
Dr. Gilbert tackles admirably what at first sight seems an unpromising subject. He combines careful study of the forest laws, exhaustive use of government, ecclesiastical and private muniments, a wide range of their evidence (e.g. monumental carvings, place-names, old maps and modern topography), and telling comparisons with England and France. Although reservations may be expressed about some statements and arguments, the book as a whole is an impressive achievement. It is well produced, and has excellent illustrations.

Its chief concern is the hunting reserves, or conservation areas--'forests for deer', 'warrans' for lesser game--which David I introduced into Scotland. Outside reserves, game belonged to nobody and could be hunted by any free man; inside them, hunting was strictly controlled and the game's natural habitat protected by special laws and penalties. Dr. Gilbert starts by tracing the history of the royal and baronial forests. He then, in the main part of the book, provides a thorough institutional analysis, covering every conceivable aspect of the system and practice of hunting. The social and economic implications are discussed next, and the book concludes with a rigorous edition of the forest laws.

The most striking conclusion to emerge from what at times is a formidable amount of detail is that the Scottish forest system was relatively mild and humane. Comparisons with England highlight this. Penalties for poaching were lighter; dogs kept by forest dwellers were chained not mutilated; royal forests were confined to crown lands; many more baronial forests were created; hunters from outside could pursue their quarry into forests; and forest laws were not administered savagely to extract maximum revenue. Hence, Scottish forests, unlike English, never became a political issue. Dr. Gilbert suggests various reasons for these characteristics, including lax administration, baronial pressure, and especially the influence of the pre-feudal period, when there was probably little restriction on hunting (interestingly, the normal Scottish method of hunting followed Gaelic practice, with beaters driving deer towards waiting hunters; elsewhere hunters usually chased the deer). That is not unreasonable, but two other points can be added: Scottish medieval government as a whole was more relaxed and less rapacious than England's; and since medieval Scotland had a small population but much moorland, game presumably required relatively little protection.

These points have wider implications. The book has a royal, institutional and administrative emphasis, which the sources tend to dictate, but which may perhaps be too narrow. 'The raison d'être of the forest administration was the enforcement of the king's rights' (p. 143). Surely the fundamental raison d'être was the protection of game and its habitat? But if (as seems likely) game could survive even outside the forests in Scotland without protection other than the normal winter close season, this raison d'être loses its force. Moreover the royal forests had little fiscal importance. Thus it is hard to see what actual value the forest system had for the Scots crown, except as a source of patronage. Little wonder that royal forests shrank so much in the 13th and 14th centuries. They were also bound to shrink because they consisted solely of crown lands, which were steadily being alienated. After 1424, new efforts to exploit crown lands would have made forsts more important, but their 15th-century growth was probably chiefly by-product of the forfeitures of magnate estates which included private forests.

In the history of Scottish hunting reserves, therefore, royal forests may matter less than baronial ones. For instance, baronial forests, not restricted to baronial demesnes, provoked disputes between lords and tenants that echo English disputes over royal forests. Dr. Gilbert provides useful chapters on baronial forests and warrans, but the subject deserves fuller discussion, and what there is is largely conditioned by his 'royalist' standpoint. Too much is made of the fact that baronial forests were only created by royal
grant. This was surely in the baron's own interests; royal grants were essential not so much to the crown for maintaining control over the entire forest system, but to the barons, who without such grants would have been unable to enforce an abnormal jurisdiction against their tenants or neighbours. The two cases found of barons apparently creating forests themselves are misunderstood. John de Vesci's 1279 grant was of lands in Sprouston barony, which he held regaliter, 'by the same liberties as King Alexander had held his lands' Henry Sinclair earl of Orkney's 1410 grant was of part of his land of Pentland, to be held 'in utriusque forestam sicut non easdem tenemus vel antecessores nostri easdem teneurunt' (RMS, i, no. 931); Pentland had originally been a royal forest, and the Sinclairs had clearly acquired baronial forest rights over it, which the earl was partly delegating. Neither grant was really a usurpation of royal authority.

These comments are of course debatable. But the book is open to more concrete criticism. It could have been better written; its arguments are frequently very difficult to follow. The footnotes are irritatingly presented, the cross-referencing inconsistent. Text and notes contain a number of slips. Examples include the delightful misprint of Gairloch (Wester Ross) for Gareloch (Dumbartonshire), which Robert I visited in 1329 (p. 32). The grant of Liddesdale dated 1315 c 1321 (p. 21) actually followed the Soulis forfeiture of 1320; the source is RMS, i, app. 1, no. 53, not RMS, i, 53. The hounds said to belong to the abbot of Lindores (p. 72) belonged to Robert de Brus. One short paragraph on p. 36 states 'Robert II regranted the earldom of Moray to John Dunbar in 1372 but retained Lochaber, Badenoch, and Urquhart...In 1389, the countess of Fife resigned to the crown of her earldom of Fife which contained not only Fife and Strathbraan but also Disher and Toyer...Robert granted the earldom to his third son.' In fact Lochaber was held by the lord of the Isles, and in 1371 Badenoch and Urquhart were granted to Robert's sons Alexander and David; Strathbraan, etc., were not actually part of the earldom of Fife; and Robert's third son had been earl of Fife since 1372. Such slips are only minor, but they gradually mount up.

More seriously, Dr. Gilbert's arguments are sometimes questionable. There is for instance a quite unwarranted inference that an act of 1425 prohibiting stalking made deer hunting by any method illegal (p. 100; cf. p. 40). The hypothesis about English influences on royal forests during Alexander III's minority is overstated (pp. 23-4, 27). The important discussion of Quoniam Attachiamenta c. 31 is ambiguous: in one place it is taken to show that 'anyone could hunt anywhere outside forests and warrens' (pp. 225-7), in others that free hunting was limited to lesser game, excluding deer (pp. 210-11, 231). And from Henry Sinclair's grant of forest lands in Pentland, it is actually concluded that 'even the existence of royal forest rights were threatened' (p. 38), and James I in 1424 was 'faced with the virtual extinction of royal forest rights' (p. 100!)

The most disappointing argument concerns the forests' implications for economic history. After showing convincingly that in the 13th century shrinking forests support a general assumption of growing pressure on resources, Dr. Gilbert claims (p. 257) that continued reduction in the royal forests demonstrates that there was no significant economic contraction after the Black Death. This, if true, would be extremely important. Sadly the argument is very flimsy. The four alienations of forest land found between 1350 and 1400 can be seen simply as grants of crown land (of which by then there was little left) and probably have no economic significance. When Alexander Lindsay became forester of Plater in 1375 the charter statement that new land must not be cultivated was linked with an undertaking not to grant Plater as a barony; this then is not a prohibition of Lindsay's agrarian enterprise but a fairly formal safeguarding of the forester's rights and perquisites. The only positive evidence is the permission granted for cultivation of new land in Enzie forest, but this is dated 1362, not long after the initial attack of plague, and well before the effects of any economic contraction would have been felt. Thus Dr. Gilbert's arguments from the history of the forests do not give any guide to Scotland's late-medieval economy--but the 'numerous cases in the exchequer rolls in the 1450s and the
1460s where lands were declared waste for forest' (p. 93) and the crown rents remitted may well reflect some rationalisation of long-term agricultural contraction.

Despite these criticisms, it must be stressed that this is an important contribution to Scottish history (especially institutional and administrative), and that it has a relevance far beyond its immediate subject. It is a good book—but it is hard to resist the conclusion that with more polishing, more thought, and a little more care it could have been even better.

Alexander Grant
University of Lancaster