

William Burke & Co: The Structure of a Legend

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“The transactions in the West Port of Edinburgh, in 1828, gave new words with a particular significance to the English language” bemoans late-Victorian commentator, George MacGregor (1884: 272). MacGregor is referring here to the series of murders—committed by William Burke and William Hare in collusion with Robert Knox—that took place at that time to supply Edinburgh’s burgeoning anatomy schools with fresh cadavers. Words such as “Burker,” and being subjected to “Burking,” enter our lexicon and come to symbolize atrocity and terror. This article surveys responses to the crimes of Burke, Hare, and Knox to reconsider the ways that Caroline McCracken-Flesher’s concept of a “social trauma” (2012: 23) was experienced in Scotland. It reveals how MacGregor’s “new words” have especially significant meaning within the legends that grew out of the nefarious activities of Burke, Hare, and Knox. Certain of these legends constitute an underrepresented aspect of the trauma, and engagement with them provides a fuller understanding of the impact of the unprecedented crimes on Scottish society. It demonstrates how the “transactions” referred to by MacGregor amount to a crisis from which certain sectors of Scottish society continue to reel. Contemporary responses to the crimes—throughout the nineteenth century and into the twentieth—are viewed alongside examples of so-called Burker legends from the twentieth and twenty-first centuries. The article shows how the narrative structure of the more recent legends surrounding Burkers stands in contradistinction to mainstream representations in popular and printed media. In so doing, it develops theoretical perspectives around the function of legends and presents the reader with fresh insights from a singular folk idiom. The conclusions contend—concurring with Dégh—that “each text is precious because it characterises the negotiation of legends in society and the need for interpretation” (2001: 22). Our texts consist of legends from one of Scotland’s most marginalized and underrepresented ethnic minority communities, making them culturally significant expressions. It is argued that the concept of “subjectively perceived truth” (ibid.: 50) helps to maintain cultural legitimacy in legendary story spaces that transcend the objective reality of the crimes themselves.

Burke & Co. in Context

The desecration of graves and the mutilation of the human body after death has serious ethical, moral, and eschatological ramifications in any human society. It is not my purpose to explore these ramifications here, only to briefly outline the historical context in which we encounter the crimes of Burke and Hare that took place in late-1820s Edinburgh. In Scotland, the association of cadavers as prerequisites for the advancement of medical science was appreciated as early as the beginning of the sixteenth century. James IV's recognition and patronage of the *Edinburgh Guild of Surgeons and Barbers* in 1506 meant that the Guild were allowed to dissect the bodies of executed criminals, thereby establishing the relationship between medical science, the ruling elite, and the dissection of cadavers (Richardson 1987: 32). Throughout the eighteenth century and into the early nineteenth century, the burgeoning scientific interest in anatomy and physiology prompted an increasing demand for human subjects for dissection. It was felt that the surgeons in training, somewhat understandably, would not become qualified to operate on live subjects without direct experience handling human bodies.

This demand led to so-called "resurrectionists," or body snatchers, illegally exhuming newly buried bodies to supply the anatomists with subjects for dissection. Richardson describes an atmosphere where "every buried corpse in the country was vulnerable to the predations of the body snatchers...leading to immense popular opposition" (1987: xv). This opposition was also expressed publicly by a Select Committee appointed to investigate the way the subjects for dissection were being obtained. The report of the Select Committee, published in *The Scotsman* in 1828, claimed that "the law gives no security either to rich or poor that their relations are safe in the grave; and as the law, however strictly enforced, has, as is proved, the effect merely of enhancing the price of subjects" (1828: 579). Quite so, and the Committee's eerily prophetic report goes on; published several months before Burke's arrest, the Committee's report predicts that "it is insinuated that [resurrectionists] would hardly stickle at committing murder for the sake of the money" (*ibid.*). It was not until The Anatomy Act of 1832—an act which legislated for the medical use of cadavers—that an end was put to the trade in ill-gotten bodies for dissection. More importantly, the provisions of The Anatomy Act meant that anatomists were responsible for the interment of the body after dissection. Consequentially, the corpse, as Rosner puts it, "while still a commodity, retained its connections to the community from which it had come" (2010: 266).

In Aberdeen, the Spital and St Machar churchyards were often plundered for bodies to supply the Aberdeen Medical Society: the society was founded in 1789 and included prominent anatomists who openly advocated for the robbing of graves to further medical science (Humphries

2014: 69). The most infamous of these Aberdeen anatomists was Andrew Moir, who ran a private anatomical theater in St Andrew Street. In December 1831, some carelessness on the part of Moir, or more probably his staff, resulted in the discovery of partly dissected human remains inadequately buried behind his theater. Moir's theater became known locally as the "Burking-Shop" and, as reported in *The Aberdeen Journal*, was burned to the ground by incensed locals after the discovery of the human remains (1831: 3). Despite the fact the Moir's theater was supplied, albeit illegally, with exhumed corpses, the conflation between Burking and body snatching to supply the anatomists was instilled in the local public's imagination. Moreover, the destruction of a medical establishment known as the Burking-Shop is a stark example of the close association between medical schools and murder that permeated Scottish culture during the first half of the nineteenth century.

As was noted above, the key turning point came with the introduction of The Anatomy Act in 1832, which contained articles allowing "unclaimed" bodies to be sold to the anatomy schools for dissection. The 1832 Act practically extinguished the trade of the body snatchers and, in the eyes of the public, the "Burkers." However, according to Moir, viable subjects were hard to come by in Aberdeen even after the 1832 Act; Moir noted that supply had never met demand, with only "stray vagrants" to be had, and then only if the kirk-session permitted it (cited in Rodger 1893: 244). Moir's appraisal of the situation after The Anatomy Act seems at odds with *The Register of the Funerary* records from the period; the records indicate that between 1832-1902, at least 1,479 bodies were sent to Aberdeen's anatomy schools for dissection alone, which equates to approximately two bodies per month (Hoole 2018: 239). Despite the seemingly adequate, and legal, supply of subjects for dissection the association between Burke & Co.'s nefarious activities in Edinburgh clearly had an impact in the north of Scotland.

Campbell captures the impact neatly in his *Reminiscences* noting that, "the scare caused by the Burke and Hare case sent such an after-fear into the Highlands that, among others, our churchyard was watched for weeks after every funeral because of the body-snatchers" (1910: 4). Moreover, there is evidence to suggest that the bodies of the recently buried began to acquire a monetary value towards the end of the seventeenth century in the British Isles (Richardson 1987: 52; McCracken-Flesher 2012: 10). From this perspective, it is safe to say that body snatching—in the form of grave robbing for the purposes of dissection and financial gain—was a reality faced by generations of Scots before Burke committed his crimes. However, it was not until the extent of Burke's crimes—and Knox's complicity—came to light that the trauma associated with the desecration of dead bodies was properly crystallised on the national scale. The anxiety of having your corpse desecrated was elevated to mortal threat and

amplified by the nature of Burke's methods; the triple act of deception, murder and *then* bodily desecration was given a name. The personification of such unprecedented crimes as Burke's put a face on the trauma and provided the national consciousness with an identity to fear and revile.

As predicted by the Committee's report cited above, during the years 1827-28 in Edinburgh's West Port, William Burke, Helen M'Dougal, Margaret Hare, and William Hare were responsible for the murders of sixteen individuals to supply bodies for dissection. The method of murder was to render the victims insensible with alcohol, then smother them to prevent any damage to the body. The victims' bodies were then sold to anatomy schools that were desperate for subjects for dissection. This method of murder became known as "Burking," an important phrase that we return to in more detail below. Of the four individuals associated with the murders, only Burke was found guilty and consequently executed in 1829. One contemporary writer, Thomas Ireland, observed that "murder perpetrated in such a manner, upon such a system, with such an object or intent...utterly transcends and beggars everything in the shape of tragedy" (1829: 1). Ireland was correct, and we find that subsequent generations of writers, filmmakers, and entrepreneurs have grappled with the unprecedented crimes committed by Burke and his associates.

Body snatching and cadavers were ubiquitous features in *Blackwood's Magazine* throughout the nineteenth century (Rosner 2010: 3); Alexander Leighton aimed at "narrating a series of tragedies unprecedented in the history of mankind" (1861: iii) in *The Court of Cacus; or, the Story of Burke and Hare* (1861); later, Robert Louis Stevenson's *The Body Snatcher* (1884) echoed the activities of Burke and the anatomists of Edinburgh whom he supplied; the twentieth century saw similar narrative efforts by William Roughead in *Burke and Hare* (1921) and on stage with James Bridie's play *The Anatomist* (1931); the twenty first century has already seen John Landis' cinematic rendition, *Burke and Hare* (2010), yet another narrative account in Owen Dudley Edwards' *The True Story of the Infamous Burke and Hare* (2014); an episode of Douglas Mackinnon's television series *Good Omens 2* (2023) features the duo; *The Edinburgh Dungeon* entertainment venue currently features an exhibition centered on Burke and Hare, exclaiming "at 7 pounds, 10 shillings a corpse, there's money to be made and they'd kill for a body like yours!" ("Greyfriar's Kirkyard" 2024: online); and one "escape room" entertainment venue in Edinburgh named *The Anatomist* intrigues its customers by asking, "How has Dr Malcolm been procuring bodies for dissection?" (2024). Rather more disturbingly, a pocketbook alleged to be made from Burke's skin can be found in the *Surgeon's Hall Museum* in Edinburgh (2024), along with a death mask of Burke. As we can see from these examples—which are by no means exhaustive—there remains a fascination with the crimes of William Burke and his associates. This fascination spans historical inquiry,

artistic expression, and a presumably lucrative enterprise within the Scottish tourist industry.

Aside from fictional representations, the crimes of Burke and his associates and Edinburgh's medical profession also affected the Scottish psyche in very real terms. Writing in *The Scotsman* in 1829, an anonymous columnist predicted that Burke's name "will stand conspicuous—it will mark an era in the black record of human delinquency, and future ages will shudder at his horrid deeds, and fling back their curses on the name" (1829: 62). This prophetic statement rings true considering the examples cited above, with the possible exception of Landis' comedic cinematic interpretation (2010). The idea that Burke's atrocities can be translated into a comic caper onscreen is somewhat perplexing; it is difficult forsooth to imagine the same treatment being given to the story of any other notorious serial killers and then flippantly sold to the viewing public. More seriously, the enduring influence that Burke, and the willing anatomists he supplied with subjects, has had on Scottish culture is significant. As McCracken-Flesher explains, Scottish culture's continuing fascination with Burke's crimes has "resisted integration for an entire community, and cut its way into cultural memory such that Scottish society continues to wrestle with it" (2012: 22).

The Complicit Knox

McCracken-Flesher puts this lack of integration, and a subsequent sense of closure, down to the way that the shocking crimes of Burke were handled after his execution in 1829. Doctor Robert Knox—the prestigious anatomist to whom Burke was supplying subjects—was conspicuously silent after the events of 1828-29. Some years later, Knox's biographer, Henry Lonsdale, remarked that Knox "could not, with 400 pupils around him, bear to see empty tables," but he also offers evidence that challenges any liability of a "wilful oversight on Knox's part to the *modus operandi* of Burke and Hare" (1870: 92-93). This bias towards the good character of Knox is not surprising given that this biographer was his pupil and colleague. Moreover, Lonsdale's tacit advocacy for the illegitimate acquisition of bodies is abundantly clear during the very same pages: "the law virtually proclaimed that the surgeon should possess aptitude and powers as well as a formal license," Lonsdale complains, "yet the only mode of acquiring that skill, namely, from dissections of the dead clandestinely obtained, was in the criminal court held to be a misdemeanour" (ibid.: 62). Lonsdale's final exoneration of his guileless mentor exemplifies his bias—Lonsdale explains that had Knox been receiving the victims personally, his "keen eye, equalling that of a French detective, would most probably have penetrated the veil that hid the doings of these monsters" (ibid.: 98).

Over half a century after the crimes, in 1884, Knox's complicity and its implications were still being debated. George Macgregor, a Fellow of the Society of Antiquaries Scotland and who we heard from in the introduction above, notes that "Dr Knox had done nothing to allay the irritation which existed towards him in the public mind. In the eyes of many he seemed a greater criminal than even Burke and Hare" (1884: 234). Macgregor goes on to describe what he terms Knox's "egoism" and a resulting level of unpopularity among both his colleagues and his students. Popular animosity towards Knox gave rise to "The Knox Riots" in February 1829; "an effigy of a certain doctor who has been rendered very obnoxious to the public by recent events" (ibid.: 237) was hung from a tree, watched by thousands, and the windows of the doctor's house in Newington, Edinburgh, were smashed by stones hurled by the outraged public. Soon after the violence a committee was formed—at the behest of Knox himself and "his friends"—to address the public's understandable mistrust of Knox, and to produce a publicly available report. Perhaps unsurprisingly, the committee—being formed of "ten gentlemen" who were very likely Knox's "friends"—concluded in a report, published in the *Edinburgh Courant* in March 1829, that they "have seen no evidence that Dr Knox or his assistants knew that murder was committed in procuring any of the subjects brought to his rooms" (cited in ibid.: 241).¹ According to Macgregor, "the intention of the committee evidently was by it to clear Dr Knox from the aspersions cast upon him; and this was a result far from satisfactory to a very large section of the community" (ibid: 244).

Unfortunately for Knox, Burke's contemporaneously published confession also offers a different account of their transactions. Whilst awaiting execution, Burke divulged to three court officials that Knox was present during the delivery of the first corpse, authorized the payment, and "asked no questions as to how the body had been obtained" (cited in Roughead 1921: 262; cf. Macgregor 1884: 280). On delivery of the second body, Knox "approved of its being so fresh, but did not ask any questions" (cited in Roughead 1921: 263). Despite any questions around the veracity of Burke's published account, Knox's portrayal in the contemporary press—coupled with his refusal to give his own account and the questionable integrity of the above-mentioned committee—gave rise to the feeling that he was somehow complicit in the murders. In an article published in *The Lancet* medical journal in 1829, one witness to the affair reported that Knox "had dealings with him [William Hare] for the procuring of dead bodies; he also had had dealings with Burke" (1829a: 426). Elsewhere, the *Edinburgh Weekly Journal* of 7 January 1829 questions whether one victim of Burke's could "fail to be recognised as a murdered man, by a body of scientific individuals, to whose close inspection his corse [corpse] was subjected" (cited in McCracken-Flesher 2012: 36). The perception in the popular consciousness that Knox was

complicit in the murders is nowhere more succinctly expressed than in a contemporaneous rhyme:

Doon [down] the close [alley] and up the stair
 Butt and ben wi' Burke and Hare
 Burke's the butcher, Hare's the thief
 And Knox the boy that buys the beef!²
 (cited in Maclaren 2000: 395)

Another popular rhyme, reported in the 1880s, stands testament to continued popular feeling:

Burke an' Hare
 Fell down [down] the stair,
 Wi' a body in a box,
 Gaun [going] to Doctor Knox.
 (cited in Macgregor 1884: 13)

Edwards goes further, arguing that not only was Knox complicit in the murders but that he “simply did not regard the Burke and Hare murders as criminal” (1980: 135). Edwards’ rationale for this argument rests on Knox’s opinions from his published works; in *The Races of Men* (1850), Knox’s racist attitude is palpable when he considers “the presence of three sections of the Celtic race” living in Great Britain and “how to dispose of them” (1850: 253). Considering this stance, Edwards deduces, Knox would view the murder of derelicts for the advancement of science as a positively enlightened method (1980: 135). Knox’s attitude to Scotland’s Gaelic population is equally odious: “look at Wales, look at Caledonia,” Knox implores, “the race must be forced from the soil” (1850: 253). A key point here is that the legacy of the West Port murders cannot be separated from the complicity—and maybe even predisposition—of the medical establishment; the nefarious acquisition of bodies, in the pursuit of progress, was an anxiety that became deeply embedded in the Scottish peoples’ consciousness. As we will see, it is ironic that Knox’s attitude to those peoples he deemed parasitical represent the very consciousnesses where these crimes are negotiated most clearly.

Social Trauma in an Ethnic Minority

McCracken-Flesher concludes that the activities of Burke and Knox are an unresolvable social trauma for Scotland, contending that telling stories are a means to alleviate such trauma (2012: 23). A macabre fascination with Burke’s crimes, the establishment’s complicity, and the method of murder used has penetrated the collective imagination of an iconic sector of Scottish society. Scotland’s Gypsy/Travellers—their official National Records of Scotland (NRS) designation—are one of Scotland’s most

marginalized and underrepresented ethnic minorities. I use the term “Traveller” advisedly going forward here because the communities are not homogenous, and terminologies are not universally accepted (Tammi 2020: 63). They are not a single community, being made up of different groups known by many names over the past millennium. As early as the twelfth century, a nomadic group known as “Tinklers” are mentioned in Scotland’s legal system, an occupational term referring to a person’s skill in metalwork (Kenrick and Clark 1999: 51). Although now condemned as a racial slur, the term “Tinkler” or “Tinker” once represented distinctive communities who were valued members of Scotland’s pre-industrial economy. However, as Scotland industrialized, their lifestyles and working practices attracted a sense of “otherness” that persists to this day. Nowadays, most of Scotland’s Travellers—also known as Nawken or Nacken—do not lead nomadic lifestyles or ply anachronistic trades, but their historical development has resulted in distinctive cultural identities that continue to be marginalized (McPhee 2021: 180).

It has been recognized for some time that Traveller communities share a host of cultural characteristics that set them apart from Scotland’s mainstream populations. For instance, as early as the 1860s—after hearing a story from a community member in the field—the renowned folklore collector John Francis Campbell remarked that “it bore the stamp of the mind of the class, and of the man, who told it in his own peculiar dialect, and who dressed the actors in his own ideas” (1860-62 vol. I: xlvi). The diverse Traveller communities continue to share a distinctive set of folk idioms where their social, economic, and cultural experiences are intrinsically linked to their storytelling practices (Braid 2002).³ As we will see below, these singular folk idioms include a long tradition of legends about encounters with “Burkers”. The Burker legends of Scotland’s Travellers appear to have escaped the notice of McCracken-Flesher when she notes that “perhaps Burke and Hare can be situated in the dubious historicism of Scotland’s tourist culture because they no longer carry the load of meaning they have borne for almost two hundred years” (2012: 195). Authors and editors in the popular press were satirizing Burke and Knox as early as 1832. One striking example is “The Philosophy of Burking” (1832), published in *Fraser’s Magazine* (1830-1869); here, the author—known only as “A Modern Pythagorean”—describes Burke as “one of the most ardent friends of science the world ever saw” (1832: 65). The Modern Pythagorean comes to this conclusion after characterizing Burke’s activities as based on Burke’s philosophical commitment to advancing the science of anatomy, no matter the personal sacrifices that he had to make.

The Modern Pythagorean’s tongue-in-cheek account of Burke’s “philosophy” is an early indication of the way that Burke’s story passed into mainstream media; lampooning Burke and his motivation to murder

is one way of reconciling the trauma in the minds of the everyday reader. Not so in the minds of Scotland's Traveller communities, where the stories of Burke and Knox *do* retain meaning and persist within their storytelling traditions to the present day. Whether or not any abductions took place is somewhat irrelevant under these conditions—the truth contained in the legendary story space of the Burke narratives is the continuity of a culture that is threatened by an all too real existential threat. Not only this, but the artistic license of some Traveller tradition-bearers means that we can enjoy variations of the Burke legends that negotiate the social trauma in different ways.

“Whether or not listeners believe that Burkers actually roam the countryside looking for fresh bodies,” writes Donald Braid, “the stories warn that danger may come from the settled world” (2002: 83). The fear that the Traveller communities' lifestyles, historically being itinerant workers and peripatetic more generally, left them vulnerable to the predations of would-be murderers is understandable. Traveller communities in Scotland have existed, and survived, in a hostile environment for many centuries (Rehfisch 1975: 283; Braid 2002: 83). *The Statistical Accounts of Scotland* (1791-1845)—particularly those published in the decades following Burke and his associates' crimes—are harrowing examples of the hostility faced by Traveller communities. For instance, the Reverend William Duff of Grange, forty-five miles to the north-west of Aberdeen, complains that the parish “has long been infested by cairds, tinkers, and sturdy beggars” (1845: 219).⁴ The Reverend George Gordon, using the same terminology, reports that the parish of Knockando, forty miles east of Inverness, is “much infested by sturdy beggars, and tinkers, especially during the summer season” (1845: 81). Further south in Monteith, thirty miles north of Glasgow, the Reverend Alexander Gray records that “vagrants, tinkers, and gipsies from various quarters were numerous; but, by the vigilance of the local police, they have been suppressed” (1845: 1281). Elsewhere, writing in *The Friend; a Religious and Literary Journal* (1827-1906), the anonymous author of an article entitled “Savages in Scotland” explains that the “tinkers of Caithness...herd like cattle...and the entire social condition of the tinker tribe is of the most degraded character” (1869: 102).

Renowned folklorist and prolific fieldworker Hamish Henderson comments, somewhat uncharitably, that “although we can well believe that defenceless ragged nomads were occasionally the victims of murderous body-snatchers, we must probably look further back in history in order to understand the deeper-lying reasons for this persecution complex” (2004: 230). Recorded instances of resentment towards Scotland's Travellers and their chosen lifestyles appear to coincide with the rapid industrialization of Scotland sometime after 1750. With this industrialization came modernisation and the usefulness of itinerant tradespeople and news-

bringers consequently waned. The Travellers' lifestyles and services became perceived as anachronisms; the century 1850-1950 also saw the Traveller population decimated by global wars and their lifestyles rejected by rising social expectations (Neat 1996: 224). The shifting perceptions of Travellers over the last 250 years are in many ways reflex reactions to societal norms, with the Travellers being deemed outsiders. One Nacken commentator and artist, Shamus McPhee, casts the communities' outsider status further back in history, remarking that 'an onslaught of reprisals and thoroughly oppressive practice in Scotland can be evidenced from as long ago as 1571 through to the most recent incarnations designed to target those of a nomadic bent' (2021: 180).⁵ As noted above, the communities share a rich and distinctive set of folkloric idioms that are linked both to their chosen lifestyles and to the ongoing tensions with mainstream Scottish society. An eminent example of this distinctiveness is the way that their legends surrounding Burke, and his associates, manifest in the communities' traditions. As our discussion here progresses, we discover that the murders in Edinburgh's West Port have penetrated the imaginations of Scotland's Traveller communities in contradistinction to more mainstream reactions; our discussion goes on to argue that the legends engendered by these crimes can be viewed as artistic, structured negotiations of cultural difference and legitimacy.

A Structural Approach

A useful methodological framework that offers an alternative to traditional comparative techniques is a structural approach, which focuses more on the underlying patterns and relationships within the texts themselves rather than direct comparisons across different texts. At its core, the structural approach within the folkloristic context relies on a similar framework to a "describe, identify, interpret" model. First, the item of folklore is broken down into its most significant constituent parts, or "structural units;" secondly, the organization of these units is described; finally, an interpretation of the interrelationships between the units is undertaken. Stimulated by Vladimir Propp's *Morphology of the Folktale* (1928) and the insights of Claude Lévi-Strauss, Alan Dundes concluded that detailed structural descriptions can reveal how folklore embodies and transmits the key metaphors of a society (2007: 139-140). Although Propp's work on the morphology of "the folktale" was limited to certain Russian fairy tales and neglected the social and cultural context of the narratives, a structural methodology can be applied to the study of other folk genres.

Moreover, structural analysis should not be deemed an end in itself, rather it is what Dundes calls a "powerful technique of descriptive ethnography [wherein] the form must ultimately be related to the culture or cultures in which it is found" (1968: xiii). At the most basic level, the overall pattern of the Travellers' Burker legends involves a move from

equilibrium, through disequilibrium, and a return to equilibrium. During his own study, *The Morphology of North American Indian Folktales*, Dundes recognised the same pattern, what he refers to as the “nuclear two motifeme sequence: lack/lack liquidated” (1964: 61). Frustratingly, Dundes does not elaborate on the meaning of this sequence in his study, noting that it is “not part of the morphologist’s task to interpret his findings” (ibid.: 107). However, he does suggest that structural analysis can facilitate better understandings of the psychological origins of folktales (ibid.: 108); in other words, how they function within discrete cultures and/or communities. Elsewhere, drawing on a narrative framework described by William Labov in his study *Language in the Inner City: Studies in the Black English Vernacular* (1972), W. F. H. Nicolaisen examines some of the “traffic rules and expectations” (1987: 62) associated with modern legends using a corpus of twenty-eight variants of “The Surpriser Surprised” legend, compiled by Bill Jansen in 1973. The pertinent observation, for our purposes, is that the “triad Orientation–Complicating Action–Result is normally the narrative core of the legend: (ibid.: 69). This tripartite scheme, Orientation–Complicating Action–Result, is redolent of the equilibrium–disequilibrium–equilibrium narrative pattern mentioned above: orientation functions to situate the narrators and the provide context; the complicating action is the events that take place to upset their equilibrium; and the result is the return to equilibrium after a meaningful experience. As we will see, this pattern not only functions as a basic framework for narrative coherence, or some ‘rule of three’ morphology, but serves to represent a metaphoric confrontation that negotiates cultural difference.

A structural approach to the Burker stories can unlock meanings behind certain representations and narrative patterns.⁶ Dundes goes on to propose that the identification and interpretation of such representations has the potential to provide unparalleled insights into the worldview and behavior of communities (2007: 140). The forthcoming analyses therefore deploy a structural methodology to gain access to these perspectives and to address more one-dimensional interpretations of the Travellers’ Burker tradition. Our discussion follows a paradigmatic approach to structural analysis and extends the insights, from Dundes and others, to consider the Burker legends. We see how the overarching pattern (paradigm), or organization, of the item of folklore can provide insights into its meaning. As opposed to Propp’s method that dealt with the “text” alone, a structural analysis of the Travellers’ Burker tradition is brought to bear on the wider sociocultural context of the Travellers’ lived experiences. My descriptions and analysis are synchronic; it is not my purpose to trace the development of the Burker legends, only to describe and offer interpretations of a corpus of examples from archives and contemporary interviews. It must also be noted that I do not mean to suggest that these legends are homogenous,

rather than the examples interrogated are evidence of the efficacy of structural approaches.

The Travellers' Burker Legends – Part I

In his autobiography *The Book of Sandy Stewart*, Traveller Alexander (Sandy) Stewart gives an account of his perceptions of Burkers. Sandy Stewart was born in 1920 in Kirriemuir, Angus (Leitch 1988: xi). Stewart's account gives us an insight into the way that Travellers conceptualized Burkers in the first half of the twentieth century. Stewart's description of how the Burkers were seen to operate also provides a useful synopsis of the Travellers' Burker stories in general. Stewart tells us that "at wan time thir wes an awfie lot o Burkers went roond the country an ye hed tae watch yirsel on the roads...they could tak ye awaa tae God knows whaur—colleges or oniething" (1988: 24). Stewart goes on to explain that the Burkers knew where the Travellers' camping places were and that they would watch the camps in search of their victims. Stewart recounts that the Burkers knew their camping grounds "aboot Arbroath, Dundee an aa roads...away by Coupar Angus an up tae the Hielans o Perthshire" (ibid.). It is clear from Stewart's account that he is acutely aware that the Burkers were either employed by medical institutions or were medical students themselves; "they would take ye," Stewart explains, "then operate on yer body in a college. That saved them payin fer bodies" (ibid.: 25). Stewart's mention of "colleges" is reiterated later in his account when he reports that there was a "college at Logiealmond an they [Burkers] could come fae Dundee...whaever big colleges wes" (ibid.). Moreover, the Burkers are cast here as roaming the countryside essentially on the lookout for "easy targets." It is important to note here that the potential victims, the Travellers, are threatened in quotidian circumstances, whether it be "on the road" or at the usual camping grounds. Later, Stewart gives an account of a case of Burking involving an "uncle belongin tae ma fether—Donald Whyte" (ibid.: 25). Stewart's relative is captured after falling behind his peers during a walk, but he is eventually rescued, and the Burkers' coach and horses are taken by the Travellers. According to Stewart at the time of his recollection in the 1980s, the coach could still be found at Sim's Garage near Birnam in Perthshire (ibid.). Finally, Stewart details the Burkers' method of anaesthetising their victims: "they jest stuck a thing like a plaster ower yer mooth an ye couldnae dae nae mair then! Ye forgot everything jest the same as ye wir dead" (ibid.).

There are several examples from the Travellers' traditions that involve a sinister coach, as with Stewart's recollection above and in a version from Duncan Williamson (cited in Braid 2002: 80-83). However, in terms of the structural units mentioned above—and their manifestation in the Travellers' traditions—the legends surrounding Burkers can be viewed

from a different perspective. In the examples that follow, it is the quotidian aspect of the equilibrium, or orientation, that represents the initial structural unit of the narratives.⁷ At the most basic structural level, the narratives see the protagonists undergo a shift from the everyday through experience of perceived dire peril and a return to the everyday. The following discussion presents two examples of *Burker legends* to demonstrate the possibilities of structural analyses that concern us here. The first, from Jock Higgins and Stanley Robertson, are atypical examples, and the second are pared down versions that typify the *Burker legends* more generally. D  gh reminds us that ‘the legend audience is not looking for aesthetic delight but rather to examine a problem they all share’ (2001: 99) – within the structure of the *Burker legends*, the problem becomes an existential threat not only to the protagonists bodily, but to their sense of a shared cultural identity that is under threat. Jock Higgins, narrating in 1953, captures this structure neatly; “this is a story about ma father,” Jock begins, “he was travelling the country up north and he came to a farm and he got lodgings in the barn, him and another man” (TAD 2833).⁸ “In the middle of the night,” Jock continues, “they heard the coach comin’...and he knew what it was; *Burkers*” (ibid.). Our protagonists then exit the barn through a window at the back of the barn and escape after being pursued for some miles. As we will see, this narrative patterning underpins the *Travellers’ Burker legends*, with the details of the experience being elaborated to deliver culturally significant meanings.

Some years later in 1956, the same narrator, Jock Higgins, gives an extended account of an encounter with *Burkers*. Here, Jock is the central protagonist and is on the road with his brothers; the trio are travelling from their home in Blairgowrie, Perthshire, to Glasgow seeking work as itinerant pipers (TAD 14364). Jock’s narrative begins in quotidian fashion, an equilibrium – “I wanted a fortnight afore I was out of school age,” Jock begins, “when I seen my two brothers leave that morning, I went away to school” (ibid.). Jock plays truant from school and goes after his brothers, who accept him on their way to Glasgow, via Edinburgh. A bizarre interlude in Edinburgh is then narrated; Jock is sent out to buy milk and gets lost in a fog, is offered hospitality by a friendly resident, falls through his given bed into a sewer, and eventually ends up naked on the seashore. It could be that this episode functions as a portal in the story, signalling the artistic license of tradition-bearers and a curious transition into liminality, or the disequilibrium that is the hallmark of the *Burker legends*. On the seashore, Jock receives clothes and food from a bemused passer-by and sets off to find his brothers. Unable to locate his brothers, Jock resumes the road to Glasgow where he meets a stranger; the stranger directs Jock to a nearby farmhouse, where he is invited to spend the night, and his encounter with the *Burkers* begins.

It soon becomes clear that Jock is in mortal peril when he overhears the farmer/Burker plotting his murder: "I heard the auld boy sayin', "when he gits fa'en [falling] asleep... cut his throat," he says, "and let him lie bleed tae mornan [morning], afore we get the doctors" (ibid.). Part of the Burkers' plan is to ensure their victim, Jock, is lying in a certain position on the bed he is to share that night, meaning he will be easily identifiable in the dark. Jock becomes privy to this information and "creepit [crept] tae the back o the bed and shoved the young yin, the young son, tae the front" (ibid.). Of course, the would-be Burkers murder their young son by mistake and Jock makes his escape, stealing the young son's clothes in the process. Jock then discovers a substantial amount of money, and a gold watch, in the murdered son's clothes and a further picaresque episode ensues—Jock stays in hotels, eats and drinks to his heart's content, and eventually gambles everything away. For our purposes, this episode signals that Jock, and his listeners, remain in disequilibrium. Jock's encounter with the Burkers is not over yet.

Returned to penury, Jock abandons his hotel and continues his journey to Glasgow to find his brothers. "Aboot five or six mile from this place it wis gettin' pitch dark," and Jock encounters the familiar sinister coach, "a great big black... like a hearse wi two men up in the dickie [driving seats]" (ibid.). When it becomes clear that the occupants of the vehicle are nefarious, Jock hides in a hedge next to the road and escapes to a nearby farmhouse. With the vehicle in pursuit, Jock frantically knocks and kicks on the farmhouse door, explaining that he is being chased. "Oh ye better come in," says the woman who answers the door, "I think there's somebody of your people in here already" (ibid.). Jock asks who are supposed to be "his people" and the woman tells him that pipers had passed through the farmhouse the day before. Jock is disarmed by this statement and agrees to enter the house, where he is lodged in the milkhouse along with an old man. "I dinnae like this place""", the old man tells Jock, "They're ay standin, him and her, standin at that door," he says, "always speakin aboot doctors... I'm fir oot [leaving immediately]" (ibid.). Unfortunately, Jock and the old man are captured during their escape and placed in the Burkers' coach and, ironically, the coach heads towards Glasgow.

After driving through the night, the Burkers decide to stop for provisions "aboot four miles, or four miles and a half oota [from] Glasgow [Glasgow]" (ibid.), inexplicably leaving Jock in charge of the coach and horses. Of course, Jock "jumpit doon aff the dickie, opened the back door, and I pit whip tae the hoarse [horses]" (ibid.). As the horses bolt, Jock witnesses bodies falling from the back of the coach and makes a hasty getaway by scaling a nearby wall. On the other side, Jock finds himself in a bakery, where the baker exclaims "God bless me," he says, "laddie whaur did you come fi?" (ibid.). Jock literally "crosses over" back into

equilibrium when the benevolent baker informs him that, “late last night,” he says, “there wis an old wuman and an old man,” he says, “with a caravan, they’re down in the halla [valley, glen] there... I heard pipes playin there last night” (ibid.). “I seen the reek comin up oota the glen, ye ken, where they were campi,” Jock recounts, “when I went doon there, I sees my old people and ma twa brothers” (ibid.). When Jock is reunited with his family and tells them what has happened to him, his mother crystallises his return to equilibrium, “thank God, laddie [...] ye might a been intae Glasgae College” (ibid.); that is to say, Jock murdered, and his body sold to anatomists in Glasgow.

Within the metadata of the recording, the fieldworker who recorded Jock’s narrative – the late Maurice Fleming (1926-2020), a prolific contributor to the School of Scottish Studies Archives – remarks that it is “a particularly interesting Burker story in that it treats the Burker incidents described in it in a rather humorous way” (ibid.). I suggested above that the Traveller narrators who share these legends do so in such a way that they are anything but humorous, and that a real social trauma can be perceived within the stories. However, if we view the legends from the structural perspective also outlined above – equilibrium, disequilibrium, new equilibrium – Jock’s narrative is a quintessential Burker legend. Despite the encounters being punctuated by Jock’s picaresque experiences, the structure of the narrative betrays its classification. Consider the events of Jock’s narrative: he plays truant from school to pursue an itinerant lifestyle with his brothers; he becomes disorientated in the foggy urban landscape of Edinburgh; he squanders the wealth he acquires after his first encounter with Burkers; and is ultimately reunited with his family in the rural familiarity of their caravan in the glen. What is at stake within the Travellers’ Burker legends is cultural legitimisation through narrative negotiation. Jock’s journey represents his cultural identity as a Traveller because his chosen lifestyle includes an element of vulnerability and risk. However, as protagonist in his Burker legend he eschews sedentary lifestyles choices, passes through the precarity unscathed, and overcomes his antagonists using his wits. The structure and context of Burker legends thereby embody a singular folkloric idiom that conditions, represents and legitimises the cultural identity of the narrators.

In another example from the renowned Traveller singer and storyteller, Stanley Robertson, the narrative structure of the Burker legends is embedded in a hero tale called “Jack and the Flesh Eaters” (TAD 69991). Robertson frames his narrative by explaining that the events took place at a time when “Travellers were being persecuted and suffered harsh laws” (ibid.). Three brothers, Wullie, Bobby and Jack, are out plying their trades (equilibrium) when they enter an unfamiliar town (disequilibrium). After a relatively lucrative stint in the town, they are offered work in the local nobleman’s castle, where they hesitantly accept, on account of the

perceived persecution. In the evenings, the brothers are provided with “a big jug o’ porter [dark beer]” for their labours, and they all “fall sound asleep” (ibid.). The reader will recall the term ‘Burking’, introduced above, where potential victims are rendered insensible by intoxication. This link to the original crimes perpetrated by William Burke and his collaborators often marks such narratives out as *Burker legends* and we will return to its significance below. Meanwhile, one by one, the intoxicated brothers begin to disappear until Jack, the hero, is saved by a warning from a benevolent servant girl; “look laddie,” she says, “I ken what happened to yer brothers... dinnae drink this porter because this porter’s drugged” (ibid.).⁹

It transpires that the nobleman’s castle is a notorious haunt for cannibals, who lure their victims with kindness, especially Travellers, drug them, then “bleach their bones and eat them” (ibid.). Equilibrium is restored, for Jack at least, when he makes his heroic escape with the servant girl, and they are subsequently married. The structure of this narrative will, by now, be familiar to the reader – the protagonists move through the tripartite *Burker structure* and escape an existential threat. Again, the metadata included in this recording is useful; the fieldworker, Barbara McDermitt, points out the similarities with “*Burker tales*” (ibid.) – Robertson agrees, then explains to McDermitt that “all my lifetime, I heard these tales of things that feared ye... the basic story I believe actually is based on a true occurrence” (ibid.). With this remark from Robertson, we are firmly in legend territory, not only concerning the Burkers, but also the legend of the notorious Scottish cannibal, Sawney Bean. The legend of Sawney Bean was first put into print in 1700. He and his allegedly incestuous family were said to have dwelt in a cave in Galloway, on the southern west coast of Scotland, sometime around the late sixteenth or early seventeenth century.¹⁰ Robertson makes clear that he is aware of the legend of Sawney Bean when he comments, “well, there was the Sawney Bean family that used to kill the people in Ayrshire” (ibid.).

Like Jock Higgins’ first-person account above, Robertson’s story intertwines motifs and plots to produce nuanced Traveller-centric narratives. It is no coincidence that Higgins’ and Robertson’s stories have the same narrative trajectory – they belong to the same tradition and share the same impetus. Consider the quotidian beginnings: Jock sets out to follow his brothers as itinerant pipers, and Robertson’s Jack plying his trade with his own brothers; both sets of protagonists are then held lured by nefarious hosts; and finally, they make their escape, one way or another. As Robertson points out above, it is the structure, or the “basic story,” that is significant. According to Lüthi, “the form of a legend... stands in a one-to-one relationship to what is told” (1982: 3). “The subject determines the mood,” Lüthi continues, “and the two together, the subject and the mood, determine the form that the narrative takes” (ibid.). As we will see below,

the more complex Burker legends examined above share their “mood” with more rudimentary versions, and the form these versions take underpins the overall structural importance that our discussion has illuminated. The narrative structure of the legends signals the negotiation of cultural continuity within communities who have experienced several centuries of persecution from mainstream Scottish society.

The Travellers’ Burker Legends – Part II

The basic structural units of the Travellers’ Burker legends are at their most precise in the narratives that do not stray into the picaresque or incorporate episodes from separate legend traditions. As Laudun has pointed out, legends are “frequently the most bare bones of stories; they are often flexible in form, with sequences inverted while meaning remains stable” (2017: 76). The stability of the meaning within the Travellers’ Burker legends becomes clearer when more “inflexible” forms of the narratives are juxtaposed with more elaborate renditions. Before concluding our discussion, we examine two Burker legends – one recorded in 1954 and one recorded in 2019 – that are not only typical but demonstrate that it is the *structure* of the narratives that is doing the work within these legends. Laudun goes on to suggest that “what is at stake... is the explanatory power of legends: their ability to organize elements, usually understood as events within a plot, into a larger, intelligible whole” (ibid.: 93). These elements, for our purposes, are the structural units described above and the intelligible whole is the overarching theme of cultural legitimacy that the Burker legends negotiate.

In Maggie Stewart’s Burker narrative, recorded in 1954 in Aberdeenshire, her account begins with a quotidian reality that we have been referring to as equilibrium. “My grandfather used to go an lodge in a farm, and my father was a lump o a boy along with him, and ma granny” (TAD 10220). Stewart tells us that the family were well known at the farm and would often shelter in one of the farmer’s barns. However, this night there is something amiss and the farmer does not want the Travellers to lodge in the barn; “he [the farmer] told ma granny he would raither huv her to go any other where that particular night and come back some other day an get their lodgings” (ibid.). Disequilibrium ensues when Stewart entreats with the farmer, “it’s very cold,” she says, “an it’s late”, she says. It wis a winny [windy] kind o night and it wis chilly [...] “we’re tired, we’ve threaved [threaded?] a long road”, she says” (ibid.). The farmer remains hesitant, but eventually relents, and then supplies the weary Travellers with candle and candlestick to take into the barn. However, the seemingly benevolent famer then locks the barn door from the outside, something he had never done during the family’s previous visits. This change in relationship with the farmer is a crucial point in Stewart’s

narrative because it signals the transition from the quotidian to the traumatic. To make matters worse, the Traveller family soon discover “blood and people’s hair” (*ibid.*) mingled on the floor of the barn and realise they are in mortal peril.¹¹

The Travellers begin to search for a way out and soon discover that their only means of escape is through the skylight in the roof. After the nimble Traveller boy, Stewart’s father in the narrated events, ascends and looks out of the skylight, the alarm is raised; “youse two doon there,” he says, “ye better get oot here quick... here’s the Burker’s coach comin an am makin awa [running away],” he says, “youse gaun tae be Burkit” (*ibid.*). The family clamber out of the barn and hide in a corn field, followed closely by the would-be Burkers who prowl nearby. To their increasing dismay, the Traveller family then learn that the Burkers have a dog that they are sure is “gaun to gie the show away [reveal their position]” (*ibid.*). Desperate to evade capture, the grandfather and granny sneak away while Stewart’s father lies in wait for the dog; “I’ll take oot this ghillie o a knife o mine,” he explains, “I’ll stick in the neck” (*ibid.*). After Stewart’s father dispatches the dog, the family move on until they come across a croft with a henhouse and they “crawled in among the hens and the hens nivir gave a cheep [sound]” (*ibid.*). The Burkers continue their pursuit, enquiring at the door of the croft where a woman answers: “oh no,” the woman says, “if they hud’ve come this road my dog woulda barked... there’s nae place they can hide aboot this hoose” (*ibid.*). Unable to locate the Travellers – safely hidden as they are among the conveniently acquiescent dog and hens, and unknown to the crofter herself – the Burkers retreat, and the encounter is over. Like the previous examples from the Travellers’ Burker tradition, Stewart’s narrative follows a discernible pattern: quotidian beginning (equilibrium); captivity and/or the recognition of mortal danger (disequilibrium); and finally, a serendipitous and/or crafty return to the everyday (equilibrium).

However, unlike Jock Higgins’ picaresque rendition, or Stanley Robertson’s version with the abominable “flesh eaters,” Maggie Stewart’s Burker account is couched in verisimilitude. It is here in reality that the Burker legends are at their most resonant and meaningful, at the same time as sharing their structure with more elaborate versions. The sense of new equilibrium is achieved at the conclusion of Stewart’s Burker narrative when she explains that her “grandfather and granny... nivir geid [went] back because the Burkers caught ye there” (*ibid.*). The social relationship between the previously benevolent farmer, who effectively abetted the Burkers, has been destroyed and replaced. When the Traveller family emerge from their hiding place in the henhouse, the crofter woman “telt them, always Burker people in that hoose [the farm], in a certain time, aboot every fortnicht” (*ibid.*). Despite the farmer’s initial protestations about the Traveller family spending the night in his barn, he ultimately

betrays the Travellers and becomes party to the commodification of murder. The crofter then functions to reestablish the social relationship between the Travellers and mainstream communities. Without even the knowledge that her property had provided sanctuary, the crofter's guileless response to her guests represents the social function at the heart of the Travellers' Burke legends.

The very real, and often hostile, social conditions in which Traveller communities exist are being negotiated; however, it is trust and acceptance that are being extolled here, and the abhorrence of the ultimate betrayal is incidental because its narrative function is hyperbolic. Consider the nature of the original crimes in Edinburgh in 1828; the victims are lured "home" with Burke and Hare, rendered insensible with intoxicants and murdered, their bodies then sold as commodities. It is a contemptible view of the value of human lives, and George MacGregor's conceptualisation of "new words with a particular significance to the English language" (1884: 272), quoted above, comes into sharp relief. In Maggie Stewart's Burke account discussed above, she refers to the process, if one can call it that, as being "Burkit," and we have seen the term "Burking" deployed ironically as early as 1832 by 'A Modern Pythagorean' (*Fraser's Magazine*). Its significance in the Travellers' traditions – aside from terminology for a deplorable motive for murder – is its use within the context of the structure of the Burke legends we have been interrogating. The overarching structure of the Burke legends is a metaphor for the confrontation between communities who occupy the same geographical spaces but who inhabit divergent cultural spaces. "Burking," from this perspective, represents a cultural encounter where the existential threat is transferred from corporeal murder to the perceived erosion of the Travellers' cultural legitimacy.

In an interview with the author, contemporary Nawken Davie Donaldson shares an account that provides a further concise example of the Burke structure at work, and one that crystallises the central argument of our discussions here. Donaldson begins with the recollection of the roadman's house that once existed in the Sma' Glen in central Perthshire; "there's a story about my great-grandfather, Willie, he wis oot hackin [hawking; selling goods door-to-door]," begins Donaldson, "like many Burke stories they start with someone hackin [...] ye wouldnae hack the road if you were telt these stories" (Interview 2019). From the outset, like Maggie Stewart, Donaldson situates his Burke account in reality; the reference to his kin, for instance, and through his awareness of the tradition to which his account belongs. Donaldson continues to contextualize his account with topographical details; his great-grandfather and two companions were hawking in the Sma' Glen, which was "the main road to the Highlands for a very long time, so that was the main route for Traivellers" (ibid.). This description of the road through the Sma' Glen – now the modern A822 – has indeed been the preferred route for some

centuries, being the route favoured by General Wade for his military road in the first half of the eighteenth century, and earlier still by the northern cattle drovers heading south to market in the Scottish Lowlands (Haldane 1952: 32, 103). As we have seen previously, the richness of context in the Burker accounts firmly roots the narratives in a reality that is both recognisable and meaningful. Donaldson's protagonists are situated on familiar ground, but soon find themselves in a precarious situation when "it's getting kinda dark, and they've no got nothin [provisions] wi them" (Interview 2019). The company approach a farmhouse to seek lodgings for the night and are welcomed by the farmer and his wife. The Travellers are then given food and whisky and enjoy a pleasant evening with their hosts. When it is time to sleep, the farmer offers the Travellers a space in his barn for the night and Donaldson's account takes a sinister turn. Under a dubious pretence of fire safety, the farmer insists on taking his guests' cigarettes, candles and lighters, so "the boys all hand over their things" (ibid.).

However, a member of the company, Duncan Newlands, "never trusted country-folk [non-Travellers]" (ibid.) so has kept a candle, the means to light it, and a deck of cards. The captives soon discover they are not alone in the barn when Donaldson's grandfather finds a dead body and piles of the previous victims' clothing. At this point, the grandfather realises their danger when he "kens, right there and then, ken aa these stories o Burkers comes right intae his heid" (ibid.). The Travellers then hear the voice of the farmer, assuming the captives are asleep after their food and whisky, "they're up there boys," the farmer whispers, "gimme the payment noo and yis [you] can take them" (ibid.). After hearing this, the company flee for their lives, suspecting that their antagonists are "medical students, because Glenalmond College is just doon the road from Sma' Glen" (ibid.). Eventually, the companions come to the roadman's house where "they don't have to say anything. The roadman's like, right boys, I ken exactly, come here an I'll hide yis" (ibid.). Donaldson recounts another Burker legend, narrating an "auld story, it was actually... somethin to dae wi my folk up North, roond aboot Baff" (Interview 2019). The story begins with a young Traveller who has been out hawking for the day and becomes unable to reach his camp before nightfall. The lad comes across a likely house to pass the night and is invited in by an old couple. The inhabitants were "lovely folk," Donaldson goes on, and there was a "big roaring fire, a really cosy, bonny wee place" (ibid.).

Both Donaldson's stories follow the Burker structure of equilibrium-disequilibrium-equilibrium; a wayward Traveller, or group, is enticed into supposedly safe accommodation, before becoming aware of a threat to their person in the form of Burkers, and eventually hatches their escape with the violence unconsummated. Donaldson's version aligns with a version told by Stanley Robertson – (TAD 65216), recorded in 1979 –

where the protagonist is saved by an ally within the house who sings a song in Cant to warn him of his peril. Cant is a language, used by some Traveller communities, that is formed of a large vocabulary from a variety of sources including Gaelic in the north of Scotland, and Anglo-Romani in the south (Clark 2006: 16). In Donaldson's version, the ally is fleshed out further to include details of how he came to be in the settled house; "back in they days," explains Donaldson, "if your mother and faither croaked [passed away], you would go to work for other folk... you would either do that or go to a poor hoose, and naebody wanted to go to a poor hoose because it was a shan [bad] place to grow up in" (Interview 2019). The ally's parents had previously perished in a fire and the orphaned boy had been indentured to the settled people's homestead as a way of earning his keep. In his metanarrative, Donaldson explains that the point of the story is "to teach you the importance of the Cant" (ibid.), before going on to disclose that "we're taught from a very early age, whatever way, to protect the Cant and treat it wi a lot a respect. An one of the ways we done that wis through stories" (ibid.). The fact that this use of Cant is embedded within a Burker story is telling – the cultural legitimacy that is being negotiated within the narrative is encapsulated by the use of a language that is specific to the communities where the legend is shared. Donaldson's accounts are quintessential Burker legends because the protagonists' return to equilibrium is facilitated by a culturally significant language – Donaldson's narrative precisely captures the overarching structure of the narratives as a metaphor for the confrontation between opposing cultural commitments.

This kind of interpretation is by no means unique to Scotland's Traveller communities and can be seen to speak to universal moral and ethical issues. "The Kidney Heist," for example, is a contemporary legend that circulated during the 1990s throughout the United States, Europe and Australia. Here, a susceptible reveller, or tourist, is lured by an ostensibly benevolent new acquaintance, is intoxicated in some way, then has their organs harvested against their will (Brunvand 1994: 149-154; Dégh 2001: 124-126). The parallels with our Burker legends are clear, exploitation followed by deliberate intoxication and mutilation for medical, or perhaps even cannibalistic, purposes. Citing Véronique Campion-Vincent (1990: 14), Brunvand suggests that that the Kidney Heist legend has its roots in Central American oral tradition, where it was known as the "Baby-Parts Story." Campion-Vincent herself documents several antecedents of such legends – the kidnapping of babies – from antiquity to the present, describing them as "the immemorial fable of horrors inflicted on *our* innocent children by *them*" (ibid.: 24, italics in original).¹²

Campion-Vincent goes further, arguing that legends such as these will continue to circulate and ultimately function as "symbolic expressions of important and unresolved moral issues [and will] remain a perfect parable

about the evils to be denounced in the materialistic modern world” (2002: 45). The same might be said of the Burker legends being discussed here – yes, the commodification of human beings lies at the heart of the narratives, but the existential threat being negotiation runs deeper. Through detailed analysis of examples of the Travellers’ Burker traditions, one hypothesis has been problematised while another more significant finding has been revealed. The hypothesis that the Burker accounts represent a deep-seated persecution complex, propounded by Henderson and others, has been shown to be only a single element of this pervasive legend. As we have seen, many Burker accounts can certainly be read in this way due to the very nature of the narratives; a powerful establishment preying on marginalised members of society to further their own ends is, ultimately, the theme of the accounts. Pettitt makes the useful suggestion that we can view contemporary legends from the “perspective of social and psychological function,” and that they “might best be termed ‘anxiety legends’” (2005: 61). Pettitt is referring to narratives that ‘seem to be peopled by protagonists endemically vulnerable to danger [...] involving the compromising of the body’ (ibid.).

As a result, Pettitt speculates that in contemporary legends where there is a corporeal threat – especially if there is an identifiable antagonist – their potential function could be to reflect the anxieties of “settled populations with regard to nomadic outsiders” (ibid.). Similarly, in her discussion around the “gassed and robbed” legends circulating globally from around the last quarter of the twentieth century, Anderson makes a similar conclusion; “sanctuary is violated by robbery,” says Anderson, and the associated intoxication “taps into a fear and anxiety of not being in control” (2007: 70). As I have suggested throughout our discussion here, such anxieties can work both ways when the anxieties of the “outsiders” themselves are projected onto “settled populations.” However, the existential threat posed by the Burkers transcends the corporeal and becomes a negotiation of differing ideological commitments. It is no accident that the Traveller protagonists, more often than not, escape from their encounters unharmed and return to equilibrium – it is the ideological encounter, rather than the corporeal, that presents the danger. The ultimate human depravity – whether it be murder as a commodity, or cannibalism – is used as an arena within the Burker legends and the protagonists are not passive. It is a *way of life* that is being threatened, not life itself. Instead of a corporeal or cultural paralysis, or even destruction, the encounters with Burkers function as an affirmation of the protagonists’ sense of cultural legitimacy. Robertson and Higgin’s elaborations of the Burker legends examined above are therefore not apostates in the structural sense; rather they represent artistic variations of the Burker legends while retaining the central theme. Like most legends, there are variations within

the narratives that speak to more personalised life histories and experiences.

Conclusion

Given the context provided at the beginning of our discussion, the Travellers' fear of the medical profession – or 'outsiders' more generally – does not seem entirely irrational. Evidence from *The Statistical Accounts of Scotland* (1791-1845) gave us an insight into how the communities were perceived during the period that Burke and his associates were committing their crimes. According to Braid, the Travellers' Burker legends "may also be used to instil a healthy fear of outsiders in Traveller children. These stories therefore reinforce the desire for isolation and strengthen the sense of shared identity in Traveller communities" (2002: 83). This much is true, but the Travellers' Burker legends also function as an intersection between contested cultural and ideological priorities. If the Burker accounts are indeed simply a negotiation of an anxiety around the mainstream population, why do they manifest themselves in this very specific way? This is the question that this study has addressed and has demonstrated the efficacy of a structural approach that can uncover more significant meanings below the surface of legends. Whether or not the Travellers' Burker narratives were influenced, or even inspired, by the racist attitudes of elites such as Dr Robert Knox we are never likely to know. Within the Burker legends, however, the association between the medical establishment – symbolic as it is of a mainstream, elite environment – and the nefarious acquisition of human bodies is clear. At one end of the encounters, we find corrupt medical professionals who encourage and employ individuals capable of murder to supply them with fresh cadavers; at the other end, we find members of marginalized communities going about their quotidian business and falling foul of what effectively amounts to greed.

In terms of the structure of the Burker legends, and thinking about contested priorities, consider Dundes' point about patterns in folklore; we "need interpretative studies showing how the structural patterns provide metaphors for the culture at large," Dundes implores, "the analysis and interpretation of these patterns of metaphors should provide unrivalled insights into the worldview and behavior of peoples everywhere" (2007: 139-140). If we read the Burker legends as metaphors and interpret them as insights into worldview, what is at stake are the values and beliefs that underpin the Travellers' lives and traditions. The captivity and escape are symbolic of an inherent ideological difference between Travellers and the mainstream population. The structure, or pattern, of the Burker stories thereby reflects an immanent *ideological* pattern; the precariousness, captivity and liberation reflect the central importance of these three factors in the lives of the protagonists. Jameson's insights into the efficacy of the

structural analysis of narrative are informative here; the ideology of the social group being studied – “ideology” being understood, broadly, as a system of values and beliefs – is not wholly responsible for the cultural expressions of the group (1981: 79). Instead, cultural expressions, such as narratives, are ideological acts in themselves because they function as reactions or solutions to unresolvable social circumstances. Consider Douglas’ observation that the pattern of the Travellers’ Burker stories “caused them [tellers and listeners] to live through the kind of experience they dreaded, thereby defusing it of its terror” (1985: 262). The latent function, from this perspective, is indeed the symbolic resolution of a real contradiction; the contradiction lies in the fact that the Travellers will never be able to validate their lifestyles to the settled population. In this sense, the Burker tradition is a symbolic arena that is based on real contradictions and where ideological differences are mediated.

As we have seen, the Travellers’ encounters with Burker are often presented as having actually happened to the narrator, or to someone they know. Speaking in 1975, Traveller Betsy Whyte captures the lingering fear and social reality of the Burkers that exists within the communities; “that went on all over,” says Whyte, “and although youse folk [mainstream population] mibbe disnae believe it, it goes on as much now as it did in these days” (TAD 77229). Again, the ways that the Travellers’ narrative negotiations manifest are hardly surprising given their relative vulnerability as a minority social group. The fact that the Travellers’ Burker narratives are recounted as reality is the crucial point – disputation about the veracity of the accounts, particularly picaresque renditions, is moot because what cannot be disputed is the *social* reality in which the stories were conceived and where they continue to be shared. The underlying social contradiction that is being resolved is the narrative affirmation of a fundamental ideological differentiation with mainstream or elite sectors of Scottish society. As we have witnessed throughout this discussion, the Travellers’ stories are permeated with themes that, under close examination, challenge mainstream doctrines and ways of interacting with the world. The sense of insecurity that is deeply embedded within the Burker tradition stems from an ongoing differentiation with the ideologies of the *dominant* institutions. What is at stake within the Burker tradition is the fragility of the Travellers and their chosen lifestyles. The overarching function of the narratives becomes more than an unsatisfactory negotiation between the Travellers and an antagonistic “outside world.” The binary antagonism between Travellers and the outside world certainly exists, both in reality and in the stories. However, by mapping the structure of these narratives, it has been demonstrated that these cultural expressions embody a more deeply felt imperative toward existential freedom and the ideological decision to favor a lifestyle that is often at odds with mainstream sensibilities.

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Notes

1. The report was signed by John Robison, chairman; James Russell, Thomas Allan, W. P. Alison, George Ballingall, George Sinclair, W. Hamilton, John Robison, for M. P. Brown, Esq.; and John Shaw Stewart (Macgregor 1884: 244).
2. The term "Butt and ben" refers here, in Scots, to a two-roomed dwelling, i.e., the victims are "taken home" with Burke and Hare.
3. For fuller discussion around the history and perceptions of Travellers in Scotland, see Colin Clark's 2006 'Defining Ethnicity in a Cultural and Socio-Legal Context: The Case of Scottish Gypsy/Travellers', in *Scottish Affairs*, Vol. 54, No. 1, pp. 39-67. In terms of storytelling traditions, see Donald Braid's 2002 *Scottish Traveller Tales: Lives Shaped Through Stories* (Mississippi: Mississippi University Press), and Robert Fell's 2024 *Traveller Storytelling in Scotland: Folklore, Ideology and Cultural Identity* (Edinburgh: Edinburgh University Press).
4. 'Caird' [Gaelic: 'Ceàrdair', artisan] and 'Tinker' are historic terms for members of Traveller communities. Again, it must be noted here that in present day Scotland the term 'Tinker' is widely considered pejorative, and by many an outright racist slur.
5. "Nacken" [variously spelled] is a self-defining term preferred by some members of contemporary Traveller communities, Shamus McPhee being one of them. Its usage was recorded in print as early as the 1860s in Walter Simson's *A History of the Gipsies: With Specimens of the Gipsy Language*, where he identifies a group who "call themselves Nawkens... a word to which they attach the meaning of a wanderer, or traveller—one who can do any sort of work for himself that may be required in the world" (1865: 340).
6. Claude Lévi-Strauss' analyses are pertinent examples of how structural approaches to stories can provide important insights into the lives of the people who share them. Lévi-Strauss' method involves isolating the various levels on which the story evolves—what he calls the underlying logical structure—then evaluating the organizational structure within the context of the storytellers'

- lives and social environment. See for example, “The Story of Asdiwal,” in *The Structural Study of Myth and Totemism* (2004: 1-48).
7. The corpus for this study is drawn from the School of Scottish Studies Archives – held at the University of Edinburgh – and consists of thirty oral texts. Using the online TAD portal introduced above, readers can peruse these resources by searching the track ID, or simply by inserting keywords into the search facility, i.e., in this case, “Burker.”
 8. All references beginning ‘TAD’ refer to the track ID on Tobar an Dualchais (TAD), a digital archive which contains material from the School of Scottish Studies, The Canna Collection and BBC Radio nan Gàidheal. The recorded material can be accessed via the TAD website by searching the numerical track ID using the ‘Search’ function - <https://www.tobardualchais.co.uk/>
 9. For a standard version of a Burker legend, including the warning from a helper, see Robertson on TAD 65216. Warnings from helpers within folkloric expressions are by no means unique to the Burker legends – see, for instance, Aarne-Thompson-Uther (ATU) tale types 958, 1419H, and a Gaelic version of the same motif in TAD 86108 - *Aoidh, na Dèan Cadal Idir* [Aoidh, do not sleep at all].
 10. For more on Sawney Bean, see Jennifer Brown’s *Cannibalism in Literature and Film* (2013), pp. 91-103. Hobbs and Cornwell suggest that the Sawney Bean legend is the creation of an eighteenth-century English writer, speculating that “whilst it would be overstating the case to describe the story as ‘racist’ or ‘anti-Scottish’, it could have gained plausibility from the fact that many of the (English) readers would have doubted, shall we say, whether the Scots met their own high standards of civilisation” (1997: 52).
 11. For a similar rendition involving a blood-soaked barn, see Geordie Stewart’s Burker account on TAD 3817.
 12. For an example of a ‘baby-parts’ legend from the Travellers’ tradition, see Bella Higgins’ account on TAD 97603. The reader will notice that the TAD synopsis lists this narrative as a Buker legend – this is likely due to the inclusion of the ‘Burkers coach’ (see also Maggie Stewart’s description of the coaches on TAD 10221).

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