CHAPTER FIVE

CHANGE AND CONTINUITY, 1270–1319

In this and the next two chapters, we shall look at how the tributary lands were ruled from 1270 to 1397. We shall examine three sides of the government of the tributary lands: the king’s administrative apparatus, local public life, and the men who served the king. Central problems to consider will include the question of whether there was room for local variation in the administrative apparatus and what consequences that outside rule had for the inhabitants of the tributary lands and their participation in public life.

An aim of this study is to establish whether changes in the government of the tributary lands were due to changes in the national government in the fourteenth century, or if they were a result of local needs. This study may also shed some light on the king’s strategy for the government of the tributary lands, and to produce new knowledge about the fate of the Norwegian medieval state in the Late Middle Ages. On the basis of events in national politics, I choose to divide this investigation of the government into three separate periods. This first period, from c. 1270 to 1319, starts with the state-building project of Magnus Håkonsson and his sons and covers the judicial, administrative, and socio-political integration and its consequences up to the death of Håkon V Magnusson in 1319.

Although the tributary lands are often treated in the king’s laws and ordinances as a unit, they were in reality separate parts of the king’s realm, each with a different relationship to the Norwegian crown. For that reason we shall first look at developments in each individual country and then draw the threads together for the tributary lands as a whole.

The Faroes

We have very few sources about the situation in the Faroes, both in this and in the next period we shall study. What we can say, however, is that the crown maintained an administrative apparatus in the islands. In the amendment to the Faroes from 1270/71 King Magnus
Håkonsson ordered that the local sheriff should not have more than three agents (lensmenn).1

The Faroese, as we have seen, called for amendments to both the revised Gulathing law code and the Landlaw. They probably met at the Alþingi to formulate their demands and to talk to the commission that Duke Håkon Magnusson had set up to inquire into the need for changes to the national law. The commission consisted of the Shetland lawman, Sigurd, and Bishop Erlend of the Faroes.2 The appointment of these two men indicates that Norwegian authorities attached great importance to competent local knowledge combined with consensus from the Faroese and support in the community. Sigurd has also been proposed as lawman of the Faroes, because both the Faroes and Shetland belonged to Håkon Magnusson’s duchy from 1273 to 1299. There is no evidence, however, that Shetland and the Faroes at this time constituted a single jurisdiction, and Sigurd is described merely as “lawman of Shetland” in the sources. In Duke Håkon’s reign, the Faroes seems to have been treated as the parts of the duchy located in Norway.

**Orkney**

“Domini Magni comitis Orcadie”3

In chapter two I argue that the Orkney earls had to accept direct royal lordship over the islands, and that the earl probably was obliged to accept royal administration in the islands, parallel to his own. In contrast, Barbara E. Crawford thinks that earls, when they were of age, as a rule had full power to govern the earldom both before and after the settlement between Earl Magnus and King Magnus in 1267, and that it was the earls, not the king’s officials, who looked after the king’s interests in the earldom.4 Crawford’s chief argument to substantiate that the earls enjoyed full power is as follows: there are only records of royal officials in the earldom from periods when earls were not

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1 NgI. IV, p. 353.
2 Sb, p. 45.
3 DN XIX 482 (Lord Magnus, earl of Orkney).