

Robert Burns and the Rights of Women

**Paper first presented at the Smith Institute, Stirling
International Women's Day, 2009**

by
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Catherine Smith is the author of the significant new biography
'The Stars of Robert Burns', available since January 2009 direct
from www.circlepublications.com.

"I am a man, and the rights of HUMAN NATURE cannot be
indifferent to me." Robert Burns, January 1795.

The following paper expands one part of the extensive biographical study by the author, in which she has demonstrated how from early youth, the international poet of Humanity, Robert Burns, identified his life aim as being to 'Preserve the Dignity of Man' by which he meant Humankind. In 'The Stars of Robert Burns' the author has explored in depth how Burns came to clarify what his life objective meant in human terms. She has shown how, to achieve this and leave a legacy that addresses this objective, he undertook intensive life-long study of history and science, despite a life of adversity trying to survive the worst effects on his own health of repeated credit crunches. His learning embraced ongoing developments in astronomy through which he understood the modern adverse social implications of the Galileo controversy. He gained clear understanding of the issues behind changes in politics, keeping abreast of the emergence of the United States of America, and through study of Adam Smith, prescient of its impact on global economics. He watched with concern the shift of control in France after 1789 from those who had at the start of the French Revolution championed true human equality, only to be followed by leaders who degraded Liberty with what he described as a silly cap and rod. The quotation given above shows how, after women were excluded from the concept of equality, Burns changed his vocabulary, thus generating the modern phrase 'Human Rights'. This paper initiates exploration of his early contribution to the fight for equality for all women.

This paper was precipitated in response to a spate of apologies that Robert Burns, international poet of Humanity, let himself down by nearly becoming a slavedriver, alongside strong claims that his bawdy verse shows him to be no more than the typical chauvinist of his era. Without rising to the defence of a dead man whose works provide his own evidence, this paper allows him to throw off these accusations as uninformed.

It can be shown from his authenticated writings that Robert Burns opposed many forms of discrimination – ability, race, colour, gender, religion, sect, disability or politics. Any ‘proof’ in his legend that attests the contrary can be shown to be words or actions taken out of context, or traceable to malicious slander during or after his short life. Within his philosophy, Burns thought and wrote specifically on the rights of women.

In the early 21st century certain commentators¹ on his writings have quoted references which could be interpreted as contradicting Burns’s abhorrence of slavery. This kind of gloss does serious disservice to his core aim in life – to preserve the Dignity of Man².

This paper:

1. Discusses the early learning environment of Burns, showing that in early childhood he was brought up by women, who steeped him in folklore; from them he first learned of the ancient music of Scotland;
2. Proposes a new framework³ for the position of risqué verse within the Burns oeuvre, so demonstrating that its role is often misinterpreted, and that its existence thus has no incompatibility with his profound respect for womanhood;
3. Debates cross fertilisation of ideas with Mary Wollstonecraft, author of ‘A Vindication of the Rights of Women’ and exact contemporary of Robert Burns, who is believed to have corresponded with her⁴;
4. Presents evidence from letters and poems to demonstrate not just his stance vis a vis gender equality, but showing that he was outspoken against many forms of discrimination.

Burns wrote those oft-quoted words:

Facts are chieils that winna ding, and downa be disputed⁵.

Though the import of this statement may be questioned, in that if Burns in poetry used a valuable line there was probably an alternative meaning lurking – in this case the ironic message that the statement might be false – let us start as a lawyer would and assume that the phrase means exactly what its words appear to say. Let us take apparent facts at face value, and examine what they appear to tell us. But, as we are dealing with a poet, we must bear in mind that the essence of poetry is that it slips between meanings. Moreover, we are dealing here with a poet who was living in highly fluid times, so that taking context into account becomes vital in interpreting the truth of any apparent position.

The evidence, taken together and treated thus, will enable judgement, from the point of view of the modern student of the history of women, and also in the context of his own time, of the true stance of Robert Burns on these globally important issues.

In introduction, the paper discusses the nature of the rights of women and their locus within other human rights, along with initial references to rights and responsibilities within the Burns oeuvre.

As the most common perception of Burns is that he was a poet, an appropriate starting point for exploring these issues is his poem ‘The Rights of Women’⁶. The bigger new Theatre Royal in Dumfries, promoted by Robert Riddell, opened on 29th September 1792. The leading lady of the

theatre company was Louisa Fontenelle⁷. For her benefit night on 26th November 1792 Burns wrote this prologue containing the words:

[when] even children lisp, The Rights of Man;
Amid the mighty fuss, just let me mention,
THE RIGHTS OF WOMEN merit some attention.⁸

Burns has been described as ‘sly’ by a recent commentator⁹. I observe that this word has a modern meaning very different from that 18th century word ‘slee’, which Burns applied to politician Henry Dundas. Perhaps the Irish ‘cute’ is a more appropriate modern equivalent, meaning as it does having a penetrating mind able to spot the weakness in any argument or position and find the chink in prejudice. However, over the last quarter century this word has in the Irish context also acquired negative baggage of implying unacceptable actions. So neither word is likely to reflect a true cleverness in Burns for getting round those barriers to communicating ideas about important human issues that his position, role and the contemporary sedition laws placed on him.

When Burns had this poem recited and printed, it was at an inflammatory political juncture. Tom Paine’s ‘The Rights of Man’ had some time before been made illegal in British dominions and political relations with France were seriously strained. Burns had an actress speak these words in a Prologue on the stage in Dumfries – a town where an influential part of the theatre-going audience consisted of the young wealthy rowdies who styled themselves ‘The Loyal Natives’.

Modern commentators¹⁰ observe that the poem would displease modern feminist activists, stating as it does that the rights of women are to protection, decorum and admiration. Indeed, were the poem to be written for a modern audience, this criticism is fair. But let us consider the process of uptake and acceptance of radical ideas. Burns’s works were popular in his time. It is reasonably observed¹¹ that for a poet to be popular he must say popular things. If any radical idea is to be listened to, let alone accepted, it must first get into common conversation through some chink in existing popular discourse. If Burns had gone full-frontal on what modern women consider their rights to be, Miss Fontenelle would have been booed off the Dumfries stage. The appropriate method to get new ideas discussed is to achieve some foothold or bridgehead. From such a point, discussion might be expanded. But that foothold must first be gained.

A comparable contemporary example is the difficulty experienced over the last two decades by any who have tried to generate professional discussion on risks of unregulated derivatives markets and expanding sub-prime lending. I first professionally published on such risks in 1992, proposing new levels of regulation were necessary¹². In late 1993 in one professional after dinner speech I called for expansion of responsible self-regulation because of the emergence of new levels of risk. My speech was met with total silence. Then one member of the audience addressed the assembly and stated that he considered my speech to have been total nonsense. I replied that I was sad that he took that view, but that if only one person in the audience thought my point was well made, then we had the beginnings of discussion. This brought out support from the audience. However, it is very clear to the modern world that, despite my own subsequent efforts, the desirable outcome of initiating discussion was not achieved. It is only now, after major global financial trauma, that a new level of regulation is being considered. Meanwhile, the international finance industry has lost its opportunity to implement responsible self-regulation of these markets.

My audience in 1993 was professional and to that degree benign. Given my experience, it is surely unreasonable to presume that Burns could have had much success enabling discussion on rights of women in a hostile Dumfries audience had he voiced the full gamut of demands set out in Mary Wollstonecraft’s letter¹³ to Talleyrand. Instead, he followed an old subtle mechanism used by Roman senators – make the words ‘Rights of Women’ familiar, and the result might follow. Such was the mechanism that set up in the minds of Roman citizens the concept of

making war on Carthage. In the Senate at the end of speeches on whatever subject he might address, the wily aggressive senator added the phrase “Delenda est Cartago” – Carthage must be destroyed! In course of time, the phrase was so well known, and become a commonplace joke in Rome, that the actual destruction of Carthage became a very acceptable thing for Roman citizens to countenance and carry out.

Thus I argue that this poem should be taken as a subtle means of getting the phrase ‘rights of woman’ even into the lispng conversation of children. For what other reason would Burns end this poem with the non-sequitur:

Let MAJESTY your first attention summon:
Ah! Ça ira! THE MAJESTY OF WOMAN!!!

What might Burns mean by this majesty?

Here we must review the formation of the mindset of Burns. This mindset began to form in infancy and developed through childhood. Elsewhere¹⁴ I have published an extensive study of the formation of his mindset. Therein I have shown the importance of women to his thinking, with his mother Agnes and his nannie Betty Davidson playing key roles. Burns was a keen student of humanity – and capability to interpret what he saw seems to have been with him in early childhood. Thus, observation of the world added to what he learned from these and other guardians.

The early learning environment of Burns included the stern teaching of his father and of John Murdoch, but in his autobiographical letter to Dr Moore Burns explicitly remarks on the importance of the female influence. In very few cases even in modern times, other than when aristocratic or property inheritance require statement of female lineage, do female influences on ‘great men’ get more than a mention in biographical assessment. Indeed, that a man had a mother who herself had a father is too often the extent of such mention. The specific mention by Burns of the female input to his understanding of life surely has considerable significance. As I have dealt with this extensively elsewhere¹⁴, I will not repeat the detail here.

Unusual for his era, Burns actively rose to the defence of women as he would always rise to the defence of the weak. He wrote that amongst his earliest memories was an incident that had ingrained in his mind woman’s need for a champion. On 6th April 1793 he sent his song ‘Bonnie Wee Thing’ to Miss Deborah Duff Davies, a young Tenby woman whom he had met at the home of his Dumfries friend Maria Riddell.

The inequalities of life are, among Men, comparatively tolerable: but there is a delicacy, a tenderness, accompanying every view in which one can place lovely WOMAN, that are grated and shocked at the rude, capricious distinctions of Fortune. Woman is the blood-royal of life: let there be slight degrees of precedence among them, but let them all be sacred.

Whether this last sentiment be right or wrong, I am not accountable: it is an original component feature of my mind. I remember, & ‘tis almost the earliest thing I do remember, when I was quite a boy, one day at church, being enraged at seeing a young creature, one of the maids of his house, rise from the mouth of the pew to give way to a bloated son of Wealth and Dullness, who waddled surlily past her.

The nature of his respect for woman was equally unusual in his era. Repeatedly his poems attest that what he most admires in a woman is the quality of her mind¹⁵. Burns particularly respected women who had good minds, whether or not those minds had the benefit of education. Interpreting his association with women must take this into account. Proper assessment of this is not easy, given that even in the modern world many men find it difficult to believe that even a well-educated woman can be considered a friend, and it is still common to remark that a capable woman is ‘not just a pretty face’. Few of his contemporaries were open-minded enough to consider women as a source of worthwhile knowledge. Thus, as a fair amount of his time was spent in the company of women, his contemporaries typically assumed that his interest in them

was sexual, as typically was their own. This is still the common modern interpretation of any man who spends time with female friends. Indeed, a man who fails to declare sexual interest as his true reason for spending time with women is often still lampooned as gay in contrast to 'red-blooded' 'real' men. Few in the late 18th century would have understood the considerable interest Burns had in spending time with women so as to learn from their store of old songs and old stories and of general practical observations of their world.

This appreciation of women with good minds is evidenced throughout his correspondence with Mrs Dunlop. It is particularly remarked in correspondence with Peggy Chalmers¹⁶. The potential permanent loss not just of intellectual intercourse with Robert Riddell but equally with Maria Riddell¹⁷ was a key reason for his deep concern at the breakdown in relationship with the Riddell households. In contrast, he was unconcerned at losing social intercourse with Robert's wife¹⁸, just as he was severely irritated at the imposition of women's idle chatter on his valuable time during his tour of the Borders¹⁹.

The poetry of Burns was brought into being through the agency of music, which itself was brought to him mainly through the agency of women. He attested that his first poem, 'O Once I Loved a Bonie Lass', was composed to the girl's favourite tune. His creative activity during his last decade centred on the rescue and preservation of Scottish music through song. He sought out every person whom he heard singing, and most of these were women. Thus he gathered scraps and transmuted them into a legacy that he knew contained the essence of the soul of the Scotland he loved²⁰. He experienced excellence in music for the first time in the home of Rev Lawrie, through the harpsichord playing and educated singing of the minister's daughter. Months of recuperation from the smashed knee, incurred by his encounter with a coach with a drunken driver, were enriched by the musical ability and singing of the daughter of the friend with whom he was living in their Edinburgh attic. These months are the same months in early 1788 in which the legend of Clarinda came into being, with its attendant scandal that it was he who got pregnant Jenny Clow, the maid of this correspondent, Mrs McLehose. (See below.) Women brought raw music to Burns, which fired his poetry.

Did the 'majesty' of Woman include her association for Burns with those higher realms music represented? He certainly was able to see majesty even in women society debased.

There is still a general understanding that what women brought to Burns was usually raw sex, and that his appropriate epitaph is embedded in his poem 'Tam o' Shanter':

To drink he was inclined, and cutty sarks ran in his mind.

This view is supported by accounts of his supposed many extra-marital relationships, his supposed many illegitimate children, the existence of letters in his name, both published and as yet unpublished, and the publication in the early part of the 19th century of the notorious collection known as 'The Merry Muses of Caledonia'. Each of these matters needs to be reviewed to assess where Burns stood in relation to women and their rights. First, let us review the matter of risqué verse. I have considered this elsewhere²¹ and here add additional observation and assessment.

First, there are two separate entities to judge: this collection of verse, and the person who is claimed as having created this collection of verse. These must actively be separated in the judgement. Such separation is trivial when the art being judged has no sexual overtones – such as the music of Mozart. But it is a human fact that when any images, texts or verses in question are risqué, different societies – and different groups within that society – judge both the supposed art and the supposed author less objectively than if the art is sexually neutral. Ignoring the question of authorship – which is not rigorously proven – it must be accepted that modern society has different standards in this case than did 18th century society. It must also be noted that Burns himself did not publish these verses; insofar as he had collected risqué material in his search for music, he preserved the originals and published versions acceptable to the social standards of his

era. He allowed certain private persons to view the originals, and he created and sent private copies of risqué verses to individuals. For these reasons he is often condemned out of hand.

Let us focus on the poems in this collection that he definitely wrote.

The first question is what criteria to use for judgement. This is unclear.

In any society the definition of pornography is determined by various considerations which include definition of what is impolite and of what is unethical. The definition of what is impolite shifts constantly; it is culture dependent. Thus, modern society tends to regard as 'harmless' such material that represents, however graphically, those 'impolite' human activities considered 'natural', with both these highlighted words themselves requiring definition. The definition of what is unethical is nearer to absolute. It is associated with issues of oppression and exploitation. Modern society tends to regard as suspicious material that graphically depicts anything considered 'unnatural'. It holds as unethical, and in specified cases calls illegal, anything depicting the imposition of the might of one party on another by unfair means (including economic means) or without consent. Suspicious material of both these sorts is deemed harmful in that it generates a mindset that suggests that such 'unnatural' and tyrannical behaviours can be tolerated. It is this kind of assessment that has generated the modern aversion to child pornography and to a much lesser degree influenced attitudes to sex trafficking. It is in this context of lack of definition that the risqué writings associated with Burns are judged.

However, again I note elsewhere²² that even the women's movement has not generated an appropriate set of criteria for judging risqué verse, whether for its poetic value, for its political correctness, or for any other aspect such as would determine whether or not it is acceptable, because even the women's movement has not fully recognised the relationship of sex-connected culture to societal norms.

In particular, while the feminist movement has emphasised that there are not one but two living culture forms in most levels of all societies – the male and the female, reflecting the 'Men are from Mars' syndrome – I believe this is insufficient. Experience and observation suggest to me there are typically three culture forms: the male, the female and the mixed gender. These may appear in the child as much as in the adult sections of a society. I suggest that Burns was instinctively if not actually aware of these three forms of culture. The mixed culture was the culture he addressed in print as well as performance. That culture excludes those elements which are appropriate only to the gender-based forms.

In so far as risqué material is critiqued in academic process, no distinction is made between male and female risqué norms. This is mainly because modern printed pornography for women is produced in the male format, simply with male pictures and words replacing those in the girlie forms. This merely replaces potential male exploitation of females with potential female exploitation of males.

This shows there exist no established criteria for judging these poems in pornographic terms, and thus there is not a complete set of criteria to judge them as literature. Thus I now propose, from my professional experience, a new dimension for judging risqué content.

In my career I was from an early period an honorary man in male-only business circles. I later was typically the most senior woman amongst a few but apparently growing number of promoted females. Thus, I was from an early stage exposed to uninhibited male talk. As sole woman and honorary man I simply ignored it, and usually some man of fine mind objected to it. But man-talk is definitely inappropriate in mixed groups if only because it is bad manners as it is offensive at least to some. In any event, single-gender talk in a mixed-gender group insults the sensibilities of men and women present. As senior woman in such groups I learned how to use humour to dispel inappropriate talk.

When, with around me a number of mixed staff who truly believe in decent equality, I find we are confronted by men more senior than myself telling obscene jokes, I never directly challenge the speakers. Instead, my own approach has been to appear to join the speakers. I

involve myself in contributing to the discussion, by interposing a joke. But this is a well-chosen joke that undermines the process. This has never made me popular with the perpetrators of such aural violence. I console myself that it has endeared me to my staff.

The key is the kind of joke to contribute. There are not many simple ones available that quickly achieve the necessary result. But the essence is simple: the purpose of the male rude joke is to prove how virile the man is; the purpose of the undermining joke is to prove that men deceive themselves about their prowess. Male jokes are centred on men. The put-down joke is also centred on men, but on men's failings. Typically, the main tellers of rude male jokes don't find this latter type in the least bit funny. The women, the young people and the equality-minded men can find them extremely funny. What such jokes do is reverse the power structure: instead of the macho man being on top, he is toppled off his pinnacle.

While 'Tam o' Shanter' can be considered to ridicule women, this is one case in which it is the man who is put in his place, properly punished for being a 'peeping Tom' on girls' night out! While his wife Kate is presented as a shrew, I show in 'The Stars of Robert Burns' the considerable risk she was taking in criticising a bullying drunkard husband, because of the institutionalised wife-beating of the era, when judicial mutilation and even judicial murder for scolds was still sanctioned by law.

Burns had in his collection of risqué material the macho sort, and the put-down female sort²³. No critic I have read has made this observation. Indeed, both kinds of material seem also to be present in the works he published²⁴ but of this more later. I suggest Burns used his risqué collection well. Certain of his verses would have greatly amused such down-to-earth people as the Duchess of Gordon (famed for outdoing men in being realistic about life). In her parlour he probably recited some of his extremely clever verses designed explicitly to achieve the male put-down. The ladies would have giggled profusely.

Such is his wonderful pastoral about Damon who makes love to his mistress in tune with the music of nature – except that when he really thinks he has got going and is just about to climax, he loses the timing. I can imagine the duchess rolling about in hilarious laughter; this poet was right on the money! Men just could never crack it! All their prowess, and at the end of it all, the woman was left thinking: damn he's gone and missed it. He's messed up again! Additional irony in this Damon poem would have been clear to Edinburgh's literati. Damon is one of the Platonic pastoral pair of lads in that Greek philosopher's Dialogues.

I have analysed these poems for their content and set this out in Table 1 at the end of this paper.

Burns made it clear in letters to several disparate persons²⁵ that he took great care in all his writing and did not issue any verse in his name until it was as good as he was capable of making it. Writing risqué material is notoriously difficult to do well; most such writing is in literature terms as much crap as its subject matter. The risqué poems that are clearly attributable to Burns are extremely clever word-craft. Some are extremely funny in themselves – such as 'There Was Twa Wives'. Others make very cutting points – such as 'Why Should Na Poor Folk Mowe?'. It is my view that Burns always used what means he deemed appropriate to make his points, for example expressing the view in a letter to Robert Cleghorn in October 1793 that:

Well! the Law is good for Something, since we can make a bawdy song out of it. I never made anything of it in any other way.

The whole of the risqué collection – and indeed the entire oeuvre – should be interpreted in my view in this light. It is using this approach that I have categorised the poems in 'The Merry Muses'.

Various observations are worth making, apart from the obvious one that it appears many of these poems would hardly cause the bat of an eyelid in comparison with the explicit style of modern pulp fiction. The poem 'Grim Grizzle', for example, being another lavatory humour poem, is surely neither more nor less offensive than many of those in this table, yet is not in 'The

Merry Muses'. I postulate that the poem on Damon is a Trojan Horse, in that with this poem Burns used bawdy to get a more important piece of writing past his contemporary censors who were searching for evidence of seditious activity. This poem was in the early part of a letter to George Thomson, written in January 1795. Further on in the same letter is the poem 'Is there for honest poverty' ending with the line 'A man's a man for a' that' – text that otherwise in this period would have been risked prosecution as seditious writing.

I have also labelled a number of these verses as protest songs. They can indeed be sung in a manner to celebrate unacceptable behaviour, but as with all human communication, the question is not what you say but how you say it. Each of those I have labelled as protest songs can be read as confronting atrocities that otherwise were unspoken in the 'polite' society of an 18th century Scotland which prided itself in its Enlightened civilisation – and more so in the succeeding era. These issues include rape and the condition of women left literally holding the baby. Of these, 'Wha'll Mow Me Now?' contains the important lines:

But devil damn the lousy loun
Denies the bairn he got!
Or lea's the merry arse he lo'd
To wear a ragged coat.

Burns had from youth schooled himself in differentiating the false from the true in poetry and literature. In his own work he did not use pornography for mere titillation but as an additional tool for projecting his awareness of the human soul and psyche. The verses in 'The Merry Muses' have traditionally been labelled as not appropriate for polite ears, but their content is paralleled in other songs that Burns got included in the song collections issued by James Johnson (The Scots Musical Museum) and George Thomson (Select Scottish Airs). I believe that Burns was deliberately using risqué verse to propagate songs that stated the condition of women and the treatment they received. These issues entered the vocabulary in risqué song – but once in the vocabulary, an idiom existed to enable the issues to be surfaced and confronted. This met a need that had existed for centuries for idiom that could be used constructively to discuss women's issues²⁶.

Burns was master of the sound-bite before spin doctors invented the term. He was a master of song, recognising that simplicity is essential to get a song accepted. Simply stated ideas always sound as if they are totally obvious. Achieving such simplicity in ideas is very difficult – which makes it all the more galling when those who are unable to create a new idea, far less communicate it simply, brush aside new ideas once stated with an 'of course' and adopt it as if it had always been known to them. There are a few instances in which Burns is known to have let himself get upset by being so taken for granted²⁷. But this strength of his meant that he was in a key position to cause new ideas to be disseminated by expressing them in ways that made them look like 'truths we hold to be self-evident'.

I contend that he applied this skill to women's issues. He did not limit himself to rape and violence, as is shown through Table 2 at the end of the paper, which identifies issues that I have found addressed in poems and songs Burns managed to get accepted by his contemporaries, thus enlarging the vocabulary of debate on women's issues.

Naturally, my interpretations set out there will be disputed. I quote one to explain my logic. For 'The Taylor Fell Thro' the Bed', I base my interpretation on the lines expressing the girl's belief that the old taylor could do her no harm. She hoped to make a painless living, but later describes it as "the dearest sillar that ever I wan", and seeking to tout the less cruel customers with the words "gie me the groat again, cannie young man".

Another that merits explanation is 'I'm O'er Young to Marry Yet'. Here, the young girl bluntly states she will not sleep with the man. He should come courting again the following summer. Male critics typically read this verse as the usual coquettishness embodied in that old sour joke about the difference between a woman and a diplomat: when the diplomat says not yet,

he means no, but when the woman says not yet, she means yes. Such male interpretations have led to many a date-rape. From a woman's perspective, this is the song of the young woman who stands her ground, in sharp contrast to the male interpretation that it is a song that frankly expresses her sexual desire.

There will also be those who object that the list in this table hardly amounts to evidence of wholehearted support for an improvement in women's position in society. The balance must be considered within the general agenda of Burns. His aim was to preserve human dignity, through the only means he had at his disposal – the preservation of music through the writing of song. It was no mean challenge to get those songs not just published but also generally accepted at all levels of society. Within those songs he embedded issues of human rights, with women's issues being part of his whole agenda. Observe that a number of these issues which he brought into everyday song are still not given a sufficiently serious profile even in modern times.

The simplest of these issues, that of the unmarried mother where the father refuses to take responsibility, appears in perhaps too melodramatic form in 'The Cottar's Saturday Night':

Is there, in human form, that bears a heart –
 A wretch! a villain! lost to love and truth!
 That can, with studied, sly ensnaring art,
 Betray sweet Jenny's unsuspecting youth?
 Curse on his perjur'd arts! dissembling, smoothe!
 Are Honor, Virtue, Conscience, all exil'd?
 Is there no Pity, no relenting Ruth,
 Point to the Parents fondling o'er their Child?
 Then paints the ruin'd Maid, and their distraction wild?

Though one of Burns's best-known poems, this can be criticised as too contrived. It can also raise the ire of those who condemn Burns as a man who slept around and ruined too many maids himself. So it is appropriate now to discuss that issue.

Burns had a child by Betty Paton in 1784. The couple had intended marriage. It was the Scottish norm for marriage not to precede pregnancy. This remained true in Scotland well into the 20th century. This is now becoming very evident to many an amateur genealogist, who had thought his ancestors prim and proper people. But comparison of date of marriage and date of first birth in Scottish registers discloses the truth. Both families opposed this marriage. The proper legal arrangements were made, and Burns accepted responsibility for the child.

Burns and Jean Armour married by mutual consent in 1786. Jean's father destroyed the marriage lines. The Kirk Session was persuaded by James Armour to deem the marriage void. The first twins born to Jean and Robert are thus considered illegitimate. So are the second twins. Legally, all his children by Jean Armour were legitimate.

There is claimed to have been a child by the mysterious 'Highland Mary', based on the presence of an infant's corpse in the grave supposed to be that of this woman. Apart from the absence of dating evidence, burial practice is ignored in this conjecture. A baby buried with a mother is typically placed at the mother's breast. In contrast, it was standard practice to bury stillborn, and near-birth dead babies when the mother lived, in the next grave opened, placing the stranger infant at one or other end of the grave²⁸. This argues that while the woman might be 'Highland Mary' the baby found with her is unlikely to be genetically linked to her.

There is claimed to have been a child by Meg Cameron. Bob Ainslie told Burns of this pregnancy in the summer of 1787. The letter that is used to identify Burns as the father is highly mutilated. At the same time as Burns sent money to support Meg Cameron, he sent to Ainslie the poem 'Robin Shure in Hairst', which relates how Robin of Duns – in other words Robert Ainslie – has fathered a child and then refused to accept paternity. Ainslie was a trainee lawyer – rather concerned not to blot his copy book and thus an advocate of the time-honoured Scottish tradition of disowning any unacceptable behaviour with a quick shout of "it wisnae me". Burns, on the

other hand, had a previous record of effectively adopting the orphan lad Davoc. He offered to take Cameron's child into his home. The offer was refused.

There is claimed to have been his child by Jenny Clow. The very severe leg injury Burns suffered in early December 1787 and his confinement thereafter make his paternity unlikely. I have dealt elsewhere with this and the Cameron child²⁹. In both these respects it is worth noting that extant but unpublished correspondence from Burns to Ainslie, recently offered for auction, is not in the handwriting of Robert Burns. Also there is no extant manuscript of the oft-quoted 'horse litter' letter³⁰ to Ainslie attributed to Burns which contains explicit description of vicious sex with Jean when she was highly pregnant with twins. Authenticity of this letter was accepted by De Lancey Ferguson on the argument that the text was published shortly after the death of Burns. There is no other similar vicious idiom to that in that letter in extant material in the holograph of Burns. The recently produced supposed letters of Burns to Ainslie are conjecturally attributed to Burns on the grounds that the idiom within them is similar to that in the 'horse litter' letter. There is a circular argument here. I suggest only holograph letters can be admitted as proving Burns wrote them. There is then the question of their context – as with the Clarinda letters³¹.

In this context it is worth also noting the evidence of John Murdoch of the reaction of the young teenage child Burns to his reading the rape scene in 'Titus Andronicus'. Burns insisted Murdoch remove it from the house, or he himself would burn it. At a young age, Burns was violently angered by the explicit description of very brutal rape. Is his character likely to have changed so much that he would later indulge in sexual brutality?

There remains one other child – that of Anna Park, born to the niece of the proprietors of the Globe Inn in Dumfries, the Hyslops. Burns took this child into his home and gave it his name, and Jean accepted her amongst her own. This appears dastardly behaviour by Burns and generous behaviour by Jean. However, this too needs further examination. Mr Hyslop's brother was related to the sister of the Roman Catholic Bishop Geddes³², for whom Burns had extreme respect. In the tight-knit nature of 18th century circles, this friendship is likely to have initiated the rapport between Burns and the Hyslops which caused him to choose the Globe in preference to other taverns when he needed a base in Dumfries. I ask whether it is likely that Burns was such a cad as to deflower the niece of the close relative of such an esteemed man? An alternative scenario is that the girl was raped. Rape was an everyday risk to girls serving in taverns. The diary of Samuel Pepys makes it clear that such as he considered every barmaid fair game. While there is an aggressive poem, 'Yestreen I had a Pint o' Wine', and while the Globe has long told a nice story of the love between Burns and Anna, and shows the room where they conceived their love child, these together are not proof that he was the natural father of the child. What is certainly true is that he said he was the father. It would not be out of character for Burns to give a bastard child a name for the sake of an admired friend, when his own name was already mud in the eyes of the good folk of Dumfries. It would be far easier for Jean to accept an otherwise abandoned child that both of them were adopting than to take in her husband's bastard. I am not claiming sainthood for Burns – only observing absence of evidence.

The final accusation is that the poetry of Burns could only have been written if he slept around, and that he was doing this since a teenager. The latter comment can be dismissed on the evidence of his autobiographical letter, along with an observation on the sexual capability of lads who suffered as he did from extreme malnutrition. Perhaps the wish was there 'amang the rigs wi' Annie' but he probably lacked capability at that age. Malnutrition significantly delays puberty and can prevent intercourse³³.

But there are his constant declarations of love in his poetry. What is in question here is the capability of his imagination and the nature of love. His own words are worth quoting.

Burns wrote to Mrs Dunlop enclosing his new song, 'The bonie Lesly Bailie'. Mrs Dunlop knew beautiful Miss Bailie. Miss Bailie had been one of a party who had called on the poet. Burns told Mrs Dunlop he was in love with her.

I am in love, souse! Over head & ears, deep as the most unfathomable abyss of the boundless ocean; but the word, 'Love', owing to the intermingledoms of the good & the bad, the pure & impure, in this world, being rather an equivocal term for expressing one's sentiments & sensations, I must do justice to the sacred purity of my attachment. Know, then, that the heart-struck awe, the distant humble approach; the delight we should have in gazing upon & listening to a Messenger of Heaven, appearing in all the unspotted purity of his Celestial Home, among the coarse, polluted, far inferior sons of men, to deliver to them tidings that made their hearts swim in joy & their imaginations soar in transport – such, so delighting, & so pure, were the emotions of my soul on meeting the other day with Miss Lesley Bailie, your neighbour.

Such was the love that inspired poetry. Such love did not contradict marriage vows.

Biographers tend also to presume that his rapturous love required a real female object of love. None that I have read suggests that, despite being such an imaginative man, Burns could possibly have invented non-real women as heroines.

Yet he could invent the very real Coila. He could discuss medicine with a very real Death. He could listen to the conversation of very real spirits of two bridges, relay the words of the ghost of Robert Bruce, and state categorically that he had the Second Sight. There is many a creative person without any of those imaginative abilities who, in the absence of a soul companion, invents a very real personality. They give such companions a real name, and they can seem at times more real in the mind than any person whose real hand is shaken in real company.

The common characteristic of sane people who invent such persons is that they don't tell others about their virtual friend or friends who are very real to them. They know that to disclose their existence is likely to attract accusations that they have lost touch with reality. They might even get declared insane. Burns allowed his mind to fly free as by himself he wandered above those meanders of the streams, and released his thoughts from too intense logical patterns that prevented his Muse from letting her fingers feel so gently through all the veins and intimate sinews of his body and inside the very cells of his vibrant mind. Thus he experienced love, but not as the world knows love. This he transmuted into poetry.

I do not claim to prove Burns behaved monogamously in marriage. I simply show that so-called proof that he did not is not substantiated. The prosecution has not proved its case. Feminist prosecution brings the additional circumstantial evidence in the oft-repeated allegation that 'all men at that time fucked around'. What must be borne in mind in assessing this evidence is the degree to which it holds true. There is evidence gathered by social scientists that social behaviours in rural communities (where all parties are known to all others) and cities (where anonymity is the norm) are fundamentally different. When growth of cities rapidly increased from the late 18th century onwards, persons arriving from rural areas found themselves in an alien environment in which there was neither 'community' nor social norms. The absence of social norms resulted in behaviours not common in rural environments, such as men fathering children on their daughters³⁴. Such irregular social behaviour and the general lack of community encouraged the growth of various non-conformist religious sects as individuals sought community and an environment in which acceptable new social norms could be established. There is also now medical evidence of fundamentally different social mores in different classes and social environments as recently as the early 20th century, gathered during the medical examination of army volunteers for the First World War. Close knit and rural communities showed no evidence of sexually transmitted diseases in contrast to such being a regular occurrence in volunteers³⁵ from city dwellers and professional classes.

Burns gave equal weight to his descriptions of men and women in 'The Twa Dogs' in which he allows the aristocratic and the peasant dogs to review the behaviours of their own masters and mistresses. This contrasts the sober life of peasants with that of many of the aristocracy. Caesar, the aristocratic dog, denounces the majority of gentlemen and ladies alike for depravity and irresponsibility:

The Men ...
 sowther a' in deep debauches;
 Ae night they're mad wi' drink an' whoring,
 Niest day their life is past enduring.
 The Ladies ..
 Stake on a chance a farmer's stackyard,
 An' cheat like onie unhang'd blackguard.

In contrast, peasants enjoy their Fairs and their relaxation over a jug of ale, find the news from London cause for a good gossip and a laugh at the idiocies of the great world. Burns was brought up in a rural environment, in a community in which everyone watched the behaviour of everyone else. He was shocked with the prevalence of prostitution in Edinburgh, and observed that it was fuelled by the massive population movements caused by the demise of the Highland economy. He protested that women should bear the blame for becoming street prostitutes, though had no time for courtesans. These observations should be set alongside any circumstantial evidence in judging the prosecution case. Again, it is not proven. It is worth noting at this stage that it was only in the early 18th century that the balance shifted in Scotland from the post-Reformation assumption of guilt until proven innocent to the modern assumption of innocence until proven guilty³⁶. There was when Burns lived great difficulty in shaking off any accusation, however malicious – and indeed this persists.

From the childhood experience of his own family he came to view women as capable of great things – greater things than the typical man. Thus, in 'Green Grow the Rashes, O' he even hinted at a female Creator, who only at the second attempt achieved a human being in Her likeness:

Auld Nature swears, the lovely dears
 Her noblest work she classes, O:
 Her prentice han' she try'd on man,
 An' then she made the lasses, O.

Throughout his letters and verses are good wishes that young women be spared the evils of being imposed on by men. Such is the 1785 song 'Young Peggy blooms our boniest lass'. This Peggy was the niece of his Mossgeil landlord Gavin Hamilton. (This is not the young woman at Harvieston, Margaret Chalmers, cousin of Gavin Hamilton and friend of Charlotte Hamilton, his younger step-sister.) The final stanza prays that the Powers of Honour, Love and Truth should defend the young lady from every ill and bless her with a happy marriage. In 1794 this Peggy, Margaret Kennedy, had an affair with a Captain Andrew McDoul, and bore his child. He denied being father. She died before the Court granted £3000 award for the child's maintenance. Another young woman hoped her man was honourable in the song 'O whar did ye get that hauver' meal bannock?' She joyfully says her young soldier-lover who is away at the wars, but of course he will return.

The normal ethic of country love is intimated in 'Theniel Menzies' Bonie Mary'. When Charlie Grigor dared to kiss Mary, he got his comeuppance! – a good slap in the face!

In the table on the poems in 'The Merry Muses' I have shown how Burns insinuated discussion of important negative issues into everyday discourse. Burns also wrote on positive gender relationships, as shown in Table 3 at the end of this paper.

Some may dispute the degree to which causing awareness of these issues required a new vocabulary in the time of Burns. This can be addressed by comparing the writings of Burns and Mary Wollstonecraft.

Before doing so, it is necessary to draw attention to increasing difficulties facing women in the latter part of the 18th century that led in turn to the demise of such rights as women had previously enjoyed through so-called democratic reform.

The latter part of the 18th century was indeed the era of 'The Rights of Man'. It is commonly assumed that 'Man' in this context represents all Mankind, male and female. Closer inspection of the historic facts exposes this as fallacious. While Burns in his schooling learned to use 'Man' in such a context to mean Mankind, he changed his own vocabulary in response to his recognition that the meaning of 'Man' in this context had narrowed. In January 1795 Burns prepared, though because of the Sedition Laws and the strictures put on him by his Excise bosses he did not actually send, a letter to the editors of the Morning Chronicle. In this he wrote:

I am a MAN, and the RIGHTS OF HUMAN NATURE cannot be indifferent to me.

Normal idiom of his era surely would have expected this to read 'rights of Man'; but it does not. This indicates that he had found that idiom inadequate to changed circumstances.

Clear signs of change can be traced to the time of the American War of Independence. At the framing of the Constitution of the new nation, Abigail Adams³⁸ famously wrote to her husband, future President Adams, with the plea not to forget the ladies. This indicates that she was concerned. This elicited the denigrating remark about 'the despotism of the petticoat'. The Constitution that was agreed did not recognise women as citizens. Before the War of Independence, women in the American colonies had voting rights, as in Britain and France. After Independence, those rights were removed in every state in the Union³⁹. What prompted the writing of 'Vindication of the Rights of Women' was the same change in France after the French Revolution. Women in Britain feared that their turn would come next – and indeed it did, although it took until the 1832 Reform Act to remove their franchise. Already by then, economic forces had limited the numbers of women in Britain with voting rights. Industrialisation, which began in the mid 18th century, gathered pace after the American War of Independence, and escalated with the wars with France after 1793, in due course eliminated the cottage industries that had enabled women to be economically independent.

Industrialisation meant that to be a spinster no longer meant a woman could fend for herself from her own economic effort on the small capital investment required to furnish spinning tools. Her cost structure was totally undermined by the factories³⁷. For all her efforts, once the spinning jennies had been established, she could no longer economically produce threads, whether of wool, cotton or linen. Her man might expect her to spin the lint he bought, but she knew that she was wasting her time for she could never sell it. So, as in 'The Weary Pun' o' Tow', despair drove her to drink which was followed by an almost inevitable breakdown of the marriage. Thus also, 'Bessy and her Spinning Wheel' can be considered as a gentle pastoral until it is understood to be the despairing cry of a woman who sees her means of livelihood being taken away by the new machinery, and begs that she just be left in peace to ply her trade in the old way, and maintain her simple life in her humble cottage.

Another song that tells of economic change is 'Duncan Davidson' or 'There was a lass, they ca'd her Meg'. This is heavy with innuendo. It is usually sung in a jolly manner. I propose it can equally be considered a protest song, with sinister interpretation. A girl is pestered by a lad as she walks across empty moors seeking work with her spinning wheel. At one stage she hit him with a stone and fended him off with the temper-pin of her spinning wheel. But he pressed himself on her. She cast off the spinning wheel in despair. The man knows her spinning generates the income and tells her to get back to it. Such songs have lost their meaning with loss of knowledge of economic realities of the times that gave them birth.

With change and centralisation of economic tasks came new risks for young women. Thus, 'To the Weaver's Gin Ye Go' warns other young women not to go about at night alone in the weaving town where they seek work, or they will find themselves with an unwanted pregnancy. The innocent happiness of the heroine of the song was stolen by the weaver. To get this protest

song past possible critics, when Burns sent it to Edinburgh he emphasised its music. Later he got the words accepted by the self-deprecating excuse:

Many beautiful airs wanted words; in the hurry of other avocations, if I could string a parcel of rhymes together anything near tolerable, I was fain to let them pass.

Burns himself had experienced the negative economic impact of the demise of the cottage industries and with them women's income. Jean Armour was trained in youth to spin. The Catrine Mills that were established in 1787 eliminated the whole cottage spinning industry throughout Ayrshire. Perhaps the fact he had a farm on which a woman could be useful, as much as the sudden earnings from his poetry, made Burns an attractive husband after this very sudden change in Jean's earning prospects. As soon as their marriage was legally recognised, Jean moved to Mossgeil where, under the guidance of Agnes Broun, she applied herself diligently to retraining for a new career as a farmer's wife. When farming did not work out for Burns and he moved his family into town, Jean's residual economic value evaporated. He then had what any man in his station hoped to avoid – a wife and weans, none of whom could contribute to family income.

Before his marriage, Burns told Mrs Dunlop that he could not in his station afford to marry a woman who could not contribute economically. He must marry a woman prepared to pull her weight financially. Jean was such a woman. In the event, Jean and Robert were denied the choice that she earn from her original skill in the cloth trade, or her new skill in farming. The weight of earning fell on him alone. There is in all his recorded writings and sayings not a single word of criticism of Jean for being unable to fulfil that expectation.

In 'The Twa Dogs', Burns had Luath recognise women's economic contribution as much as that of men, vis, 'a countra fellow at the pleugh' and 'a countra girl at her wheel'. The equal economic weight of women was already being challenged and relative power changed too. Burns's awareness of the value of women's work is shown in 'Address to the Deil' in which he expresses the heartache when the milk won't churn:

Countra wives, wi' toil an' pain,
May plunge and plunge the kirn in vain

In 'The Cottar's Saturday Night' we hear of the pride of the cheese maker in the quality and value of her well-matured produce, that was a full year old at last flowering of the flax.

The Dame brings forth, in complimentary mood,
To grace the lad, her weel-hain'd kebbuck, fell:
And aft he's prest, and aft he ca's it guid;
The frugal Wifie, garrulous, will tell,
How 'twas a towmond auld, sin' Lint was i' the bell.

Before 1832, the right of a household to vote was linked to household earnings. As women heads of households lost earnings, so numbers of women entitled to vote diminished. In 1832, the franchise rules were changed to eliminate more women. By 1867 all women in Britain who had had voting rights had had them taken from them. This change caused the necessity for the enactment of the Married Woman's Property Act, to prevent the worst atrocities inflicted on heiresses by men who married them for their money. This Act was still in force in Britain until very recent times, and repeatedly proved its worth. However, divorce legislation in the name of Equality in the mid 1980s removed its protection. This lies behind the modern fashion that women insist on binding pre-marriage agreements, so that she does not find that, on divorce, all she brought to the marriage is appropriated by the man who had declared he loved her, traded her in for the latest model and then sued for maintenance.

These issues were in the late 18th century already looming in the minds of those who had foresight, such as Mary Wollstonecraft and Robert Burns. On the evidence of Collector of Stamps, John Syme, Burns and Wollstonecraft corresponded. If letters existed, they have not yet come to light. However, even a superficial comparison of wording of letters of Burns and