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### The Making of the British Isles: The State of Britain and Ireland, 1450-1660

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into legal territory once reserved exclusively to the common law, he argues, is datable to the 1490s, and accelerated in the decades immediately thereafter, when the Lords of Session developed a range of strategies designed to ensure that property-related matters should fall under their remit. Especially apparent to Godfrey are the skilful application of the remedy of reduction of infetment and the structuring of heritage disputes directly around questions concerning the validity of a particular title to land. By exploiting both strategies, Session in effect rendered obsolete the common law bar on fee and heritage of an earlier age. It did so, moreover, with the full cooperation of litigants themselves who, from 1500 onwards, actively sought out the central court as a forum for settling disputes in satisfactory fashion. By 1532 the popularity of Session was so well entrenched that it remained only for the crown to recognise formally the heritage jurisdiction of the College of Justice, and for the Lords to begin keeping an equally formal record of the decisions rendered in their court.

The chronology that Godfrey proposes for the transition from 'medieval' to 'modern' civil procedure will no doubt generate renewed discussion and debate among scholars. Less controversial are his conclusions about the relationship between the procedures followed in the College of Justice and the effectiveness of extra-curial dispute settlement after 1532. In the last two chapters of his book he presents a thorough review of recent literature on arbitration and the sixteenth-century shift away from the 'feuding society' of an earlier age. Godfrey has less to offer here in the way of original argument, but his study of the records generated in the first decade of the existence of the College offers a salutary reminder that, as other scholars have shown, informal mechanisms of dispute resolution such as arbitration and mediation did not so much compete with the legal system as supplement and complement it. Sittings of the College of Justice, Godfrey shows, offered a new venue in which ad hoc arrangements could be 'cast into more juridical form' (p. 429) and agreements made beyond the confines of the court given permanence and structure. Thus, the establishment of the College of Justice helped to 'bridge the separation between the worlds of private and public justice' (p. 414).

Godfrey's book is big, dense and, at times, heavy going. The author is well aware that his subject matter is complex, and his efforts to explain subtle changes in the tenor and content of legislation or to tease out the significance of the justices' rulings in one case or another sometimes lead to unnecessary repetition. The strengths of the work, however, far outweigh its flaws. Not least among an impressive series of skills that Godfrey demonstrates is a mastery of a body of record material that many a scholar has found impenetrable and unrewarding and a rare ability to present the varied strands of a complex argument in clear language. This book deserves to become obligatory reading for all students and scholars interested in the history of the law and development of the early modern state in Scotland, Britain and Europe.

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DOI: 10.3366/E0036924110001253

*The Making of the British Isles: The State of Britain and Ireland, 1450–1660.*

By Steven G. Ellis with Christopher Maginn. Pp. xxxvii, 411.

ISBN: 9780582040038.

Harlow: Pearson Longman, 2007. £23.99.

This is a welcome companion volume to Jim Smyth's *The Making of the United Kingdom, 1660–1800* which completes the early modern part of the Pearson

series on the British Isles. As one would expect from Professor Ellis, who was a pioneer of the new British History, this is a textbook which aims to tell the story of four peoples and the development of the countries of Scotland, England, Wales and Ireland. The book is avowedly an attempt 'to get beyond a version of British history which is essentially English history with Celtic bits tacked on' (p. xiv). State formation provides the thread holding together the narrative and it is carefully distinguished from nation building. Such an approach is both a help and a hindrance: it does provide a clear remit and a line of argument for the authors, justifying the omission of much 'domestic detail' and keeping the book within manageable proportions. One benefit is the welcome awareness and attention to Gaelic culture which rests securely upon Ellis' own research in this field. The authors do give an explicit warning that their volume should be read alongside the 'national' histories of Scotland and those of the other nations. However, this approach might leave some undergraduates unsure about what precisely is being covered; much that is familiar to readers of Scottish history and might be expected in a survey of the early modern period has not been included. As the authors demonstrate, the narrative of state formation between 1450 and 1660 reveals a stop-start process with very mixed results. By setting that story firmly within the broader European context of state building, certain key points can be further highlighted. The geographical consolidation within the 'British Isles' which took place during the period and the multiple monarchy which emerged alongside that process were not in themselves the achievements which traditional historiography has hailed. To the Tudor monarchs and many of their contemporaries, they appeared a signal failure. In particular, the loss of the lands of the English crown in France were regarded as a shameful diminishment of the state for which the gain of the 'crown' of Ireland was no compensation. The union of the crowns in 1603 was also not greeted with universal acclaim across the British Isles. Some consequences have traditionally been ignored, such as the geographical inconvenience of having the capital city of London placed in the south-east corner of the larger island and situated far closer to the continent than to most of the territory it ruled.

The book's subtitle, 'The state of Britain and Ireland, 1450–1660', hints at the underlying question: whose 'state' is this anyway? Between 1450 and 1603 there was no single 'state' of Britain and Ireland and during the multiple monarchy of the first half of the seventeenth century, separate kingdoms, polities and then republics had highly complex relationships with each other which do not automatically conjure up the word 'state'. Had the British Isles been made or unmade by 1660? The conclusion concentrates upon the changes in culture and identity within the four countries of the British Isles which the pattern of state formation had produced. The importance of English language and the promotion of 'Lowland values', a more helpful definition of the Anglo-Scottish nature of 'Anglicisation', had produced, 'an increasing congruity of culture, political ideas and senses of identity among the inhabitants of the British Isles' (p. 378). The relatively unsurprising conclusion on state formation is that neither the integrative union of the crowns nor Cromwell's incorporating union had worked. Therefore, in 1660, 'the political future of the archipelago lay in an English-dominated multiple monarchy, a vehicle which Charles II found to be much sturdier than his predecessors' (p. 371).

The book has had quite a long gestation [nearly twenty years] which helps explain why Dr Maginn has written the three narrative chapters (9–11) covering the period 1584–1660. Such an arrangement has given the volume a slightly odd structure. A deliberate strategy of mixing thematic and chronological narrative chapters has been adopted, though the themes find themselves placed

within the first half of the book in chapters 1, 3 and 5–7. This produces some very fine analysis, such as the discussion in the first chapter of the structures of power as determined by geography, society and government. The Reformation crisis, as the origins of a Protestant state and as reform in the parishes, spreads across two chapters (chapters 5 and 6), and chapter 7 is devoted to state intervention and society's problems. The thematic chapter 3 appears to be the odd one out, discussing the revival of crown government primarily in what is an extended comment and background to the opening chronological chapters. Since there is no equivalent for the mid-seventeenth century crisis this gives a sense that the latter period has been a little short-changed.

From the undergraduate perspective, the apparatus is helpful with a table of the royal houses and a good range of maps, though Scotland is marginally less well covered geographically than the other three countries. It is a bit of a surprise a chronology has not been provided to keep students grounded in the dates as well as the places. The text is written throughout in a clear and straightforward style with chapter subdivisions and a good index to make navigation around the book as easy as possible. With the authors at pains not to tell a 'Whiggish' narrative of success and to give full attention to the cul-de-sacs of state formation, they are left with an untidy story of the 'making of the British Isles'. This is also a reflection of our own age when imperial certainties are long gone and definitions of nationality, culture and identity are all in the melting-pot.

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DOI: 10.3366/E0036924110001265

*James VI and I: Ideas, Authority, and Government.*

Edited by Ralph Houlbrooke. Pp. xiii, 198.

ISBN: 9780754654100.

Aldershot: Ashgate, 2006. £55.00.

This collection of essays is the product of one of the conferences held in 2003 to mark the fourth centenary of the Union of the Crowns—conferences held in London, Hull, Reading and also Montpellier, though not in Scotland, whose nod towards that momentous event was a three-lecture series in St Giles, Edinburgh, organised with considerable effort by Professor Michael Lynch. Thus did two of the Three Kingdoms mark a milestone in 'British' History. Possibly the Scots felt that they needed less education about the Union of the Crowns, and *The Times* of 24 March 2003 gave some backing to this, recording as it did erroneous English beliefs such as the idea that Elizabeth I introduced gin, corgis and curry to England, and that James I united England and Ireland, with Scotland missed out altogether.

By contrast, this book does a very great deal to demolish erroneous ideas, on both sides of the border, not least because of its very nice balance; James VI, as well as James VI and I, is a prominent presence in its pages. Indeed, it opens well before the Union, with an article by Astrid J. Stilma on the Dutch translation of 1593 of James VI's epic *Lepanto*, designed to establish the undoubted Protestantism of a king under suspicion for extolling a great Catholic victory. Susan Doran brings her unrivalled knowledge to bear on the critical issue of James and the English succession, arguing that however relaxed James may have been before 1595, he was certainly anything but relaxed thereafter, as Elizabeth's life dragged on and on and his fears of competitors grew. John Cramsie combines all three parts of the subtitle in his analysis