In the eyes of central government, Scottish and British, the Lochaber district was regarded as the epicentre of Highland disorder and disloyalty from the 15th to the 18th Centuries. How justified was this reputation? Mitigating factors such as the mountainous environment, overlapping jurisdictions and religious denominationalism have to be brought into the equation. But we can reverse the question. Was central government the real problem, through its incapacity to cope with clanship, with its levying of unsustainable taxes, and with its deliberate confusion of banditry with Jacobitism?

Professor Macinnes commenced by stating that, “much of the historiography about banditry and Jacobitism can be reduced to a simple equation: Lochaber is full of bandits, Lochaber was very supportive of the Jacobites; therefore, Jacobites are bandits and bandits are Jacobites”. The Highland bandits, or caterans, have a long-standing association with clanship. Clans were formed from the 11th to the 14th Centuries and revolved around ties of kinship. Clans were common in both Scotland and Ireland, but Scottish clans differed in that they aspired to have charters which gave them rights to the land on which the clan had settled. Most clan chiefs did not have full title to their estates and, furthermore, land titles could be given to other landlords, who in many cases had rights of heritable jurisdiction, meaning they had powers of mutilation and death. During the time of the Lords of the Isles, this was reasonably well regulated. However, following the collapse of this reign in the late 15th Century, competing interests, and new families moving in to the region, could lead to partiality and had very severe consequences if, for example, you were a Campbell in a MacDonald jurisdiction. As such, to enforce these rights of property, it was sometimes necessary to keep a group of ‘hard men’; the caterans. This complicated situation continued through the 15th into the 16th Century but, at the same time, the clans further afield from Lochaber were becoming more settled and in these other areas the caterans had largely disappeared.

Professor Macinnes commented that it was mainly in Lochaber that there remained concentrated groups of bandits. Government statistics show that in 1587 there were 95 clans with a bandit problem and of these 34 had serious issues; all of these clans were located in the Lochaber region. Seven years later, figures show there were fewer clans with bandit issues; only 11 were seriously affected. However, again, these were all within Lochaber. Some of the explanation for the prevalence is afforded to the terrain of the region being limited in terms of pastoral and arable land, but this doesn’t explain why other similar areas didn’t have such a problem. In any predominantly agrarian region, there will be peak times for labour; for example, harvesting and sowing and, in between, people need to be gainfully employed. In the Lowlands of Scotland this led to a huge problem of vagrancy, but in the Highlands during these ‘quiet’ times, people mounted cattle raids as an almost competitive sporting endeavour. Additionally, Lochaber was also an attractive area for in-
migration. In the 16th Century there was a custom that if a chief married into a family, then that family could send up a contingent of people. One of the most famous contingents that came and stayed in Lochaber was the Kennedys from Carrick. Having little else to keep them occupied, they became the most notorious bandit clan in Lochaber.

The pacification programme introduced to the Highlands and Islands by James VI led to the expropriation of various clans, including the Macleods from Lewis and the MacDonalds from Kintyre. This led to smaller families such as the Macmillans and Macphees coming into Lochaber who also needed to make careers for themselves, and an easy way to do this was to act as bandits. Furthermore, Lochaber people also played a major part in the Wars of the Three Kingdoms in the mid 17th Century, which led to huge-scale devastation and displacement, putting a premium on bandit activities as a means of living and survival. The prevalence of banditry in the region cannot, however, be simply explained as a result of unfortunate events and hardship. Certain people in the area revelled in the ‘sport’ of banditry and cattle rustling; they enjoyed stealing things or ‘lifting’ as it was known at the time. Professor Macinnes quoted the example of Allan Cameron of Lochiel who, aged 104, wrote to Sir James Grant of Freuchie in 1645 in words to the effect, “terribly sorry, we didn’t realise it was your lands we were stealing cattle from, if only we’d known, we’d have stolen them from somewhere else”. Banditry by the caterans in Scotland, similarly by Ireland’s rapparees, was also used as an expression of social protest.

In the 1650s, Scotland was occupied by Cromwell’s forces and Lochaber, due to its terrain, became a major centre for guerrilla resistance or freedom fighting. At this time, the Highland clans were joined in their activities by groups of people who came from Ireland, the Borders and the north of England and further embellished Lochaber’s reputation as bandit country. Professor Macinnes recalled one story arising from the memoirs of Sir Ewen Cameron of Lochiel, grandson of Allan, who led the resistance to Cromwell in the area and was captured near Loch Arkaig. As a gun was held to his head, he bit the officer in the neck and killed him. This enhanced the Lochiel Camerons’ reputation as bandits and savages so strongly that when the Jacobites invaded England in 1745, with Lochaber men at the fore, English newspapers reported stories saying that nursemaids were frightening children by telling them that Cameron of Lochiel was coming and that he would eat the babies. Despite this enhanced reputation, the association of caterans with the clans was diminishing, with a greater emphasis on enforcing pacification and imposing different systems of justice emerging alongside the growth of commercialism. There was an increasing emphasis on clan chiefs becoming landowners and working their estates commercially. Moreover, cattle droving was also becoming commercially viable; it was more profitable to sell your cattle than to eat all of them. The traditional ritualistic cattle raid held as a virility test for young men was a dying tradition; the last one was carried out by the MacDonalds of Keppoch in 1670. More commonly, what developed were freelance bandit activities, involving 10 to 14 people, compared to the traditional ritual which could involve hundreds. In some areas outwith Lochaber, the people who undertook this had no connections at all with specific clans; they had left the structured order of clan community. Professor Macinnes stated that well regulated systems of dealing with the banditry were well established in the region; the most important tradition being that, if you were able to establish that cattle had been stolen by a family in Lochaber or the Highlands, a process of arbitration could be entered into. This justice system was based on reparation rather than retribution; in return for returning the cattle and paying a fine, everything was cleared and mutilation or hanging avoided. Lowland landlords entered into this arrangement quite frequently with Highland landlords; it was well organised, with, depending on the size of family, six to twelve people representing each side, with a panel whose decision was binding. However, frustrations arose because there could be long delays. A system of information money, known as ‘tascal’ money in Gaelic, was also operated,
whereby messengers were sent to find out who was involved in the banditry and paid for their work. Other landowners paid for ‘watches’ on their property and Highland clans often hired out their surplus men to work as watchers in other areas. Most famous were the MacFarlanes, who operated in the southern highlands, controlling access to Glasgow, and the Farquharsons, operating in the northeast towards Aberdeen. Both of these families turned these watches into blackmail operations or protections rackets and, as such, the main racketeers were not located in Lochaber but on the Lowland peripheries to the south and east.

The cateran situation in Lochaber was not helped by the murder of the young chief of the MacDonalds of Keppoch and his brother in 1663, by their uncle. The young chief was trying to wean his clan away from banditry and, as such, the murder was perceived as confirming that Lochaber was indeed a centre of uncontrolled banditry. This event was used by central government to tar all the clans in Lochaber with the same brush and they began a huge campaign promoting the notion of the Highlands as a centre of disorder that had to be suppressed militarily. Professor Macinnes notes a dichotomy in the historiography of Scotland in this period. Studies of the Covenanting era focus on how the government victimised this group of people using the excuse of the existence of hardliners in the movement to impose fines and taxes on Presbyterians. Historians have been happy to berate the government of the time for the perceived attack on the Covenanters, but are very reluctant to acknowledge that it was the same government people dealing with the situation in the Highlands. “It is doubtful that if the government were vicious, mendacious officials in their dealings with the Lowlands, they suddenly became the good guys in the Highlands”. The Highlands is not an area with a strong Covenanting history; Protestantism in the region is mainly Episcopalian and there are large numbers of Catholics. With a lack of hard-line Presbyterianism in Lochaber, historiographers have had to find an alternative reason to explain the government’s actions in the region; predominantly that the clans and the caterans were indistinguishable.

Professor Macinnes commented that many of the difficulties arose from how Britain was run at this time. Charles II was a very able but lazy monarch, who left Scotland to be run by the Duke of Lauderdale, who created the beginnings of a fiscal military state that involved raising taxes but required the military to enforce them. Lauderdale didn’t want to use armies to undertake this and, instead, started taking militias from the Lowlands to the Highlands to deal with bandits, and Highlanders to the Lowlands to deal with Presbyterianism; a sort of ethnic contest. Above all, he was focused on raising taxes. In 1670, a character nicknamed the Hawkit Stirk (Donald MacDonald from Keppoch), who was engaged in bandit activity, led a contingent into Rannoch to occupy estates held by the Menzies and, as a result, the government decided that they had to be forcibly evicted. However, the orders given to the troops as they left Stirling stated that they should deal with the Hawkit Stirk when they reached Rannoch but, more importantly, they should deal with a long list of defaulting tax payers between Stirling and Rannoch. “This was just one example of how the government was abusing its position, exploiting a situation and developing it beyond what it actually stood for”.

In Professor Macinnes’ opinion, if the government seriously wanted to bring order to Lochaber, they should have sought to impose local government through a Sheriffdom and created a shire of Lochaber. Strategies for dealing with government intervention, such as brinkmanship, developed within the region. When occasions arose such as the threat of troops being sent into the Highlands to collect unpaid taxes, commercial networks from Lowland cities would forewarn the clan chiefs, enabling them to pay a portion of their taxes and avoiding this situation. A cat and mouse game ensued for much of the late 17th Century and broke down on only three occasions, two of these within Lochaber. In 1669, troops were brought in to collect the excise and were ‘escorted’ out of Lochaber by the Camerons of Lochiel and the MacDonalds of Keppoch. Again, in 1682, Cameron of Lochiel attacked the government forces; his
justification being that they were collecting the taxes unjustly as they had killed a female cowherd in the process. He was summoned to Edinburgh for this and avoided anything but a small fine because he took with him a contingent of Lochaber clansmen who liberated the witnesses from prison, plied them with alcohol, and because they were inebriated in court, he only got a fine.

The whole notion of endemic lawlessness and banditry in the area was largely dispelled when James VII, then Duke of York, established the Commission for Pacifying the Highlands in 1682. The Commission's reports showed that there was, in fact, very little banditry in the Highlands and it was certainly not endemic. Professor Macinnes maintains that this can be explained by the subtle changes in society at the time. Cattle droving had become enormously profitable, mainly due to the growth of London into Europe’s largest city and the Royal Navy’s burgeoning demand for salt beef, and this increased wealth enabled people to acquire small-holdings, which led to more responsibility and a focus on commerce in place of banditry. However, as the situation started to improve, rebellions broke out when the Catholic James VII took the throne in 1685. The closest rebellion to Lochaber was that by the Earl of Argyll. The Earl of Atholl mobilised the clans in the Lochaber area to put an end to this rebellion. Government troops were sent to Lochaber and were met with resistance from Lochiel. This was, however, an unusual occurrence in a period of more responsible behaviour.

The last clan battle was fought by the MacDonalds of Keppoch and the Mackintoshes at Mulroy in 1688; battles among clans were fading out and disputes more regularly resolved by law. Following this, King James VII outlawed the MacDonalds of Keppoch a few months before he was removed from the throne. The incoming King, William of Orange, also outlawed them and thus, at the time of the first Jacobite uprising in 1689, the Keppoch MacDonalds were actually outlawed by both sides. Furthermore, they behaved very much as a ‘clan apart’, not taking part in any of the major campaigns and instead extorting money from Inverness and destroying the lands of the Mackintoshes. Professor Macinnes commented that the “MacDonalds of Keppoch were very much against the grain in the area, but for Lowland polemicists they fit the perception that if you are Jacobite you are a bandit. This is a prevailing feature of the 18th Century, an equation based on a few aberrant activities”.

Jacobitism stands for two things; first, a dynastic support based on clan values of protection, prestige and tradition projected onto the Stewarts as the high chief of Scotland; and secondly, a confessional element based on the Stewarts’ Catholic faith. Only 5% of the Scottish population were Catholic, but a high proportion of these were based in the MacDonald clans of the Lochaber area. The majority of clans in the area were Protestant, but Episcopalians, including Cameron of Lochiel and MacDonald of Glencoe who, for their reluctance to give up the Stewarts, became known as non-juring Episcopalians. Furthermore, Lochaber is only one part of the Highlands, and the heartlands of Jacobitism were not exclusively in the Highlands; there were also strong connections in the northeast and the Borders. In these areas a third factor came into play from 1707, that of anti-Unionism, or patriotism; at the core of the belief in Jacobitism.

At the same time as Jacobitism was becoming entrenched in west Highland society, there is also evidence to suggest there was a huge increase in bandit activity in the early 18th Century. Professor Macinnes noted that, when examined forensically, this was actually a polemical increase in banditry; not necessarily an increase in bandit activity but an increase in the polemical association of Jacobites with bandits. One of the best illustrations of this is the account of General Wade, who on being sent to the Highlands to maintain the peace in 1725, produced a list of bandit clans. This list matched exactly the clans who fought for the Jacobites in 1750 at Sherrifmuir and included the Earl of Breadalbane, whose grandson was a leading British diplomat. It would be a strange situation whereby the leading British diplomat to the court of Louis XV was actually a bandit, and made the list appear slightly specious.
Moreover, post-1745, the Reverend Alexander McBain wrote that “Jacobites are Popish bandits”, despite evidence that many Episcopalians were involved. Additionally, Edward Bruce, a government surveyor, concluded that the Jacobites’ lands deserved to be forfeited as they were all Popish and therefore bandits.

Professor Macinnes concluded that, despite the opinion of the polemicists, the Highlands were definitely changing at this time, sometimes in very subtle ways. The impact of cattle droving and its associated wealth enabled the change of settlement patterns, particularly in terms of townships, and brought about an increase in population. This was compounded by seasonal migration, the advent of consumerism and changes in traditions and, with this, attitudes. For example, the replacement of the repatriation system by a process of straightforward retribution, resulting in bandit acts formerly described as ‘lifting’ becoming theft.

These social changes resulted in banditry largely continuing as a form of social protest; in certain areas due to loss of land brought about by early Clearances and also due to the growth of extractive industries which required a migrant workforce, which brought about some objections. After 1745, some major gangs also began to operate in Lochaber for survival reasons. Professor Macinnes noted that “in all the brutality imposed by the Duke of Cumberland and his acolytes in the aftermath of Culloden, it is the Lochaber area that resists the most”. The last example made of any Jacobite was the case of Dr Archibald Cameron, who was assassinated in 1753 for his involvement in the last Jacobite plot. His testimony, smuggled out from the Tower of London, stated he was going to his death for a cause he totally believed in and, as an Episcopalian, was totally committed to.

Professor Macinnes concluded by saying that things, however, weren’t quite that simple. Archibald Cameron was a committed Jacobite, as were the Camerons of Lochiel, but they were also very much committed to the belief in property and progress and the wealth associated with it. The Camerons were involved in colonial activity as early as the 1680s and were very entrepreneurial. Following the Jacobite Wars and by 1749, the Camerons were once more fully engaged in the workings and commerce of Empire. “Certainly there is a legacy and tradition of Jacobitism and banditry, but long before the last Jacobite campaign horizons were changing. Commercialism was growing and new horizons brought about through Union and Empire. Lochaber’s reputation for banditry has been somewhat over-emphasised in historiography. Whilst organised banditry died out in the 1750s, other forms of illicit activity, including poaching and distilling, continued and probably still happen today”. Professor Macinnes is unconvinced that banditry has actually ended in Lochaber!

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