In January 1572, in the closing stages of the Marian civil war, commissioners representing the kirk and the crown met at Leith. In the words of the commission to the representatives of the crown, their remit was 'anent all matters tending to the ordering and establishing of the policy of the Kirk, the sustentation of the Ministers, and support of the Kings Majesty, and common affaires of the realme'. The conference at Leith met against a background of appointments by the crown to the vacant archbishoprics of St Andrews and Glasgow made the previous year. The articles agreed at Leith, sometimes referred to as the Concordat of Leith, have acquired notoriety through the first article, 'Anent Archbishops and Bishopricks', by virtue of which episcopal titles and dioceses were 'to stand and continew in tyme cuming, as thay did befoir the reformatioun of religioun'. It seems then that at Leith the reformed church explicitly accepted the office of bishop. Did it in fact do so, and if so why? What was understood by the term 'bishop' in 1572? Was the conference at Leith about more than the creation of reformed bishops?

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1 BUK, i, 207. This can be compared with the commission to the representatives of the kirk to deal with matters 'tending to the glory of God, setting forward the preaching of his word and maintaining thereof, the Kings Majesties authority, and common wealth of this realme': BUK, i, 208. Details of the articles agreed at Leith can be found in BUK, i, 209–32. The Leith agreement was also recorded by the privy council on 15 Jan. 1572 but has not been reproduced in full in the printed version: RPC, ii, 106–7.

2 These are discussed in more detail below.

3 BUK, i, 209. The term concordat, an agreement between church and state, is not used in the contemporary accounts of the meeting at Leith but has become part of its historiography. The phrase 'Conference at Leith' used here is based on the description in the record of the articles agreed at Leith: 'The Articles and Formes of Letters, concerning provision of persons to benefices, and spirituall promotions, agreed upon be the Commission of the Kings Majesty and the Reformed Kirk of Scotland, in their Conference had at Leith, in the moneth of January 1571[72]': BUK, i, 207; RPC, ii, 106–7.
Historians, then and now, have been divided in their assessment of Leith. The episcopalian John Spottiswoode rather optimistically placed it in the context of a new care for the governing of the church. James Melville, a critic of the Leith settlement with perhaps a more accurate eye for the harsh venality of sixteenth-century politics, declared of the commissioners that ‘everie ane was hounting for a fatt kirk leiving, quhilk gart them feght the fastar’. David Calderwood was equally scathing about Leith, the product of a convention of the kirk ‘corrupt in judgement’. Among modern commentators on Leith Gordon Donaldson has argued that ‘the whole scheme deserves far more credit for statesmanship than it has usually been given’, that it was a logical extension of the developing practice that the kirk should succeed to vacant benefices and that ‘none of the essentials of the settlement were at variance with the principles of the reformers’. A different approach has been taken by James Kirk, who stressed the non-ideological nature of the Leith settlement, viewing it as ‘an accidental by-product’ and ‘a practical and practicable solution to the vexed question of the church’s endowment’ which ‘appeared to reconcile the needs of the church with the needs of the crown and nobility’. David Mullan has seen the settlement as offering ‘something for everyone’ and concluded that ‘For the moment, however, the kirk was by no means fundamentally dissatisfied with a renewed and reformed episcopate’. A broadly similar approach has been taken by Alan MacDonald for whom ‘the crown and the Kirk met half-way’ and who has suggested that it ‘is hard to sustain an argument that this was a Kirk hostile to episcopacy’. MacDonald argues that the kirk explicitly accepted the Leith agreement as an interim settlement, ‘intended to operate until the king reached his majority’. With the notable exception of Donaldson, most historians have stressed the interim nature of the articles agreed at Leith,

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4 Spottiswoode, History, ii, 167.
5 Melville, Diary, 31.
6 Calderwood, History, iii, 169.