beginning of the main story that its heroes were in ‘gret distress . . . Bot syne our Lord sic grace thaim sent’, that they overcome all their foes; and subsequently a statement that when he is in great danger after Comyn discloses their indenture to Edward I, ‘God of mychyt / Preservyt him till hyer hycht [destiny]’, and so he escapes with divine help.¹⁰⁰ And when it comes to the actual killing, Barbour’s account is succinct and brutal:

Sa fell it in the samyn tide
 That at Dumfres rycht thar besid
 Schir Jhone the Cumyn sojornyng maid.
 The Brus lap on and thidder raid
 And thocht foroutyn mar letting [without further delay]
 For to quyt [repay] hym his discovering [disclosure].
 Thidder he raid but [without] langer let
 And with Schyr Johne the Cumyne met
 In the freris at the hye awter,
 And schawit him with lauchand cher [mockingly]
 The endenture, syne with a knyff
 Rycht in that sted hym reft the lyff.¹⁰¹

In contrast to *Gesta II* and *Scotichronicon*, however, Barbour does add that Bruce did wrong: ‘He mysdyd thar gretly but wer [without doubt] / That gave na gyrth [sanctuary] to the awter [altar]’. As for Wyntoun, although he follows the ‘St Andrews History’ until 1304,¹⁰²

⁹⁸ I.e. Not deliberate, and hence forgivable. See W. D. H. Sellar, ‘Forethocht felony, malice afterthought and classification of homicide’, in W. M. Gordon and T. D. Fergus, *Legal History in the Making* (London, 1991), 45–50.

⁹⁹ *Chron. Bower*, vi. 311–13; and above, pp. 191–2.

¹⁰⁰ Barbour, *Bruce*, ed. Duncan, 69 (this comes just before the start of the Bruce–Comyn story), 77. Comyn’s oath-breaking is treason, and generates a 45-line digression (*ibid.*, 73–5) in which treason is treated as a secular offence, with no religious connotations.

¹⁰¹ Barbour, *Bruce*, ed. Duncan, 78–81. Professor Duncan calls this ‘extraordinarily brief, laconic and distorted’; but since what actually happened is uncertain, we cannot say whether Barbour distorted his account, or whether he simply got the killing out of the way as quickly as possible (as is suggested by his criticism of Bruce).

¹⁰² Above, p. 189. He appears to reference this when giving (inflated) English numbers at Roslin: ‘For in sum cornikilis writtin I fand’: *Chron. Wyntoun*, v. 342–3.

after the Scottish surrender he abandoned that and simply copied Barbour. The earliest (Wemyss) version of the *Chronicle* ends almost at once, with Barbour's introduction to the crown-for-land story, while Wyntoun's final (Cotton) version continues to reproduce *The Bruce* virtually word-for-word until Comyn's death; in both cases, the reader is referred to Barbour's *Bruce* for the rest of Bruce's career.¹⁰³ Wyntoun, writing vernacular verse, presumably had no need to duplicate Barbour's account of Robert I's reign – but also, by implication, he had no desire to put any kind of gloss on Barbour's stark narrative.

It is likely, therefore, that *Gesta II*'s religious treatment of the Bruce–Comyn quarrel was the creation of its own author, rather than being derived from the slightly earlier 'St Andrews History' (which Wyntoun and probably Barbour had been following).¹⁰⁴ *Gesta II*'s author also seems responsible for the statement that the crown-for-land offer originated with Bruce, since the opposite, that *Comyn* took the initiative, is found in Barbour's *Bruce* and (copying it) Wyntoun's *Chronicle*, while Bower gives both versions, supplementing his *Gesta*-based narrative with the statement that 'I have found elsewhere that John the Red Comyn was the first to persuade the said Robert Bruce to assume royal power'.¹⁰⁵ The likelihood is, therefore, that the 'St Andrews History' narrated a Comyn, not a Bruce, initiative. Also, more generally, while comparison of the treatments of the period 1285–1305 in *Gesta II* and in Wyntoun's *Chronicle* shows that the anti-discord message identified above can be found in the latter, and hence presumably derives from the 'St Andrews History', the message is less explicit in Wyntoun's version; therefore it is probable that *Gesta II* improved upon, or sharpened, what was written in the 'St Andrews History'.

Another contrast between *Gesta II* and Wyntoun's *Chronicle* should now be considered. In the genealogies which come after its account of the Great Cause,¹⁰⁶ *Gesta II* (and subsequently *Scotichronicon*) gives the royal descent from Malcolm III to Alexander III and then the descents of the two main 'competitors', John Balliol and Robert Bruce IV of Annandale. On the other hand Wyntoun, after presenting the royal genealogy,

¹⁰³ Wemyss text: 'And to record maire of þis taill / It nedis nocht now, for 3e alhaill / May fynd it in þe Bruß buke'. Cotton text: 'Qwhat eftir þis Broys Robert / In al his tyme did eftyrwart, / Þe Archedeyne of Abyrdeyne [Barbour] / In Broysis buk he gert be seyne'. *Chron. Wyntoun*, v. 354, 367.

¹⁰⁴ For which, see Broun, 'New look at *Gesta Annalia*', 19; above, p. 189.

¹⁰⁵ *Chron. Bower*, vi. 308–9. It could, of course, be that 'elsewhere' meant Barbour or Wyntoun; but Bower appears not to have used Wyntoun (Broun, 'New look at *Gesta Annalia*', 14, 19), and when he did (very occasionally) refer to Barbour he said so (*Chron. Bower*, vi. 318, 353, 380, 430). Therefore, Professor Duncan's statement, 'In the many versions of this conversation, e.g. by Fordun [i.e. *Gesta II*] and Gray, Barbour alone has Comyn propose the pact', needs modification: Bruce's initiative is found in *Gesta II* and Grey's *Scalacronica* (see below, pp. 207–11), but Barbour, Wyntoun and Bower (as an alternative) make the pact Comyn's idea.

¹⁰⁶ *Chron. Fordun*, i. 314–18 (followed in *Chron. Bower*, vi. 32–9); *Chron. Wyntoun*, v. 226–59 (the genealogies are carried on to the later fourteenth century). Barbour's *Bruce* does not give the genealogies.

goes back to Malcolm III's brother Donald (Domnall III, 1093–4, 1094–7), writes about his daughter 'Bethok', and then tells of 'pre brethir of Normondy', the youngest of whom, William Comyn, came to Scotland, married Bethok's daughter, and founded the Comyn kindred – which Wyntoun details at great length,¹⁰⁷ ending with the lines:

Bot Ioun Blak Cwmyne in his liff
 Tuk and weddit til his wiff
 Iohun þe Ballyollis douchtir qwhile,
 Pat he gat on Dorworgile.
 Off þat mater we sal spek sone
 Qwhen al þe laif til it is done.

He duly returns to the matter within the next (Balliol) genealogy, though there (presumably by a slip) Comyn's mother is called Dervorguilla's sister rather than daughter. A few lines previously he mentions Edward Balliol, 'Pat come in to Scotlande syne, / And straik þe batall of Duplyne', which corresponds to Bower's 'And he [John Balliol] fathered Edward who won the battle of Dupplin', but is absent from *Gesta II*.¹⁰⁸ This shows that both Wyntoun and Bower were using the 'St Andrews History', and so it follows that the latter almost certainly included a Comyn genealogy – omitted in *Gesta II* and *Scotichronicon*. That may not be hugely significant, because although descent from Domnall III gave the Comyns royal blood, they were obviously junior to the Balliol and Bruce lines;¹⁰⁹ so the author of *Gesta II* may simply have cut the Comyn genealogy as irrelevant. And John Comyn's descent from Dervorguilla is not deleted altogether; it is mentioned within the Balliol genealogy. Nevertheless, from Wyntoun's *Chronicle* we can see, again, that there was rather more focus on the Comyns within the 'St Andrews History' than in the main narrative that has come down to us from *Gesta II* and *Scotichronicon*.

Moreover, discussion of the Comyn genealogy highlights the fact that Bruce's victim, John Comyn III lord of Badenoch, was in a very different dynastic position from that of the rest of his kindred: he was a prominent representative of the senior line of descent from Earl David of Huntingdon. Once we start thinking about Comyn with that in mind, then hints can be found that the Scottish chroniclers may have been more conscious of the significance of his ancestry than appears at first

¹⁰⁷ *Chron. Wyntoun*, v. 230–41. The descent from Domnall III was the basis of John Comyn II of Badenoch's claim in the Great Cause; E. L. G. Stones and G. G. Simpson (eds), *Edward I and the Throne of Scotland, 1290–1296* (Oxford, 1978), i. 15; ii. 138.

¹⁰⁸ *Chron. Wyntoun*, v. 244–5; *Chron. Bower*, vi. 34–5; *Chron. Fordun*, i. 316 (Skene's text of *Gesta II* needs emendation: it should surely run *eo quod non habuit filium nec filiam. De Dervorguilla etiam supradictus Johannes de Balliol genuit unam filiam, instead of non habuit filium nec filiam de Dervorguilla. Etiam supradictus ...*; cf. *Chron. Bower*, vi. 34).

¹⁰⁹ In the Great Cause, John Comyn II of Badenoch formally lodged that claim, but did not prosecute it, because he did not want to prejudice the case of John Balliol, his brother-in-law; Stones and Simpson (eds), *Edward I and the Throne of Scotland*, i. 15; ii. 138.

sight. Consider, for example, the accounts of the crown-for-land agreement with Bruce. In both *Gesta II* and Barbour's *Bruce*, the offers (in the one case from Bruce, in the other from Comyn) are reciprocal, and so either man can be king: by implication, Comyn must have a good claim to the throne, because otherwise the crown-for-land offer is pointless.¹¹⁰ Also, according to Barbour, after Comyn betrayed the indenture to Edward I, Edward promised him

That he suld for his leawté
Be rewardyt and that hely,
And he [Comyn] him thankit humyly.
Than thocht he to have the leding
Off all Scotland but [without] gane-saying ...¹¹¹

So Comyn wants to rule Scotland, if not as outright king then in effect as a sub-king (not so very different from what Robert I's grandfather and father had hoped to obtain from Edward).¹¹² And while there is nothing to that effect in *Gesta II*, Bower later makes the point very clearly: 'Once Bruce had been so thoroughly destroyed by the tyranny of the king of England, he [Comyn] would occupy his position and *take over the kingdom which by rights belonged to Bruce* and no one else'. Although this is likely to be Bower's own argument, it is not impossible that the idea derived from the 'St Andrews History'.¹¹³ Thus, in the main Scottish chronicle accounts of what was going on, is it possible to glimpse a Comyn dynastic dimension?

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Now, the concept of Comyn's ambition to rule Scotland is presented unsympathetically in the Scottish chronicles, since their narratives after 1304 (though not before then) were written with hindsight from the Bruce point of view. A chronicle from a Comyn standpoint would no doubt have produced a very different narrative – as is indicated by four quotations from a poem with an obvious Comyn slant that are included in Bower's *Scotichronicon*:

¹¹⁰ As we have already seen, *Gesta II* has Bruce offering to let Comyn 'reign and assume for himself the entire government of the kingdom with its appurtenances and royal honours for ever' in return for Comyn's land: *Chron. Fordun*, i. 338; trans. *Chron. Bower*, vi. 303. Barbour has Comyn make that offer to Bruce, 'And gyff thar ye will nocht do sua / Ne swylyk a state [kingship] upon you ta [take], / All hale my land sall youris be / And lat me ta [take] the state [of kingship] on me': Barbour, *Bruce*, ed. Duncan, 71.

¹¹¹ *Ibid.*, 75.

¹¹² Before the Great Cause, Robert Bruce V offered obedience to Edward I if Edward gave him 'my right' (Duncan, *Kingship of the Scots*, 203–5). After Edward I removed King John, he is said to have refused Robert Bruce VI's request for the Scottish throne (*Chron. Fordun*, i. 326).

¹¹³ *Chron. Bower*, vi. 304–5 (my emphasis). Bower also says Comyn believed 'that with Robert Bruce out of the way, he himself might without difficulty gain control of all Scotland with the assent of the king of England' (*ibid.*): that is close to Barbour's statement, and could well have come from the 'St Andrews History'.

- (1) In the field of Roslin grace shone anew from on high,
and so, under John Comyn, leader of the Scots,
it confounded the English and gave victory to the Scots.
- (2) Saint Scholastica brought a mournful festival to the Scots
for the death of John Comyn in Dumfries
cast many down and made their hearts stand still.
- (3) In the thirteen hundred and sixth year,
Robert de Bruce, having been discovered [to be] of the
stock of kings,
took up in Scone the diadem of the kingdom of Scotland.
- (4) In the thirteen hundred and eighth year [at Inverurie]
the English party fled on seeing Robert as a king.
But the king's troops dashed against the enemy
routing the earl of Buchan and John Mowbray.¹¹⁴

The first passage praises John Comyn, the second mourns his death, the third is distinctly sarcastic about Robert I's inauguration, and even the fourth seems to show surprise at his acting as a proper king. Unfortunately the rest of the poem is lost, and so it is impossible to know how far it took its treatment of Comyn.¹¹⁵

However, another poem – 'The Scottish poem', included within *Liber Extravagans* ('supplementary book') appended by Bower to his *Scotichronicon*¹¹⁶ – can be interpreted to show that, by the time Comyn was killed, awareness of his dynastic position had developed into a call for him to take the Scottish throne. This vitally important poem, which, as its editor Dr Broun has demonstrated, dates from between 1296 and 1306 and almost certainly to the crucial years 1304 or 1305,¹¹⁷ requires detailed examination. More than half of it deals with the history of the Scots from their origins to the thirteenth century, mostly through lists of Scottish and Pictish kings; its comment that after Malcolm III and his immediate successors 'a family of Scottish stock mingled with Saxon blood [from Queen Margaret] / began to reign' (ll. 145–6) shows the author's concern with royal ethnicity. But in line 185 he states that, while hitherto the poem has been based on 'written chronicles', now he will 'put down in writing what I myself have learned'. This covers Alexander III's reign and the aftermath of his death, when 'the chief men of the kingdom ... each sought a different king' (ll. 209–13):

¹¹⁴ *Chron. Bower*, vi. xviii, 296–7, 312–13, 316–17, 342–3 (translations amended to make them more literal).

¹¹⁵ Note that, although the fourth quotation describes a Comyn defeat, the poem's argument might perhaps have been that it was only Comyn's death that made his kindred and supporters side with the English, and that without him they could not withstand Robert I. But, of course, once they did side with the English, they would have played down whatever Scottish ambitions John Comyn had.

¹¹⁶ D. Broun with A. B. Scott (eds), 'Liber Extravagans (Supplementary Book)', in D. E. R. Watt (ed.), *Chron. Bower*, ix. 54–127.

¹¹⁷ *Ibid.*, 57.

nor was there power to destroy the law,
 so that the junior branch should rule in the kingdom,
 with the senior branch rejected. So they [chief men] spoke for
 the better argument.

Thus the senior (Balliol) line is preferred to the junior (Bruce) one. Edward I was consulted, and (having obtained ‘under compulsion’ agreement to be regarded as ‘chief lord of Scotland’)¹¹⁸ he ‘chose Scots whom he compelled to swear / that they would choose a true king’. Then come two extremely significant lines (ll. 228–9). In the original, they would have read:

The true king was chosen in this way, because he was chosen
 from the senior branch
 of the royal line of Scotland, while the line with the lesser claim
 was rejected.

In Bower’s own manuscript, however, the words ‘true’ (*verus*) and ‘lesser’ (*minore*) have been crossed out and replaced with ‘such’ (*talis*) and ‘more valid’ (*veriore*) – so that the chosen king was not ‘true’, and the rejected (Bruce) line had the more valid claim.¹¹⁹ Bower’s distortion of the text makes it absolutely clear that the original dismissed the Bruce claim to the throne entirely.

A second rejection of the Bruce case follows (ll. 234–40, which this time Bower allowed to stand). Earl David of Huntingdon had three daughters, and the eldest was the mother

of the aforesaid king who was chosen by virtue of Scots law,
 which is different from imperial law.
 This law is dispensed which has been particular to the Scots
 since they came from Egypt, where they learned
 who was to be chosen as king and how he was to be arrayed.

Here, the main Bruce argument in the Great Cause, that the question of who should be king of Scots should be settled by ‘imperial law’ (emphasising nearness of generational degree) rather than by the principle of primogeniture (which by that time applied to Scottish and English feudal land law) is specifically rebutted. But there is more to it than that. During the Great Cause, a number of legal experts in Paris were asked what law should be followed; they mostly answered, by the existing law of Scotland, if there was one, but if not, then by ‘imperial law’.¹²⁰ Here, therefore, the poem is categorically stating that there *is* a

¹¹⁸ There is a problem with the text here. In ll. 216–17, Edward I is made to say that he would be committing a sin *if* he was made chief lord of Scotland before the issue of who should be king was decided, and the Scots agreed ‘under compulsion’. That makes no sense. Almost certainly, ‘if’ should be replaced with ‘unless’ – which in Latin just involves emending *si* to *nisi*. That suggests a simple transcription error was made.

¹¹⁹ Broun with Scott (eds), ‘Liber Extravagans’, 56, 76, 115.

¹²⁰ For precise examination of the legal arguments in the Great Cause, see Duncan, *Kingship of the Scots*, chaps 12–13.

specific Scottish law, and so ‘imperial law’ cannot apply. Furthermore, it asserts that the Scottish people have learned their own way of selecting their kings. It has recently been pointed out by Professor Alexander Broadie that at the beginning of the fourteenth century the great Scottish philosopher John Duns Scotus (then working in Paris) developed a unique doctrine of political theory, according to which the people choose not only their ruler but also the principle by which authority should be transferred; hence ‘it could be agreed by the people that the transfer of authority could be by birth, say, the principle of primogeniture, or at the end of one’s rulership the people could agree among themselves as to who should be the next ruler’. This theory, argues Professor Broadie, was known to Scottish political writers of the time.¹²¹ Remarkably, Scotus’s theory seems to be reflected in those lines from ‘The Scottish poem’.

Later (ll. 278–82) the poem makes a further anti-Bruce point. In 1296, it relates, Berwick was captured by Edward I

by the treachery of a certain man, who will be decried for ever,
whose banner deceived the citizens [of Berwick]; let the name
of this earl be concealed, lest damage be renewed.

What happened, according to *Gesta Annalia* II, was that Edward pretended to march away from Berwick, but returned ‘after raising the standards and war-ensigns of the Scottish army which had been deceitfully counterfeited before-hand’, and so tricked the defenders into opening the gates.¹²² Three Scottish earls were probably with the English army: Angus, Carrick and Dunbar.¹²³ It is most improbable that the poem was referring to Angus, who was an Englishman, and relatively insignificant. Dunbar, the local magnate, is more likely, but it is difficult to see how naming him would cause renewed damage. That leaves Carrick, in other words Robert Bruce: given the long-standing family claim to the throne, he could have had Scottish banners available (assuming the *Gesta* story is not a complete fabrication);¹²⁴ and although the poem dates from before he became king, naming him would certainly have renewed ‘damage’ if by that is meant the fundamental discord among the Scots emphasised not only in *Gesta* II but also in the presumably contemporary pro-Comyn poem quoted in Bower’s *Scotichronicon*.¹²⁵ The desire to avoid such damage, however, is surely disingenuous: not naming the earl surely draws attention to him, and if the audience assumed that Bruce

¹²¹ A. Broadie, ‘John Duns Scotus and the idea of independence’, in Cowan (ed.), *The Wallace Book*, 80–5 (quotation from 82). Professor Broadie sees the influence of Scotus’s ideas in the Scottish ‘Declaration of the Clergy’ of 1309 and the ‘Declaration of Arbroath’ of 1320.

¹²² *Chron. Fordun*, i. 324; trans. *Chron. Bower*, vi. 58–9.

¹²³ See the discussion in Broun with Scott (eds), ‘Liber Extravagans’, 117–18.

¹²⁴ Though Rothwell (ed.), *Chronicle of Walter of Guisborough*, 274–5, gives a detailed, possibly eyewitness, account of Berwick’s capture which is very different.

¹²⁵ I.e. after Comyn’s killing, ‘let the Scots learn about discords, in order to come to their senses and be united’: above, p. 192.

was intended, then they would be reminded of his activities on the English side, just as with the smear recorded in *Gesta* II about his bringing about the English victory at Falkirk.¹²⁶

'The Scottish poem', therefore, is strongly anti-Bruce. But, significantly, that does not mean it is pro-Balliol. Although it states that at the end of the Great Cause 'he [John Balliol] is made king over Scotland who possesses it by lawful right', it then goes on to say (ll. 242–4):

If someone should ask who this was, I will now tell you
the name [of one] to whom Divine Grace did not give
a favourable omen¹²⁷
for ruling the Scots, whom he did not rule as subjects well known to him.

Thus John was an unsatisfactory king. In the next section of the poem (ll. 245–60), eight lines have been interpolated, almost certainly by Bower, saying that 'after king John had been totally excluded / Robert de Bruce, having been discovered [to be] of the stock of kings', took up the royal diadem, and will be 'a warlike heir' who will destroy the English: Bower quotes the second and third lines from the pro-Comyn poem that he used in his main text, and the later ones from a verse prophecy which he sets out more fully in his treatment of the birth of Robert I's heir, the future David II. If those interpolated lines are omitted, then 'The Scottish poem' states (ll. 245–8, 257–60):

On St Andrew's Day
A.D.1292, in observance of custom
he who was fifty-second in the sequence of kings
took up the honour of king on his own account.
[*interpolated lines*]
Thus far these [kings] had all been Scots just like their people,
and if God grants it, may it be henceforth just as it was before.
When a body has an alien head, it is all filth;
so a people is defiled when a foreigner becomes its king.

At first sight, the foreign king might be Edward I. But (*pace* Broun) that cannot be, because Edward never claimed to be king of Scots, and 'The Scottish poem' never suggests that he was; instead it shows Edward trying to 'destroy the kings of Scotland' (l. 305). Therefore the foreign king has to be King John. The syntax confirms this: John is fifty-second in the sequence of kings; *thus far* the previous fifty-one *had* been Scottish,¹²⁸ whereas John is not. That does not mean, of course, that John was not the lawful heir to the throne – but he was in the same situation (albeit reversed) as James VI of Scots when he became king of England in

¹²⁶ Above, p. 194.

¹²⁷ Is this an early reference to the notion that John was an unlucky name for a king? For Robert III's change of name from John in 1390, see S. Boardman, *The Early Stewart Kings: Robert II and Robert III, 1371–1406* (East Linton, 1996), 176–7.

¹²⁸ The use of the pluperfect tense, *fuertant*, makes that absolutely clear.

1603.¹²⁹ And that is why (as already seen, in l. 244), King John ‘did not rule [the Scots] as subjects well known to him’.

The vituperation aimed at John as a foreign king may appear surprising. Yet, as Professor Barrow has remarked, he ‘remained an Englishman rather than a Scotsman’;¹³⁰ and in the English *Annales Angliae et Scotiae* the Scottish nobles are depicted as driving away ‘all those of his household who were of his kin and of his [English] nation’,¹³¹ which (while exaggerated) highlights his Englishness. The point has been persuasively developed by Dr Amanda Beam in her new full-length study of the Balliols.¹³² She argues that in most of his dealings with Edward I, King John saw himself as essentially an English tenant-in-chief and subject of the English king, just as he had done for decades before gaining the Scottish throne; in 1294, for instance, he readily agreed to support Edward’s French war,¹³³ while after the Scottish defeat in 1296 he hoped his resistance to Edward ‘would be seen as that of “an erstwhile vassal denied justice by his former lord” – not as a rebel’.¹³⁴ The consequence was, Dr Beam shows, that ‘as King John continuously gave in to Edward I’s demands through his duty as a loyal Englishman, he willingly alienated himself from the leading Scottish political community’.¹³⁵ That would certainly explain the antipathy of ‘The Scottish poem’: as an Englishman, King John could not fulfil his royal obligation to defend the kingdom of Scotland.

What is needed, therefore, is an ethnically Scottish king: ‘if God grants it, may it be henceforth just as it was before’, under the fifty-one kings who ‘had all been Scots like their people’ (ll. 257–8). But who is the object of that plea? It cannot be Robert Bruce, since the Bruce claim is specifically rejected and Bruce himself is probably denigrated. Hence the only possible answer has to be John Comyn III of Badenoch – who like King John belonged to the senior surviving Scottish royal line, but unlike King John was a genuine Scot. According to ‘The Scottish poem’, what is going on is that neither John Balliol nor Robert Bruce are acceptable as kings of Scots, and so (God willing) Scotland needs John Comyn of Badenoch to take the throne. Since *Liber Extravagans* was presumably part of the material produced at St Andrews on which *Scotichronicon* was largely based,¹³⁶ it is highly likely that this appeal to John Comyn originated there – in the milieu, it may be suggested, of Master William Comyn, provost of the royal chapel of St Mary on the Rock from 1287

¹²⁹ For English hostility to a foreign, Scottish, king after 1603 see, in particular, J. Wormald, ‘Gunpowder, treason and Scots’, *Journal of British Studies* 24 (1985) 141–68.

¹³⁰ Barrow, *Robert Bruce*, 49 (3rd edn); 66 (4th edn).

¹³¹ *Annales Angliae et Scotiae*, in Riley (ed.), *Willelmi Rishanger, Chronica et Annales*, 371.

¹³² Beam, *Balliol Dynasty* (see above, note 82), chaps 4–5.

¹³³ *CDS*, v. 149, no. 129.

¹³⁴ Beam, *Balliol Dynasty*, chap. 5, at n.50; quoting M. Strickland, ‘A Law of Arms or a Law of Treason? Conduct in war in Edward I’s campaigns in Scotland, 1296–1307’, in R. W. Kaeuper (ed.), *Violence in Medieval Society* (Woodbridge, 2000), 61.

¹³⁵ Beam, *Balliol Dynasty*, chap. 5 (between n.81 and n.82).

¹³⁶ Note the poem’s references to its author’s use of chronicles in ll. 6, 185, and 307–9.

until his death in 1334,¹³⁷ apparent rival of Bishop William Lambertson, and, above all, brother of John Comyn earl of Buchan, the other most important member of the Comyn kindred.

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One further medieval narrative remains for analysis: that of *Scalacronica*, written by the Northumberland knight Sir Thomas Grey (of Heton).¹³⁸ Unlike the English chronicles discussed above, this is not contemporary or near contemporary in relation to 1306, having been written between 1355 and *ca* 1365¹³⁹ (though that makes it no later than *Gesta Annalia* II and the lost 'St Andrews History'). More significantly, it differs considerably from the other English chronicles. For a start, Grey was not an ecclesiastic but a lay landowner (the first to write a chronicle in England since Æthelweard in the late tenth century),¹⁴⁰ and he had been active in Anglo-Scottish warfare since the 1330s¹⁴¹ – warfare that had become more 'inter-national' than in 1296–1314, especially after David II's capture at Neville's Cross, when the actuality of Bruce kingship gradually became accepted in England.¹⁴² The changing attitude is probably reflected in Grey's account of Anglo-Scottish relations (mostly written during the virtual peace after 1357), which is dispassionate and pragmatic, without the virulent anti-Scottish sentiment and moralising of the earlier (ecclesiastically written) chronicles.¹⁴³

Next, Grey's dealings with the Scots involved history-writing as well as warfare. He himself was captured in 1355 and imprisoned for a year in Edinburgh, where he began work on his chronicle. There, he developed an interest in Scotland,¹⁴⁴ and became aware of its chronicles, from which he extracted a version of the Scottish origin-legend and of Scottish and Pictish king-lists down to 1292, derived from a source similar to

¹³⁷ Except for temporary exile in England between about 1308 and 1316. By 1306, if not earlier, he was seen as a rival of Bishop Lambertson, and from 1306 to 1308 he was in charge of the diocese on behalf of Edward I: D. E. R. Watt, *A Biographical Dictionary of Scottish Graduates to A.D. 1410* (Oxford, 1977), 109–11. William Comyn's milieu may also have been a source of other instances of pro-Comyn sentiment in the chronicles produced in St Andrews.

¹³⁸ Sir Thomas Gray, *Scalacronica 1272–1363*, ed. A. King, Surtees Society, no. ccix (Woodbridge, 2005), an edition of the more contemporary part of the chronicle. The author spelled his name 'Gray', but since his family, that of the Earls Grey since the beginning of the nineteenth century, is still extant, in my text I follow the normal convention (as with 'Bruce') of using the modern spelling.

¹³⁹ Gray, *Scalacronica 1272–1363*, ed. King, xvii–xxii.

¹⁴⁰ Gransden, *Historical Writing c. 1307 to the Early Sixteenth Century*, 92.

¹⁴¹ He probably fought at Dupplin in 1332, possibly at Halidon in 1333, and certainly at Neville's Cross in 1346 (where he captured David Graham and John Haliburton): Gray, *Scalacronica 1272–1363*, ed. King, xxxv–xxxviii, 107–13, 115–17, 136–7; D. Macpherson *et al.* (eds), *Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensis Asservati* (London, 1814–19), i, 675, 678.

¹⁴² As can be seen from the detailed account of Anglo-Scottish relations from Neville's Cross to the 1360s included in Penman, *David II*, chaps 4–10.

¹⁴³ Cf. Gray, *Scalacronica 1272–1363*, ed. King, xlv, lii–liii.

¹⁴⁴ *Scalacronica* has two important, and independent, passages on David II's reign in the early 1360s: *ibid.*, 188–91, 203–5.

those used for the first part of 'The Scottish poem' in *Liber Extravagans* and in Fordun's *Cronica Gentis Scotorum*.¹⁴⁵ Presumably he had access to material that had originated in St Andrews. Moreover, unlike the other English chronicles, *Scalacronica* includes the Bruce–Balliol crown-for-land offer in its narrative of Comyn's killing;¹⁴⁶ since it is Bruce who makes the offer, this presumably came from *Gesta Annalia* II – or perhaps directly from *Gesta* II's author.¹⁴⁷ He (as already noted)¹⁴⁸ probably either was, or was closely connected with, Thomas Bisset, prior of St Andrews and nephew of Sir Thomas Bisset of Upsettlington in Berwickshire. In the later 1350s (when Berwickshire was in English hands), Grey was involved with Wester Upsettlington (and subsequently received some of it from Edward III);¹⁴⁹ so he and Prior Bisset could have had neighbourhood as well as historical interests¹⁵⁰ – which increases the likelihood of contact between them.

In addition, Grey had access to a unique source: his father, also called Sir Thomas Grey. Grey senior was active in Scotland throughout the first War of Independence, and (before his death in 1344) must have recounted his exploits to his son, since *Scalacronica* relates that he was left for dead by Wallace at Lanark in 1297, was captured by Comyn of Badenoch in 1303, was wounded outside Stirling Castle in 1304, fought with Bruce supporters in Fife in 1307, and was captured again on the eve of Bannockburn in 1314.¹⁵¹ In those instances Grey senior is specifically mentioned by his son, but there is no reason to believe that he did not pass on more general stories and comments as well: thus historians accept *Scalacronica*'s exclusive story of Sir Alexander Seton's defection the night before Bannockburn with vital news of poor English morale, because at the time Grey senior was in the Scottish camp, and therefore (though not cited) was presumably his son's source.¹⁵² In that case, he

¹⁴⁵ *Ibid.*, 16–31; D. Broun, *The Irish Identity of the Kingdom of the Scots in the Twelfth and Thirteenth Centuries* (Woodbridge, 1999), chaps 5–6. The brief discussion in Gray, *Scalacronica 1272–1363*, ed. King, xlvi–xlvii, probably goes too far in suggesting that Grey himself brought all the material together from scratch. But the way that some of the origin-legend is 'edited with a view to ironing out problematic features' (Broun, *Irish Identity*, 92) looks much like what Grey did with the later parts of *Scalacronica*, 're-writing [his sources] into a seamless work of synthesis' (Gray, *Scalacronica 1272–1363*, ed. King, liii; and see below, p. 210); so at least some of the editing probably was Grey's work.

¹⁴⁶ *Ibid.*, xvii–xxii, xxxix–liii, 4–7, 16–31, 50–1; and for detailed study of the origin-myth and king-lists, see Broun, *Irish Identity*, chaps 4–6.

¹⁴⁷ Since *Gesta* II and *Scalacronica* were written almost simultaneously, Grey is more likely to have had access to *Gesta* II than to its precursor, the 'St Andrews History', since there the crown-for-land offer probably comes from Comyn (and that would rule out some more contemporary source, too). Interestingly, both *Scalacronica* and *Gesta* II conclude with David II's marriage to Margaret Logie in 1363.

¹⁴⁸ Above, n.52.

¹⁴⁹ Gray, *Scalacronica 1272–1363*, ed. King, xlii.

¹⁵⁰ Once the Anglo-Scottish truce of 1357 was agreed, Scots would have had access to lands under English control.

¹⁵¹ Gray, *Scalacronica 1272–1363*, ed. King, xxii–xxxiii, 1–li, 40–1, 44–7, 68–71, 72–5, and notes.

¹⁵² *Ibid.*, 74–5; see, e.g., Barrow, *Robert Bruce*, 223 (3rd edn); 291 (4th edn), which has Seton's defection 'tipping the scales'.

could well have also talked to his son about the most dramatic episode of all, Comyn's killing and Bruce's seizure of the throne – about which he ought to have been well informed, since he had important Comyn and Bruce contacts. He apparently knew the Mowbrays, John Comyn's kin and close adherents;¹⁵³ from 1304 his own lord was Sir Henry Beaumont, whose wife was heiress to the last Comyn earl of Buchan;¹⁵⁴ and in December 1307 he was given custody of Robert I's captive sister Christian Bruce, widow of the recently executed Sir Christopher Seton – who killed Sir Robert Comyn at Dumfries.¹⁵⁵ In view of Grey senior's contacts, *Scalacronica's* narrative of Comyn's death deserves serious consideration.

As in every other English chronicle, it begins with Bruce's ambition to become king of Scots.¹⁵⁶ Uniquely, however, Grey's initial statement is that Bruce has 'a force of men of his blood and of his allegiance, hoping ... for the establishment of his ... claim to the succession'. But before that can be achieved, Comyn must be removed. Bruce sends his brothers Thomas and Neil to Dalswinton (where Comyn had a castle; no other chronicle names his residence) to invite him to meet in the Dumfries Franciscans – but orders them to kill him en route. Comyn, however, is so courteous that the brothers cannot carry out their orders; when they tell Robert Bruce, he calls them 'a pair of milksops'. The actual meeting then begins, at the church altar, with Bruce making the crown-for-land offer. He starts by bemoaning Scotland's servitude, which he blames on 'the negligence of its leader [King John], who allowed his rights and the freedom of the realm to be lost'. So:

'Choose one of two ways: either take my inheritance, and help me to be king; or grant me yours, if I will help you to be the same, since you are of his blood who has lost [the realm], while I hope for it in succession to my forebears who claimed the right to have it, and who were obstructed by yours. For now is the time, in the dotage of this English king.'

Comyn's response is predictable: 'I will never be false to my English lord ... because I have submitted to him, by oath and homage'. At this, Bruce changes tack: 'I had other hopes of you, by the promise of you and yours, but you have revealed me to the king by your letters, so that I cannot achieve my aims while you live;¹⁵⁷ you shall have your desserts.' He stabs

¹⁵³ This is indicated by the fact that when Grey tells how, when war broke out in 1296, Robert de Ros, lord of Wark in Northumberland, defected to the Scots (mentioned in several chronicles), it was 'all for the sake of love, for he loved Christine de Mowbray – who would not deign to have him afterwards'. The love of the lady is mentioned in Guisborough's chronicle, but her name and rejection of Ros is recorded only by Grey; the information no doubt came from his father. Gray, *Scalacronica 1272–1363*, ed. King, 37, 217.

¹⁵⁴ *Ibid.*, xxiv–xxx; J. B. Paul (ed.), *The Scots Peerage* (Edinburgh, 1904–14), ii, 258–9. The marriage had taken place by the middle of 1310.

¹⁵⁵ *CDS*, ii, no. 1841; iii, no. 28; Gray, *Scalacronica 1272–1363*, ed. King, xxvi; Rothwell (ed.), *Chronicle of Walter of Guisborough*, 366.

¹⁵⁶ Gray, *Scalacronica 1272–1363*, ed. King, 50–4, for the full narrative.

¹⁵⁷ ... *pur quoi, vivant toy, ne pusse escheuer moun voloir*. Duncan (Barbour, *Bruce*, 81), renders this 'so you cannot escape my will'; but although the (online) *Anglo-Norman*

Comyn; others cut him down in front of the altar; Comyn's uncle strikes Bruce with a sword, but Bruce is wearing armour, and the uncle is killed. Immediately after that, the narrative jumps ahead: 'Robert had himself crowned king ...'

This is a more coherent and plausible narrative than those of the other chronicles – though, it must be remembered, it was constructed to present what Grey wanted his readers to believe was going on. On the build-up to the killing, the initial statement that Bruce has his own affinity is a better way of explaining the support he received than the impossible public consultations about seizing the throne found in the *Flores Historiarum* and the 'Langtoft-revision'. Also, there are the vague 'promises from you and yours' already given by Comyn; they cannot involve the crown-for-land offer, since that has yet to be made, and so the problem of the Scottish chronicles' impossibly dangerous indenture is avoided. What Grey had in mind was surely an agreement for mutual support in general terms (like the indenture of 9 July 1304 made between Bruce and Bishop Lamberton),¹⁵⁸ though not necessarily committed to writing. Nevertheless, Comyn has 'revealed' (*descouvery*) Bruce to Edward I by his letters. Here, Grey agrees with the Scottish chroniclers, though he is perhaps closer to Guisborough's 'denounced him to the king of England and worsened his position to his harm'.¹⁵⁹ But, as pointed out above, if an actual plan to seize the throne had been revealed, Edward I would have reacted sooner;¹⁶⁰ so Grey (and perhaps Guisborough) was probably exaggerating here, developing the more likely idea of general Comyn disparagement of Bruce.¹⁶¹

For Grey, however, the final accusation of betrayal is scarcely relevant, because Comyn's killing is already determined – as the instructions to Bruce's brothers demonstrate. No other chronicle relates this, which means it must be Grey's own story; but the explanation for the brothers' failure to act has rightly been called 'so lame that we are on safe grounds in dismissing [their] secret commission as embroidery'.¹⁶² Yet Grey, an associate of the notorious troublemaker John de Coupland, was no stranger to violence and feuding,¹⁶³ and could well have believed such a

¹⁵⁷ (*continued*) gives 'avoid' or 'escape' as the meaning of *escheuer*, Grey's text almost invariably uses *u* for *v*, and the *Dictionary* gives 'achieve' for *eschever*. Therefore Dr King's version is to be preferred.

¹⁵⁸ Palgrave, *Docs. Hist. Scot.*, 323–5; summarised in Barrow, *Robert Bruce*, 131 (3rd edn); 171 (4th edn).

¹⁵⁹ Above, p. 185.

¹⁶⁰ Above, pp. 181–3.

¹⁶¹ E.g. Bruce and his supporters did much less well out of the post-1304 Edwardian settlement of Scotland than he presumably hoped, especially by comparison with the great Comyn affinity: Young, *Robert the Bruce's Rivals*, 192–5; F. J. Watson, 'Settling the stalemate: Edward I's peace in Scotland, 1303–1305', in M. Prestwich, R. Britnell and R. Frame (eds), *Thirteenth Century England VI* (Woodbridge, 1997), 127–44.

¹⁶² Barrow, *Robert Bruce*, 140 (3rd edn); 183 (4th edn).

¹⁶³ Gray, *Scalacronica 1272–1363*, ed. King, xxii, xxxv, xlii–xliii; M. C. Dixon, 'John de Coupland – hero to villain', in D. W. Rollason and M. Prestwich (eds), *The Battle of Neville's Cross, 1346* (Stamford, 1998), 36–49.

commission was plausible. In his narrative, the episode effectively highlights Bruce's ruthlessness – not, it may be suggested, to blacken Bruce (that is not done elsewhere in *Scalacronica*), but because Grey knew, realistically, that tough leaders could act in that kind of way.

If Comyn's killing is predetermined, however, what is the point of the crown-for-land offer? Agreement by Comyn in the Dumfries meeting that Bruce can have the throne (even falsely, as in the Scottish chronicles) would mean that the predetermined killing will not happen. Therefore, the implication of Grey's narrative is that Bruce makes the offer in the expectation that Comyn will refuse. Comyn does so, because (as in all chronicles) of his allegiance to Edward I. But in Grey's narrative, Scotland's servitude (the starting point in every version of the offer) is blamed uniquely on 'the negligence of its leader [that is, King John], who allowed his rights and the freedom of the realm to be lost'. Also, when Bruce offers to help Comyn become king, it is because 'you are of his blood who has lost [the realm]' (*pusqe tu es de son sank qi lad perdu*).¹⁶⁴ Here, it is remarkable that Grey makes Bruce talk of King John losing his 'rights' – from the Bruce standpoint, Balliol had none. And what is even more remarkable is Bruce's acknowledgement that Comyn, in effect, has as much right as Bruce to the throne, since he has the same blood as King John. Other versions of the offer imply Comyn had a claim, but none of them puts it so clearly as that; *Scalacronica*, indeed, is closer to 'The Scottish poem' in *Liber Extravagans*.¹⁶⁵ Moreover, the highlighting in Grey's narrative of Comyn's royal blood must surely make that the reason why Bruce knows that his own hopes 'for the establishment of his right to his claim to the succession to the realm of Scotland'¹⁶⁶ will not come to fruition unless Comyn is killed.

The different treatments of the crown-for-land offer in *Scalacronica* and in its likely source, *Gesta Annalia* II, show that Grey constructed his narrative very deliberately. However, was he simply rationalising other accounts, or did he know better? While a definitive answer to that can never be given, the possibility that he had first-hand information from his father cannot be ruled out. What would Grey senior have been able to tell his son? His Comyn contacts would surely have known about any previous Bruce–Comyn dealings – the 'promises of you and yours' – and also about the invitation to meet Bruce at Dumfries, brought by Thomas and Neil Bruce. But what of the assassination plot? While the Comyns would have been ignorant of that, one person who knew Bruce's plans at that time was Sir Christopher Seton, to whose widow, Christian Bruce, Grey senior had access. Perhaps, therefore, that part of *Scalacronica*'s narrative came from her. On the other hand, since the story does seem far-fetched, an alternative hypothesis can be suggested. All killings are

¹⁶⁴ Gray, *Scalacronica 1272–1363*, ed. King, 50–1 (my emphasis).

¹⁶⁵ It might not be irrelevant, therefore, that Grey's source for the Scottish origin-legend and king-lists was similar (though not close) to that of 'The Scottish poem'; see above, p. 208.

¹⁶⁶ Gray, *Scalacronica 1272–1363*, ed. King, 50–1.

bad, but a sacrilegious killing in a church is worse than most: if Comyn had been killed elsewhere, the consequences for Bruce would not have been so serious. Therefore, the story of the brothers' instructions might have originated in some expression of regret by Bruce – 'If only we had not killed him in the church' – which Christian Bruce might have passed on for Grey senior or his son to garble.

Be that as it may, the main theme of *Scalacronica's* narrative is premeditation. Christian Bruce could have confirmed that, but we do not need to look to her; with hindsight, all the kin and adherents of the dead John Comyn would have believed Bruce deliberately planned the killing. But, although the need to ensure English support after the killing meant that Comyn had to be depicted as absolutely loyal to Edward I, it is not unlikely that Grey senior's Comyn contacts would also have rubbished Bruce's claim to the throne, pointing out that he represented the junior line of descent, whereas not only the Balliols but also John Comyn belonged to the senior line. Moreover, if – as is surely very likely – 'The Scottish poem' in *Liber Extravagans* reflects a 'Comyn-for-king' sentiment, then that could well have been expressed privately to Thomas Grey senior, and so could have influenced the *Scalacronica* narrative, in which the fact that John Comyn had the same royal blood as King John must surely be the critical factor.

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The rest of this article offers some thoughts about how the 'Comyn-for-king' concept might affect our current understanding of what was going on when John Comyn was killed. It is not a concept that has seriously exercised modern-day Scottish historical scholarship: John Comyn III of Badenoch's royal descent is rarely mentioned and never discussed.¹⁶⁷ The major academic studies of the period, indeed, ignore it¹⁶⁸ – understandably, since they approach the period from different angles. Thus, in the work which modernised medieval Scottish historiography, Professor Geoffrey Barrow's *Robert Bruce and the Community of the Realm of Scotland* (originally published in 1965), the focus is exactly as the title states, and so the discussion of Comyn is necessarily brief; he is 'almost a total failure' – being one of the 'others' against which Barrow's image of Robert I is constructed.¹⁶⁹ Comyn's treatment by the period's other leading historian, Professor Archie Duncan, is also tangential;¹⁷⁰ in recent years he has concentrated – especially in *The Kingship of the Scots*

¹⁶⁷ I have found it mentioned by only Professor Nicholson, Dr Young, Dr King and Dr Beam, and none of them discusses it: R. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1974), 71; Young, *Robert the Bruce's Rivals*, 212 n.56; A. Young, 'Comyn, Sir John, lord of Badenoch (d. 1306)', *Oxford Dictionary of National Biography*, xii. 906; Gray, *Scalacronica 1272–1363*, ed. King, 222 n.23; Beam, *Balliol Dynasty*, chap. 5 (between n.76 and n.77); chap. 6 (between n.51 and n.52).

¹⁶⁸ Except for the passing mention in an endnote in Young, *Robert the Bruce's Rivals*, noted above.

¹⁶⁹ Barrow, *Robert Bruce*, 145 (3rd edn); 189 (4th edn).

¹⁷⁰ Even in the commentary on Barbour's narrative of the killing, in his splendid edition of *The Bruce* (1997).

(2002) – mostly on ‘Bruce versus Balliol’, from the Great Cause to the 1320 conspiracy on behalf of Edward Balliol,¹⁷¹ and the emphasis is on both sides’ legal claims to the throne, which means the Comyns, when they appear, are always junior to John Balliol. Then there is the detailed examination of the actual period of Comyn’s career, Dr Fiona Watson’s *Under the Hammer: Edward I and Scotland* (1998); but this, of course, deals chiefly with English campaigns and administration, and, though John Comyn’s activities do feature more clearly, he and his affinity are simply part of the supporting cast. In fact the Comyns take centre stage in only one full-length study, Dr Alan Young’s *Robert the Bruce’s Rivals: The Comyns, 1212–1314* (1997); yet even here, the title shows how hard it is to avoid Robert I’s shadow. Young’s main theme is the thirteenth-century Comyns’ colossal power, derived essentially from their remarkable unity (especially the co-operation between the Badenoch and Buchan branches), which made them probably the most effective magnate house in Scotland’s history;¹⁷² but consequently John Comyn III of Badenoch is discussed essentially as a leading member of the wider kindred, and attention is not drawn to the very different dynastic position that he had as King John’s nephew.

The material presented above, however, indicates that Comyn’s dynastic position should not be overlooked. Accordingly, the relevant genealogy needs to be set out more fully. As is well known, Earl David of Huntingdon’s senior line of descent went through his granddaughter Dervorguilla of Galloway (wife of Sir John Balliol of Barnard Castle) to her only surviving son John Balliol (d. 1314), who became king in 1292, and to his only son Edward (d. 1364).¹⁷³ Dervorguilla also had four

¹⁷¹ Duncan, ‘War of the Scots’, esp. 125–31; also above, n.2.

¹⁷² Comyn unity and co-operation produced a form of alternating headship, which avoided both the main disadvantages of primogeniture (succession by an under-age or incompetent heir) and the devastating internecine rivalries that so affected other great magnate houses, most notably the fourteenth- and fifteenth-century Douglases: see M. Brown, *The Black Douglases: War and Lordship in Late Medieval Scotland, 1300–1455* (East Linton, 1998), chaps 2–5, 11–14.

¹⁷³ According to Paul (ed.), *Scots Peerage*, i. 7, King John had a second son, ‘Henry, slain 16 December 1332 *s.p.*’ (i.e. killed at Annan), and this is usually accepted: e.g. R. Nicholson, *Edward III and the Scots* (Oxford, 1965), 104; Penman, *David II*, 49; G. Stell, ‘The Balliol family and the Great Cause of 1291–2’, in K. J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), 153; G. Stell, ‘John [John de Balliol] (c.1248×50–1314), king of Scots’, *Oxford Dictionary of National Biography*, xxx. 173. But *Scots Peerage* gives no reference. In *CDS*, iii. xli (note), Joseph Bain remarked that among the dead was ‘Henry Balliol (called his brother, on what authority the editor is not aware)’; and Henry’s existence has now been challenged convincingly by Dr Beam, on the basis of his absence from post-1296 diplomatic and financial documents relating to King John, in which he ought to have appeared: Beam, *Balliol Dynasty*, Appendix A, ‘Other Balliols’. The Scottish chronicles (though not the English) record the death of a Sir Henry Balliol at Annan (*Chron. Fordun*, i. 356; *Chron. Wyntoun*, v. 426–7; *Chron. Bowes*, vii. 80–3), but they do not say that he was Edward Balliol’s brother; nor is that said in documents mentioning gifts of grain and wines to Henry Balliol’s widow Joanna in 1334×6 (TNA: PRO, E 101/19/3, mm. 1, 4). Most significantly, Sir Thomas Grey states categorically that ‘John de Balliol had just one son, who bore the name Edward’; since Grey and/or his father had very probably been

daughters:¹⁷⁴ (1) Margaret, who married ‘the lord of Gilsland’, probably Thomas de Multon (d. 1294), but was childless; (2) Cecily, who married the northern English landowner John de Burgh II (d. 1280) and had two daughters, Hawise and Dervorguilla; (3) Ada, who married Sir William Lindsay of Lamberton and Kendal (d. 1282) and was survived by a single daughter, Christian (wife of the pro-English Frenchman Enguerand de Guines); (4) Eleanor or Marjory, who married John Comyn II of Badenoch (d. *ca* 1302), and was the mother of John Comyn III. That makes John Comyn III King John’s second-closest male relative, after the young Edward Balliol (born in *ca* 1282). And although his mother was probably the youngest of the four sisters, the elder three had all died before 1300; while in the next generation Ada’s daughter Christian Lindsay was (through her husband) staunchly committed to Edward I (as, presumably, were Cecily’s daughters, if still alive), and hence would have been irrelevant with respect to the Scottish throne in the early fourteenth century.¹⁷⁵

For Scottish medieval historians, however, the existence of Edward Balliol (and, until Dr Beam suggested otherwise, his alleged brother Henry) meant John Comyn III of Badenoch was also irrelevant; the fact that in Scotland, by 1304, he was in effect the leading member of the senior royal line, and thus the best potential king, has simply not registered, because historians have always thought in terms of total Comyn commitment to the Balliol kingship. The universal belief has been that when King John’s cause collapsed in May 1303 with the Anglo-French peace, the Comyn position also collapsed shortly afterwards, with John Comyn’s general submission of February 1304: Evan Macleod Barron’s comment in the early twentieth century, that the Comyns ‘had played

¹⁷³ (*continued*) with Edward Balliol and Henry de Beaumont at Dupplin, he is surely correct: Gray, *Scalacronica 1272–1363*, ed. King, xxxv, 34–5, 108–13 (Henry Balliol is not mentioned at either Dupplin or Annan). It appears, therefore, that the *Scots Peerage* statement should be rejected – in which case, the man killed at Annan was probably the Sir Henry de Balliol who was sheriff of Roxburgh late in Robert I’s reign, but seems not to be recorded subsequently: Beam, *Balliol Dynasty*, Appendix A; J. Stuart *et al.* (eds), *The Exchequer Rolls of Scotland* (Edinburgh, 1878–1908), i, 106; A. A. M. Duncan (ed.), *Regesta Regum Scottorum*, vol. v: *The Acts of Robert I, King of Scots, 1306–1329* (Edinburgh, 1988), no. 361.

¹⁷⁴ Beam, *Balliol Dynasty*, ‘The Balliol Family, Chart 2: The Balliols of Barnard Castle’; Stell, ‘Balliol family’, 153; Gray, *Scalacronica 1272–1363*, ed. King, 35, 216 n.10; Paul (ed.), *Scots Peerage*, i, 142–3. For Multon, G. E. Cockayne *et al.*, *The Complete Peerage* (revised edn, London, 1910–59), ix, 402–3, where his marriage to an unidentified Margaret is noted. For de Burgh, *Northumberland County History* (Newcastle, 1893–1940), vi, 73 (and also personal communication from Dr Beam). For Lindsay and de Guines, Paul (ed.), *Scots Peerage*, iii, 5–6; Barrow, *Robert Bruce*, 13, 279 (3rd edn); 18–19, 363 (4th edn). For Eleanor, Stell, ‘Balliol family’, 158: note the Scottish chroniclers call her Marjory, a form of Margaret; probably the initial chronicler knew Balliol’s eldest sister was called Margaret, and thought she was Comyn’s mother, since the rest of Comyn’s sisters are ignored. The order of the sisters comes from *Scalacronica*, but that omits Cecily, and it is unclear where she should fit in.

¹⁷⁵ For de Guines, Paul (ed.), *Scots Peerage*, iii, 6; Watson, *Under the Hammer*, 72, 201. The same would apply to Cecily’s daughters, who are more obscure but would have been entirely English.

their game and lost',¹⁷⁶ has been echoed ever since. Consequently, the standard narrative of 1304–6 inevitably turns (with hindsight, naturally) towards Robert Bruce as the only figure who could provide leadership for the Scottish cause.

Yet 'The Scottish poem' in *Liber Extravagans* points towards a different narrative. For a start, the common assumption of total Comyn commitment to King John Balliol is not necessarily valid; he could, indeed, be regarded more as a Comyn puppet. Before becoming king, Balliol had little power in Scotland, and, technically, no land until his mother died in 1290.¹⁷⁷ During the Great Cause, John Comyn II of Badenoch looks much like Balliol's 'minder'.¹⁷⁸ During his reign, the Comyns dominated national and local government.¹⁷⁹ In mid-1295, when his inability to resist Edward I led to the appointment of an executive council, its twelve members included the lord of Badenoch and the earl of Buchan, plus six other likely members of the Comyn nexus.¹⁸⁰ When war broke out in 1296 – 'in effect, the war of the Comyns'¹⁸¹ – John Comyn earl of Buchan was the main Scottish leader, and King John had no military function (probably on Comyn orders).¹⁸² And when he surrendered, it was the Comyns who brought him to Edward I.¹⁸³

Despite his removal by Edward I in 1296, King John continued to be a vital figurehead while successive guardians maintained the Scottish cause.¹⁸⁴ Also, when Bruce and Comyn quarrelled violently at Peebles in August 1299, Buchan's furious accusation of treason and lese-majesty indicates (as Dr Beam points out) that Bruce was promoting his own claim to the throne;¹⁸⁵ consequently the Comyns had to uphold Balliol kingship. Moreover, once King John was transferred to papal custody in

¹⁷⁶ E. M. Barron, *The Scottish War of Independence*, 2nd edn (Inverness, 1934), 141.

¹⁷⁷ As Dr Beam has stressed: Beam, *Balliol Dynasty*, chap. 3 (and see there at n.139 for a similar description of him as a Comyn puppet).

¹⁷⁸ That impression could certainly be gained from the account of proceedings in 1291 given by A. A. M. Duncan, 'The process of Norham, 1291', in P. R. Coss and S. D. Lloyd (eds), *Thirteenth Century England V: Proceedings of the Newcastle upon Tyne Conference 1993* (Woodbridge, 1995), 218–21; although Duncan has changed his mind over dating, the main point still stands (Duncan, *Kingship of the Scots*, 237–8, esp. n.64).

¹⁷⁹ Young, *Robert the Bruce's Rivals*, chap. 6; Beam, *Balliol Dynasty*, chap. 4.

¹⁸⁰ Young, *Robert the Bruce's Rivals*, 139–41; Beam, *Balliol Dynasty*, chap. 5.

¹⁸¹ Young, *Robert the Bruce's Rivals*, 143.

¹⁸² 'It had been laid down by the Scots to their king that he was neither to offer battle nor accept peace but that he should keep in hiding by constant flight': *Chron. Lanercost*, 145; cited by Young, *Robert the Bruce's Rivals*, 160.

¹⁸³ *Ibid.*

¹⁸⁴ First Wallace; then Comyn and Bruce; then Comyn, Lamberton and Umfraville; then Soules (? and Comyn); then Comyn alone.

¹⁸⁵ C. Innes (ed.), *Facsimiles of the National Manuscripts of Scotland* (London, 1867–71), ii. no. 8; Barrow, *Robert Bruce*, 107 (3rd edn); 140–1 (4th edn); Beam, *Balliol Dynasty*, chap. 6, at n.53. Note that the quarrel was initially about Wallace's journey abroad. He is traditionally seen as a Stewart follower and a staunch upholder of Balliol's kingship, but was probably closer to the Bruces, while his brother was in Bruce's retinue at the time of the Peebles quarrel: Grant, 'Bravehearts and coronets', 92–3, 106. Therefore it now strikes me that the Comyns may have feared that Wallace was engaging in pro-Bruce activity.

mid-1299, the possibility of his restoration by French force increased¹⁸⁶ – which would have restored the Comyn status quo as well.

Conversely, as is always stressed, once the French were defeated at Courtrai in July 1302 and Philip IV made peace with England in May 1303, it became increasingly obvious that King John would never be restored. But this would have meant that his value as a figurehead for the Scottish cause steadily melted away. From Robert Bruce's point of view, that would have greatly enhanced his prospects of eventually becoming king.¹⁸⁷ Others, however, are unlikely to have agreed. Consider the letter of 25 May 1303 from the Scottish 'ambassadors' in Paris – the bishops of St Andrews and Dunkeld, the earl of Buchan, James the Steward, Sir John de Soules, Sir Enguerand de Umfraville, and Sir William de Balliol – to the guardian, none other than John Comyn III of Badenoch. They told him that a final Anglo-French peace had been concluded, and that the Scots had been excluded, though the king of France was trying to bring them in. However, if Edward I would not agree, then:

defend yourselves manfully and stay united ... For God's sake do not despair. If ever you have done brave deeds, do braver ones now ... And it would gladden your hearts if you could know how much your honour has increased in every part of the world as the result of our recent battle with the English [at Roslin].¹⁸⁸

Despite their defiant tone, the authors seem desperate. On the other hand, while (like modern historians) they must have realised that 'the writing was on the wall for this ghost-king, Toom Tabard',¹⁸⁹ it was to John Comyn of Badenoch, not Robert Bruce (then firmly in Edward I's peace), that they looked: his 'honour has increased' everywhere because of what Scottish chroniclers later depicted as the magnificent victory at Roslin. Clearly, although there was now little or no expectation of King John's return, Comyn leadership would continue nonetheless.

It is impossible to say whether that indicates a 'Comyn-for-king' sentiment. For the Comyns, the only alternative would have been a long-term guardianship – presumably until Edward Balliol could be brought to Scotland, if that could be achieved. Some of the Scottish representatives in Paris might have contemplated that. Yet what would John Comyn III of Badenoch himself have thought? He was apparently uncooperative and quarrelsome,¹⁹⁰ which no doubt reflects his own high opinion of his status and ability. His attitude, however, is also perhaps explained by the simple fact that he was the king's closest adult male relative – the person

¹⁸⁶ Barrow, *Robert Bruce*, chap. 7; Beam, *Balliol Dynasty*, chap. 6, section on 'Papal custody, July 1299–summer 1301'.

¹⁸⁷ Barrow, *Robert Bruce*, 143–4 (3rd edn); 186–7 (4th edn).

¹⁸⁸ T. Thomson and C. Innes (eds), *The Acts of the Parliaments of Scotland* (Edinburgh, 1814–75) [APS], i. 454–5; partly trans. Barrow, *Robert Bruce*, 128 (3rd edn); 167 (4th edn). Only Bishop Lamberton and James the Steward might possibly have looked to Robert Bruce; the others would have been hostile.

¹⁸⁹ Barrow, *Robert Bruce*, 127 (3rd edn); 166 (4th edn).

¹⁹⁰ E.g., Barrow, *Robert Bruce*, 114 (3rd edn); 149–50 (4th edn).

on whom, in later medieval Scotland, the frequently required office of guardian or lieutenant was usually bestowed.¹⁹¹ Probably, therefore, in the late 1290s and early 1300s Comyn's apparently bad relations with all other guardians are explicable by his likely belief that the guardianship should have gone to him by right: in other words, that he was second to King John.

But it should also be asked what John Comyn – a member of a younger generation, not meaningfully involved in the 1291–2 process which made Balliol king, but now head of the Comyn kin after his father's death in *ca* 1302¹⁹² – thought of King John. The Soules episode is particularly illuminating. In early 1301, Sir John de Soules (who had been in Paris) was appointed guardian, apparently by King John himself,¹⁹³ though Philip IV's influence is likely. Soules's precise position has been disputed: Professor Barrow reckons that the previous joint guardians, Bishop Lamberton, John Comyn of Badenoch and Enguerand de Umfraville all resigned; whereas Dr Norman Reid has argued that King John made Soules chief guardian, but that Comyn continued in office as 'under-guardian'.¹⁹⁴ Whatever the case, the testimony of *Gesta Annalia* II is most significant. After Falkirk,

John Comyn the younger was made guardian of Scotland. He remained in that office until the time that the same John came to the peace of the king of England ... But within the same period he had as a colleague John de Soules, appointed by John de Balliol ... He [Soules] did not hold responsibility and authority for long; but because he was foolish and not firm, he sometimes suffered rebuffs and was held in contempt. For this reason after leaving Scotland he withdrew to France, where he died.¹⁹⁵

The – invalid – criticism of Soules presumably reflects the Comyn opinion of him, and of the fact that he was King John's appointment.¹⁹⁶ Conversely, his appointment suggests that Kings John and Philip were unhappy about John Comyn. But if Soules was meant to outflank Comyn, that failed: he returned to France with the 1302 embassy and stayed there. The whole episode surely indicates tension in at least that part of the Comyn–Balliol relationship. Thus it is unwise to see John Comyn of Badenoch as inextricably committed to the cause of Balliol kingship – which leads back to the question of his own dynastic position, and the 'Comyn-for-king' argument of 'The Scottish poem'.

¹⁹¹ P. G. B. McNeill, 'The Scottish regency', *Juridical Review* 12 (1967) 127–48; this applied, for instance, with David II's first two guardians, Thomas Randolph earl of Moray and Donald earl of Mar.

¹⁹² Young, *Robert the Bruce's Rivals*, 151, 177 n.7.

¹⁹³ *Chron. Fordun*, i. 331.

¹⁹⁴ Barrow, *Robert Bruce*, 114–15 (3rd edn); 150–1 (4th edn); N. Reid, 'The kingless kingdom: the Scottish guardianships of 1386–1306', *SHR* 61 (1982) 105–29, at 112–15.

¹⁹⁵ *Chron. Fordun*, i. 331; trans. *Chron. Bower*, vi. 97, but with significant amendment. See above, n.74.

¹⁹⁶ Barrow, *Robert Bruce*, 114–26 (3rd edn); 151–63 (4th edn); Young, *Robert the Bruce's Rivals*, 172–5. See also above, n.74.

Technically, John Comyn's claim to the throne was weaker than either King John's or Edward Balliol's. However, if by mid-1303 it was clear that John Balliol was no longer a viable option as king, then, in terms of practical politics if not strict legality, it is hard to imagine John Comyn of Badenoch not regarding himself as the best alternative. Admittedly, for him to become king required revolution – as actually happened when Robert Bruce became king in March 1306.¹⁹⁷ The Bruce case was that Robert I's grandfather should have gained the throne in 1292. Nevertheless, irrespective of those Great Cause arguments,¹⁹⁸ in 1306 Robert I did have to set aside the duly inaugurated king of Scots. He was able to do so only because King John was not available to defend himself or to be defended: in other words, because the throne was in effect vacant.

Much the same case could have been made for John Comyn. If, as suggested above, the Comyns regarded King John as a figurehead who after mid-1303 was no longer indispensable, then the following argument can be contemplated: not only was the throne effectively vacant, but also it had been surrendered by King John for himself and his heirs; and though that was due to English might, the surrender nonetheless disqualified John and Edward Balliol¹⁹⁹ – in which case (by the principle established in 1292) the crown should go to the next heir of the senior line, namely John Comyn III of Badenoch. While the Bruce faction would have objected, the Comyn faction and no doubt many neutrals – faced with the collapse of Balliol's kingship and the need for an active king to reinvigorate the struggle against England – would surely have supported such a case. After all, in practice any king who conspicuously failed to fulfil his function was likely to be removed eventually²⁰⁰ – as could be justified by contemporary political theories, especially that of Duns Scotus (who, according to Professor Broadie, may perhaps have had contact with some of the 1302–3 Scots embassy to Paris).²⁰¹ Furthermore, Comyn supporters do appear to have been preparing arguments along these lines, since they are expressed by 'The Scottish poem' in *Liber Extravagans*.

Now, 'The Scottish poem' probably attacks Robert Bruce for supporting Edward I.²⁰² In *ca* 1305 – as opposed to the post-Bannockburn period – that would have been extremely trenchant. After all, Bruce had been with Edward I in 1296, even if his role at Berwick is fictitious; when he

¹⁹⁷ E. J. Cowan, 'The Declaration of Arbroath', in D. Broun, R. J. Finlay and M. Lynch (eds), *Image and Identity: The Making and Re-making of Scotland through the Ages* (Edinburgh, 1998), 53–4; Duncan, *War of the Scots*, 125–7.

¹⁹⁸ For which see Duncan, *Kingship of the Scots*, chaps 12–13.

¹⁹⁹ Stones (ed.), *Anglo-Scottish Relations*, 146–9. See B. Webster (ed.), *Regesta Regum Scottorum*, vol. vi: *The Acts of David II, King of Scots, 1329–1371* (Edinburgh, 1982), no. 77, and Penman, *David II*, 68, 105, for the forfeiture of the earldom of Strathearn in 1343 because 10 years previously its earl had surrendered it to (King) Edward Balliol for conveyance to the earl of Surrey.

²⁰⁰ As the example of late medieval England, where several usurpations took place on rather flimsier grounds than the hypothetical ones outlined above, clearly demonstrates.

²⁰¹ Broadie, 'John Duns Scotus and the idea of independence', 77, 84–5.

²⁰² Above, pp. 203–5.

switched to the Scottish side in 1297 his military activity was unimpressive;²⁰³ he seems to have been widely (if erroneously) blamed for the English victory at Falkirk in 1298;²⁰⁴ and he was prominent in Edward I's forces after 1302, even aiding the 'discomfiture' of Wallace in March 1304.²⁰⁵ In contrast, although John Comyn fled from Falkirk in 1298 and from a skirmish in Galloway in 1300,²⁰⁶ he had at least confronted the English – as he did in 1296 (when he was captured in Dunbar Castle), and most importantly in 1303, when he won the victory at Roslin.²⁰⁷ His military record was far better than Bruce's, and even when submitting in the face of overwhelming might in 1304,²⁰⁸ he negotiated reasonable terms. Furthermore, why were the Scots facing English conquest? According to Baldred Bisset's arguments to the pope in May 1301, in the crisis of 1290 'one group of magnates ... belonging to a party which had no right in the kingdom of Scotland at the time' invited Edward I to take Scotland over;²⁰⁹ since Bisset was arguing for King John, it is the Bruce party who wrongfully make the invitation – as, in effect, Bruce 'the Competitor' actually did.²¹⁰ So, not only was the youngest Robert Bruce's anti-English record much weaker than John Comyn's, but also, in the early 1300s, the patriotic Scottish establishment blamed his grandfather for initiating the catastrophe. Therefore, if – after Balliol kingship collapsed in 1303–4 – Scotland's political community had had the opportunity to choose either John Comyn of Badenoch or Robert Bruce of Carrick as king, the likelihood is that Comyn would have been preferred: 'the *pragmatic* choice, as Balliol had once been'.²¹¹

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²⁰³ His rising in 1297 (with Bishop Wishart and the Steward) quickly collapsed at Irvine, and he appears not to have been at Stirling Bridge. Barrow, *Bruce*, 84–8 (3rd edn); 110–15 (4th edn).

²⁰⁴ Above, pp. 190–1.

²⁰⁵ Watson, *Under the Hammer*, 174, 180–3; A. Fisher, *William Wallace* (Edinburgh, 1986), 117; *CDS*, ii. nos 1432, 1465; iv. no. 474.

²⁰⁶ It can safely be assumed that he was at Falkirk; but he was not part of the previous flight from Dunbar, because during the battle he was in Dunbar Castle, and was captured when it fell: *CDS*, ii. no. 742. For the Galloway skirmish, Watson, *Under the Hammer*, 108.

²⁰⁷ For Comyn as military leader in 1303, *ibid.*, 168, 170–1, 177, 181–2; Young, *Robert the Bruce's Rivals*, 174–6; Gray, *Scalacronica 1272–1363*, ed. King, 44–7 (Sir Hugh Audley and Sir Thomas Grey senior were captured at Melrose by John Comyn and his 'great band of men-at-arms').

²⁰⁸ As Scots apologists said later: Barrow, *Bruce*, 184–5 (3rd edn); 238–9 (4th edn); the point was made on behalf of Robert I in 1309, but referred back to the pre-1306 submissions.

²⁰⁹ *Chron. Bower*, vi. 176–7; and, for the same point in the 'objections' (to English claims) sent from Scotland to Bisset, *ibid.*, vi. 158–9.

²¹⁰ Duncan, *Kingship of the Scots*, 203–5; Stones and Simpson (eds), *Edward I and the Throne of Scotland*, ii. 187.

²¹¹ Quotation from F. J. Watson, 'The Enigmatic Lion: Scotland, kingship and national identity in the Wars of Independence', in Broun, Finlay and Lynch (eds), *Image and Identity*, 28 (author's emphasis) – but applying to John Comyn her comment about the eventual acceptance of Robert I in place of King John.

Without hard evidence, however, it is impossible to know whether John Comyn actually desired to be king. He might perhaps have been content with the 1304–5 settlement, by which the Comyns kept their vast landed estates and maintained most of their local influence, especially in the north: for Edward I, Dr Young has argued, ‘it made practical sense ... to seek some *modus operandi* with the dominant governing group in Scotland, the Comyns’, and even maintain ‘a special relationship’ with them. On the other hand, this settlement significantly reduced Comyn power nationally, because central political control went to Edward’s English appointees.²¹² If (as is highly likely) John Comyn was unhappy about that, it could well have encouraged the idea of his taking the throne himself and resurrecting the independence cause, as called for by ‘The Scottish poem’ in *Liber Extravagans*. But such ambition would have to have been kept quiet – especially since the best time to rebel would probably not have been until the ageing Edward I eventually died and was succeeded by the much less able prince of Wales.²¹³ And while the above is speculation, it is surely impossible to believe that Comyn thought Robert Bruce’s right to the throne superior to his own. Therefore, he would never have supported a Bruce usurpation. Yet, as Professor Barrow has said, in 1306 ‘the success of any [Bruce] revolution would depend on the full support or else on the elimination of John the Red Comyn of Badenoch’.²¹⁴ Hence, if Comyn’s support for Bruce was out of the question, his elimination was essential – which implies (in accordance with the chronicles) that the killing was premeditated.

Caution is needed, however. All the chronicle accounts of Bruce’s ambition were constructed in the knowledge that he did become king and regain Scotland’s independence.²¹⁵ Once that hindsight is discounted, it is almost as difficult to be sure about what Bruce wanted as it is with Comyn. But with Bruce, three documents help our understanding. The first is the agreement made with Edward I when Bruce submitted in late 1301 or early 1302.²¹⁶ Edward grants that Bruce ‘can pursue

²¹² Young, *Robert the Bruce’s Rivals*, 186–95 (quotations from 189, 191); Watson, ‘Enigmatic Lion’, 25–7.

²¹³ Thomas Grey makes Bruce say that in early 1306 Edward I was in his ‘dotage’: Gray, *Scalacronica 1272–1363*, ed. King, 50–1. By then he was older (at 66) than any of his predecessors except Henry I (who probably just reached 67), and may have been seriously ill: Prestwich, *Edward I*, 507, 556. When he did eventually die in 1307, three weeks after his 68th birthday, he was the oldest English monarch before Queen Elizabeth, who was 70 when she died in 1603. For the future Edward II, Prestwich, *Edward I*, 127, 549–50, 552.

²¹⁴ Barrow, *Robert Bruce*, 145 (3rd edn); 188 (4th edn).

²¹⁵ Though the possibility that the chroniclers’ information did derive ultimately from informed insiders in the Comyn and Bruce camps (as suggested above with respect to *Scalacronica*) cannot be entirely ruled out – but even that information would be coloured with hindsight, and all the chroniclers were clearly carrying out *ex post facto* rationalisations.

²¹⁶ Stones (ed.), *Anglo-Scottish Relations*, 236–9; and trans. Barrow, *Robert Bruce*, 122–3 (3rd edn); 160–1 (4th edn). Barrow and Duncan have interpreted the document in very different ways: see *ibid.* (both edns), and A. A. M. Duncan, ‘The community of the realm of Scotland and Robert Bruce: a review’, *SHR* 45 (1966) 184–201, at 195–9. *Pace* Barrow, I find Duncan’s analysis more convincing, and I mostly follow his translation.

his right (*droit*) and [Edward] will hear him fairly and treat him with justice in his court'; and, 'if any persons wish to harm the said Robert ... the king will support him in his right and will defend him'.²¹⁷ The initial provision seems to mean that, since John Balliol is no longer king, the Bruce claim can be revisited. But, of course, there is no suggestion of independence: Bruce (like his grandfather in 1290–2 and father in 1296)²¹⁸ was merely hoping for subordinate kingship under Edward's lordship. This agreement reflects fears in 1301/2 that papal pressure and French force might restore King John – which no longer applied after 1303. Nevertheless, although Edward probably saw it as a dead letter in 1304–6, it is hard to imagine Bruce doing the same. The second document is the report from Berwick in early March 1306, after Comyn's killing. This states that when Bruce was ordered to surrender what he had taken, he replied 'that he would strengthen himself as fast as he could, until the king had notified his will concerning his demand, and if he would not grant it to him, he would defend himself with the longest staff that he had'.²¹⁹ Professor Duncan argues that the demand was for a pardon for the killing, failing which Bruce would defend himself against Comyn revenge; while for Professor Barrow it is an 'eleventh hour ... formal demand to be recognised as king'.²²⁰ In either case, Bruce's demand must still have acknowledged Edward as superior lord,²²¹ and so, presumably, it would have echoed the 1301/2 agreement: invoking Edward's promise of support against those wishing to harm him;²²² and probably also requesting that Edward keep his promise to hear Bruce's claim (Duncan's and Barrow's interpretations are not mutually exclusive). The third document is more straightforward: the indenture between Bruce and Bishop Lamberton, dated 11 June 1304: a fairly standard bond for mutual support and assistance.²²³ The terms are, as usual, generalised, but there is no reason to doubt that it reflects Bruce's efforts to build up support: perhaps (though this is speculation) with a

²¹⁷ The original is *grever*; Duncan and Stones give 'vex', while Barrow gives 'do injury to'. My 'harm' follows the (online) *Anglo-Norman Dictionary*. The ellipsis denotes missing words because of damage to the document.

²¹⁸ For the grandfather (Robert Bruce V, 'the Competitor'), Duncan, *Kingship of the Scots*, 203–5, 235, 254. For the father (Robert Bruce VI), whose request for the throne in 1296 was roundly refused by Edward I, Barrow, *Robert Bruce*, 73–4 (3rd edn); 97 (4th edn).

²¹⁹ Stones (ed.), *Anglo-Scottish Relations*, 260–9 (quotation from 267); and above, p. 180.

²²⁰ Duncan, 'War of the Scots', 134; Barrow, *Robert Bruce*, 150 (3rd edn); 194 (4th edn). See also Duncan, 'Community of the realm and Robert Bruce', 199: 'in February–March 1306, consistent to the last, Robert Bruce demanded that Edward I acknowledge his right'; to me, that 1966 statement makes most sense.

²²¹ Any demand to Edward I would have been pointless otherwise. Also, most importantly, the Berwick report stresses that no matter what the recipient understood about Bruce, he was trying to seize the Scottish throne (above, p. 180); which would have been unnecessary if Bruce's demand had been for independent kingship.

²²² I.e. Bruce would presumably have said the killing was accidental, in 'hot blood' (which was far less heinous), but that his political enemies in Scotland now wanted to kill him in revenge.

²²³ Palgrave, *Docs. Hist. Scot.*, 323–5; Barrow, *Robert Bruce*, 131 (3rd edn); 171 (4th edn).

view to a bid for the crown, possibly after Edward I's death; but more immediately, probably, because of Lamberton's own importance.²²⁴

Now, if those three documents are considered together, the following scenario can be inferred. Bruce would surely not have abandoned the claim to his 'right' which in 1301/2 Edward had agreed to hear; and Edward's promises were almost certainly still in his mind in February 1306. In the intervening years (especially after his father died on 21 April 1304), therefore, he is likely to have been pursuing his claim either in writing or orally²²⁵ – and probably, in view of their bond, with the help of Bishop Lamberton, who, with Sir Robert Keith and two Englishmen, was acting as guardian of Scotland for Edward I from October 1305 in the absence of John of Richmond, Edward's Scottish lieutenant.²²⁶ Any efforts by Bruce to claim his 'right', however, would obviously have gone against John Comyn of Badenoch's political and especially dynastic interests. Consequently, it is highly likely that Comyn would have put counter-arguments to Edward I. In other words, Comyn can easily be envisaged as disparaging Bruce to Edward I – which may well be what lies behind the chronicle accounts of his 'denouncing' or 'betraying' Bruce. Most of the chronicles, moreover, mention a written agreement between the two men. Although there is no non-chronicle evidence for that, comments such as *Scalacronica's* 'promise of you and yours' do suggest some kind of deal – presumably, like the Lamberton indenture, with general provisions for mutual help.²²⁷ In that case, if Comyn persisted in countering Bruce's likely approaches to Edward I, Bruce would surely have seen it as betrayal. Is that what Bruce wanted to discuss with Comyn at Dumfries? It is not improbable. But if at the fateful meeting Bruce started to complain about Comyn countering his claim to the throne, Comyn's natural retort would have been that *his* right was better than Bruce's, because *he* belonged to the senior line. This would have produced an impasse, and Bruce's fatal response would not be surprising – so that, as Professor Duncan has said, he 'blundered' into having to seize the throne.²²⁸

There is, however, a problem with that scenario. It assumes that Bruce was unaware of Comyn's dynastic position before the Dumfries meeting, which, since leading medieval aristocrats generally knew each other's genealogies, is implausible. That said, Bruce would naturally have believed his own right to the throne to be superior – but does that mean he ignored Comyn's royal descent altogether? If he did so, he was being

²²⁴ See the more or less speculative comments in Barrow, *Robert Bruce*, 131, 139, 145–6 (3rd edn); 171, 181–2, 189–90 (4th edn); Duncan, 'War of the Scots', 135–7; Barbour, *Bruce*, ed. Duncan, 70–1.

²²⁵ Although no records of this survive, that is not necessarily significant.

²²⁶ *CPR 1301–7*, 391, 394; *CDS*, ii. no. 1745; Watt, *Scottish Graduates*, 320–1. Lamberton's subsequent statement under English interrogation that he did not declare the bond when taking his oath as councillor to Edward I in October 1305 (Stones (ed.), *Anglo-Scottish Relations*, 270–3) need not be taken seriously.

²²⁷ Gray, *Scalacronica 1272–1363*, ed. King, 52–3; in Grey's narrative, these promises do not involve the crown-for-land offer.

²²⁸ Duncan, 'War of the Scots', 135–6.

extremely naive. If he did not, then surely he would have realised that Comyn would never have supported his claim to the throne – which would imply that the killing was premeditated after all (as all the chronicles indicate). It could be, however, that Bruce had already discussed their respective claims with Comyn before some previous agreement was made between them; while that adds speculation to speculation, it might be what underlies the chroniclers' crown-for-land story, and would further explain Bruce's fury at Dumfries. Yet, even so, if Bruce was taken by surprise at Dumfries, he would have to have been highy – and unwisely – trusting. Furthermore, there is another consideration. 'The Scottish poem' in *Liber Extravagans*, with its implicit 'Comyn-for-king' message, is unlikely to have been read by Bruce; but, since it was presumably known in St Andrews (and not in a social vacuum), it is quite possible that Bishop Lambertson would have become aware of its sentiments. Now, like all such bonds, the Bruce–Lamberton indenture required both parties to warn each other of threats to their interests – and surely sentiments like those expressed in 'The Scottish poem' would have been threatening for Bruce. Hence, Bruce could well have known, through Lambertson, of the 'Comyn-for-king' idea: so, therefore, a pre-emptive strike would have been required. A second likely scenario, therefore, is that (as the chronicles tell us specifically or implicitly) Robert Bruce deliberately set out to kill John Comyn.

Both scenarios are, of course, necessarily speculative, and neither can be proved to be absolutely 'correct'. As Sir Maurice Powicke remarked in 1953 about the killing: 'The secrets of this dark story can never be fully known'.²²⁹ Instead – as in some modern novels²³⁰ – all that can be done is present the two possible conclusions about what was going on in Dumfries on 10 February 1306, and leave readers to choose which they prefer.²³¹

²²⁹ F. M. Powicke, *The Thirteenth Century, 1216–1307* (Oxford, 1953), 713.

²³⁰ For example, John Fowles, *The French Lieutenant's Woman* (London, 1977).

²³¹ There is also the separate issue of whether what happened was 'murder'. W. D. H. Sellar, 'Was it murder? John Comyn of Badenoch and William, earl of Douglas', in C. J. Kay and M. M. MacKay (eds), *Perspectives on the Older Scottish Tongue: A Celebration of DOST* (Edinburgh, 2005), 132–8, accepts the consensus among recent historians that the killing was unpremeditated, and therefore not 'murder' (following the linking of 'murder' with 'forethocht felony' that, in Scotland, appears to have begun in the late fourteenth century: see Sellar, 'Forethocht felony, malice aforethought and the classification of homicide', 48–50). But, as shown above, I am much less sure about the absence of premeditation. On the other hand, in early fourteenth-century Scotland the technical definition of 'murder' was still the old one of 'secret killing' (*ibid.*, 47–8), which clearly did not apply in this case; therefore I would not call it murder (unlike Edward I: see above, pp. 179–81). However, I am unconvinced (*pace* Sellar) that 'murder' and 'forethocht felony' were regarded as synonymous; the fourteenth-century texts can be read differently. Also, regardless of the question of long-term premeditation, the finishing-off of the wounded Comyn after a distinct delay (as described in most of the English and Scottish chronicles) was more than simply killing 'in hot blood', and must surely have involved a culpable degree of 'forethocht' on Bruce's part, even though he himself may not have struck the fatal blow.

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In conclusion, let me return to the quotation with which I started: ‘There is a distinction between what happens and what is going on’. It is the fundamental task of historians to explore, within the invariably limited resources available to them, the ‘goings on’ that shaped what actually happened – even though, in the end, clear-cut conclusions may prove unattainable. This is especially the case for events that are so crucial in countries’ histories as the one considered here. If John Comyn had not been killed – which would have meant either that he and Bruce co-operated (accepting or combating English lordship), or that Comyn instead of Bruce eventually became king – the course of Scottish history would have been very different. It was because of Comyn’s killing that Robert Bruce was forced into both open rebellion and civil war, so that he found himself in a position from which he could not back down, as he and his predecessors had done in the past.²³² Therefore he was forced to commit himself to a fight to the death, which he eventually won. And having won his fight, he managed – through highly effective kingship – to establish the essential foundations for the Bruce/Stewart regime, which shaped Scotland throughout the rest of the Middle Ages and the early modern period. That is Robert I’s great achievement – but, in a sense, it could not have been achieved without John Comyn, whose own royal descent is surely what made their co-operation impossible and his killing inevitable. Perhaps, therefore, from the long-term point of view (and echoing the narrative constructed by the author of *Gesta Annalia* II),²³³ John Comyn has to be regarded as an unfortunate yet essential sacrifice on the altar of Scottish history.

²³² Note that Gray, *Scalacronica 1272–1363*, ed. King, 54–5, states that in late 1306 ‘Robert de Bruce ... sent messengers to have negotiations with the king’s son ... They came ... to Perth, and entered into negotiations to find out whether he might not be able to have [the king’s] grace’. But when Edward I found out, he was furious, and cancelled the negotiations. The story has inaccuracies (Edward was not in Scotland at the time), and probably should not be taken seriously (unless it means that Robert was looking for a truce). It is thought-provoking, nonetheless.

²³³ Above, pp. 194–7.