

Part VI: Hostages in the Areas of Confrontation Between the Swedes and the Geats

The giving and taking of hostages that is described in the *Westrogothic Law* (Sw. *Västgötalagen*) took place in certain territories in present day Sweden. Because this ritual occurred during the king's so-called *Erikskata* – the traditional journey of the elected Swedish king – it is necessary to understand the law in the light of the political situation in the provinces of the Swedes (Sw. *svear*) and the Geats (Sw. *götar*) in the 11th to 13th centuries.

Two events that are reported in the *Westrogothic Law* are of particular interest:

- (1) The established, law-given practice of hostage giving and taking at the river *Junebäcken* ('the June Brook') at today's city of Jönköping, possibly during the king's *Erikskata*.¹
- (2) The slaying of King Ragnvald Ingesson Knaphövde at Karleby outside the present day city of Falköping around 1120–1130. Ragnvald was killed because he did not bring the hostage of the Geats to the Thing of all Geats (Sw. *Alla götars ting*), according to the appendix by the priest of Vidhem.

These traditions of hostages can be the result of confrontations between different groupings (or political parties) in different provinces (Sw. *landskap*). To understand these events it is necessary to first scrutinize the sources – the manuscripts of *The Elder Westrogothic Law*. Then a presentation of the sociopolitical and

How to cite this book chapter:

Olsson, S. 2019. Hostages in the Areas of Confrontation Between the Swedes and the Geats. In: Olsson, S. *The Hostages of Northmen: From the Viking Age to the Middle Ages*. Pp. 251–320. Stockholm: Stockholm University Press. DOI: <https://doi.org/10.16993/bba.f> License: CC-BY.

economical situation of the province of Västergötland in the early middle ages will follow.

The manuscripts

The Elder Westrogothic Law (Sw. *Äldre västgötalagen*) is considered to be written in the 1220s. A key person behind its establishment is believed to be the lawman (Sw. *lagman*) Eskil Magnusson (c. 1175–1227).² The law is preserved mainly in two manuscripts.³ Parts of the earliest manuscript, Codex Holmensis B 59, is dated to 1285–1295 (leaves 1–40r), before 1310 (the amendments), and to 1320–1330 (the parts written by the ‘D-writer’).⁴ There is also an older fragment called B 139, which is supposed to stem from an earlier manuscript from the 1240s.⁵

The second main manuscript is dated to 1335 and is called *The Younger Westrogothic Law* (Sw. *Yngre Västgötalagen*) and is more extensive than *The Elder Westrogothic Law*. However, in this chapter it is the accounts of *The Elder Westrogothic Law* that will be in focus.

The main manuscript, Codex Holmensis B 59, is divided into three parts (a–c). Because the manuscripts B 59a and B 59b mention the episodes that will be analysed in this section, a brief outline of their structure will be given.

The the Book about Lawlessness of *The Elder Westrogothic Law* is a part of the manuscript B 59a and consists of 47 pages.⁶ It is written by the so-called ‘A-writer’. It can be noted that the ‘A-writer’ used the ‘m’-rune (Y) as was the case in the older fragment B 139.⁷ In this part of the manuscript there are also four further amendments by the ‘A-writer’.

The information about Ragnvald’s death is found in the list of the kings of the Swedes and the Geats (leaves 49r–50r) in B 59a. There are also lists of the bishops and the lawmen of the Geats in the city of Skara (leaves 50v–52r). The philologist Per-Axel Wiktorsson – an interpreter and translator of *The Elder Westrogothic Law* – estimates that the lists were written sometime during the 1240s.⁸ Eighty years later, transcriptions were made of the lists by the so-called ‘D-writer’ also known as Lars Djäkn (*Laurentius Dyakn*) or ‘the priest of Vidhem’.⁹ Wiktorsson has suggested that the ‘A-writer’ is

actually Lars Djäkn. The ‘D-writer’ would instead have been the canon and secretary (to the dukes Erik and Valdemar Birgersson) Tyrgils Kristinsson, possibly 1270–1340. In a codicological analysis of the texts in B 59, the classist Monica Hedlund has ascribed these margin notes to Tyrgils Kristinsson.¹⁰

These analyses of the manuscripts show that the episodes about hostages in *The Elder Westrogothic Law* can be traced to an original from as early as the 1240s. The oldest of these preserved manuscripts was thus written only 15–20 years after the original draft of *The Elder Westrogothic Law*, which is dated to 1220–1225. We shall now turn to the episodes about hostages in the Law.

The texts

The first chapter of the Book about Lawlessness states that the king shall leave hostages after the election at the river of Junabäcken.¹¹

Chapter 1

To the Svear belongs the right to take a King and to reject him as well. He shall go down with a hostage to Östergötland. Thereafter he shall send his envoys to the assembly of all the Götar. The lawman shall appoint the hostages, two from the southern part of the province, and two from the northern part of the province; thereafter he shall send four other men from the province with them. They shall go to Junabäck to meet him. The hostages of the Östgötar shall follow him there and testify that he has entered their land as their law says. The assembly of all Götar shall be gathered to meet him. When he arrives at the assembly, he shall swear to be faithful to all Götar and not break the law of our province. The lawman first pronounces him to be King and thereafter the others whom he asks to do so.

§1. The King shall then pardon three men who have not committed a crime of outrage.

Chapter 2.

If a bishop is to be chosen, the King shall ask all men of the province whom they want to have. He has to be a householder's son. Thereafter the King shall hand him a staff and a golden ring. Then he is led to the church and placed on the bishop's throne. He has then all the power except consecration.

Chapter 3.

A lawman must be a householder's son. Over this all householders shall decide with God's grace.

(Transl. Thomas Lindkvist)¹²

In B 59 there is a margin note 'about Eriksgata' (*Om Eriks gatu*), an amendment added by Councillor Hogenskild Bielke (1538–1605): The list of Kings of Sweden:¹³

The tenth was

Ragnvald king. Bold and magnanimous [he] went towards Karleby without hostage. And for the disrespect he showed toward all the Western Geats, he had a shamefull death. Then a good lawman ruled

Västergötland and county governor, and then all were safe in their country.

(My free translation)

In another margin note: 'King Ragnvald Knaphövde' (*k: Rauall knaphövde*).¹⁴

Outline of the research

Much of the debate about the hostage episodes in *The Elder Westrogothic Law* have concerned (a) the age of the law, (b) literary impact from Christian and continental ideas, (c) domestic legal traditions that were passed on orally, (d) the relation to other medieval provincial laws, and (e) the *Eriksgata*. The individual perspective has, of course, been based on the discipline of the researcher. We shall return to the debate regarding the *Eriksgata*, but first some perspectives on the age of the law and the question concerning whether there were oral traditions preceding it will be outlined.

During the first half of the 20th century, the oral traditions of the law were emphasized by the researchers. It was supposed that there were layers of an older 'Germanic' legal system embedded in the text. According to the historian Stig Jägerskiöld, *The Elder Westrogothic Law* was an offshoot from 'heathen times'.¹⁵ From

the 1970s onwards, more critical voices were raised. The historian Per Nyström maintained that the Medieval Provincial Laws in general emerged as an instrument for the feudal society with continental systems as a role model.¹⁶ An influence of canonical law, an impact of Roman law and a strengthening of the royal power in the 14th century were considered. The legal historian Elsa Sjöholm put forward the hypothesis that the Westrogothic Laws were based on canonical law, which was introduced after a struggle between the royal power and the ecclesiastical power, beginning in the early 1200s. Sjöholm argues that the methods used by previous research originated in were based on Pan-Germanistic ideas and that they had taken too little account of source criticism. For example, researchers believed that there were oral remnants in the provincial laws of a king who acted as 'High Priest' for independent provinces with their 'own legal orders' and 'cult federations'.¹⁷ In Sjöholm's perspective, it is impossible to find a heathen prehistory in the provincial laws. In fact, the laws were not the result of a long tradition but had their foundation in the unification of the Swedish realm and were originally parts of a common legislation; according to Sjöholm, the creation of the law was a strategy used by the royal power when it was weakened in the end of the 13th century.¹⁸ This hypothesis is in contrast to the earlier perception that the older traditions represented a continuity from older societies and were based on oral tradition.¹⁹

Sjöholm's hypothesis about the origins of the Westrogothic Laws has been questioned by several researchers. According to the historian Dick Harrison, her idea that the provincial laws were only a continental import is based on weak reasoning, because the spiritual and worldly powers would have neither the authority nor the means for such an influence (or ideological direction) and would not have been able to force it on the people.²⁰ Sundqvist argues on his part that Sjöholm has underestimated the fact that oral tradition could be embedded in the text, for example in formulaistic expressions.²¹

Other researchers have, like Sjöholm, stressed the influences of continental legal and church movements in the laws. Recently, the historian Gunilla Tegengren, in her thesis, *Sverige och Nordlanden* ('Sweden and the Sweden and the Northern Provinces'), pointed

out that 'theories of reception and influence from continental law' have been restored in relation to 'the historical school's' interpretation of the provincial laws.²²

In an article in 1999, the legal historian and theologian Göran Inger analysed the influence of the Church Reform Movement (*Libertas ecclesiae*, 'Church Freedom') on the Westrogothic Laws (particularly the Younger). The Reform Movement started in the 11th century and was about the independence of the ecclesiastical power from the secular.²³ At the same time, Inger did not only emphasize the continental influence in the law. In reality the king's role had a strong appearance in the the Book about Lawlessness of *The Elder Westrogothic Law*; for example, he was given a leading role at the Archbishop's inauguration.²⁴ In fact, there was a resistance to the reform movement through the 'domestic right' as 'built upon decisions by the thing' in every province of Sweden, which was manifested in the provincial laws.²⁵ The canonical law did not fully win entrance in *The Elder Westrogothic Law* until the end of the 13th century.²⁶

Sjöholm did not pay much attention to *The Elder Westrogothic Law* in her study. She noted, however, that there is no acceptable evidence that Eskil Lawman (Sw. *Lagman*) 'wrote' the law.²⁷ The presumption that he 'wrote' the law can neither be confirmed nor rejected: being 'author' or 'key person' is not the same as being an actual 'writer'. At the same time, as mentioned above, Wiktorsson's analysis shows that parts of the manuscript B 59 can be dated to as early as the 1240s. This does not mean that there was no continental influence, but it must be supported by convincing arguments concerning individual sections (Sw. *balkar*) in the Westrogothic Laws.²⁸

The point of departure in this volume, which is supported by the latest research, is that *The Elder Westrogothic Law* has its roots in oral tradition and a legislation of provincial nature. For example, Lindkvist has shown how domestic traditions occur in the Law. There are also references to similar traditions in the introduction the Law of Uppland (Sw. *Upplandslagen*), the provincial law of Uppland.²⁹ Lindkvist points out the uniqueness of *The Elder Westrogothic Law* in relation to other Swedish legislation. *The Younger Westrogothic Law* shows much more royal influence,

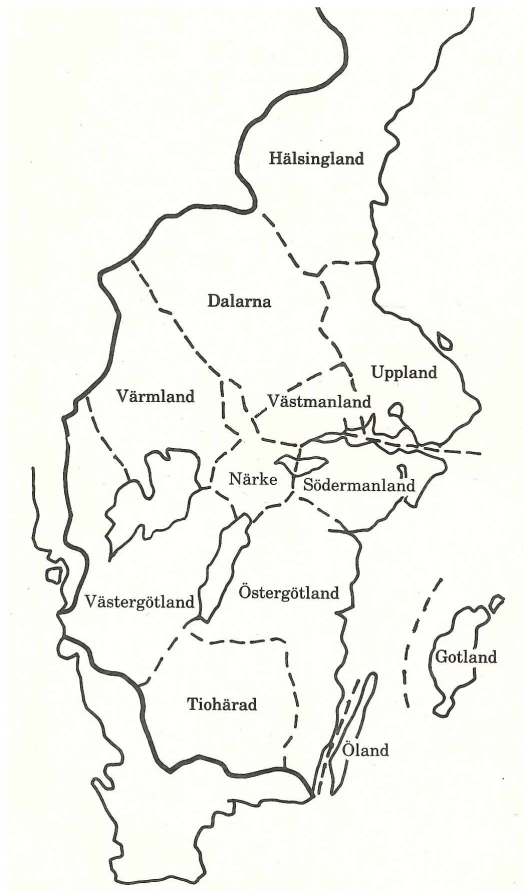


Figure VI.1. The legal districts (Sw. *lagsagor*) of the provincial laws.
Source: Lindkvist & Ågren 1997: 10 (By permission from the authors, license CC BY 4.0).

while the influence of the Church with the canonical law was limited in the province of Västergötland (or Westrogothia) in the late 13th century.³⁰ There are similarities between the terminology of Norwegian medieval legislation and the *Elder Westrogothic Law*, even though there are no direct ‘transmissions’ from the Norwegian laws. Consequently, according to Lindkvist, the Law must be understood as a provincial and unique legislation in relation to other provincial laws.³¹

In an article about the role of the lawman, the philologist Inger Larsson has pointed out that the most likely dating of the original lists of lawmen, kings, and bishops in *The Elder Westrogothic Law* is about 1230.³²

The texts about hostages in *The Elder Westrogothic Law* can be understood from the political situation in the 12th and 13th centuries in Västergötland and Svetjud, and in particular from the relationship between the groupings around the kings, the lawmen, and the bishops that are reerred to in the lists and some of the amendments in the law.

The relationship between the kings, the lawmen, and the bishops in Västergötland

The sources that describe the political situation in Sweden during the 12th and 13th centuries are few and sparse in terms of detail. The political situation is therefore difficult to interpret. There has been an idea that Svetjud (a.k.a. *Nordanskog*, ‘the Northern forest’) and Götaland³³ (a.k.a. *Sunnanskog*, ‘the Southern forest’) were two individual realms, or rather constellations of several small realms and other types of territories, which grew into a loosely united kingdom of a federal structure after the arrival of Christianity, under a king, perhaps with the starting point in 1008 with the baptism of King Olof Skötkonung (ON *Ólafr skotkonungr*) at the church of Husaby in the province of Västergötland.³⁴ Since it is the relationship between the provinces (*landskap*) that has been debated, some of the views of modern medieval research will be summarized, without claiming to include all aspects or all research.

In recent years, the theory of social networking communities has been applied to the Scandinavian countries including what would become the unified Swedish realm.³⁵ The unification of the provinces lay not only in the institutions and written rules, but also in the relationships between families and individuals, that is, in bonds of friendship. In medieval society it was necessary to constantly maintain and renew these bonds.³⁶ The royal families and groupings around great men (later nobility) who dominated the

Danish, Swedish, and Norwegian realms never managed to control or dominate each other – except in certain areas – because they were separated by sea, mountains, rivers, and other natural obstacles. Between them were also small, more or less independent, territories and large border areas.³⁷ The rulers focused on these network communities to control their own lands. The most important prerequisites for the network community were that the rulers knew who to turn to, something that is not obvious in a society without communications in modern terms.

Previous research assumed that the names of *Svear*, ‘Swedes’, and *Götar*, ‘Geats’, signified ethnic, homogeneous groups with their own languages. According to the social network research, however, the names should instead be interpreted as designations of groupings of different political alliances.³⁸ In this book these terms are used to distinguish between groupings in the provinces of Västergötland, Östergötland, and Svetjud.³⁹

In *Nordanskog*, Old Uppsala (Sw. *Gamla Uppsala*) was a central place where the political, the religious, and the royal powers were gathered. In *Sunnanskog*, however, it is considered that there is no evidence for a similar centre.⁴⁰ Place names such as *Götene*, *Göteve* and *Götalunda* suggest that places of regional significance existed during the Viking Age and earlier.⁴¹

The relationship between the kingdom of the Swedes (Svetjud) and the realms/provinces of Götaland can be presented as follows in a time sequence:⁴²

1008. The baptism of Olof Skötkonung in the well at Husaby Church outside the present day municipality of Götene in Västergötland.

1025 (?). Danish influence. The King Anund Jacob was defeated by the Danish Canute the Great who controlled the town of Sigtuna.

1030–1040. The construction of the first stone churches in the village of Varnhem and in the town of Falköping.

1060. Stenkil was recognized as King.

1070. The Swedish King Håkan the Red (Sw. *Håkan Röde*) exerted a limited influence over Västergötland.

1104. The establishment of the archdiocese in the city of Lund.

1120s. No (high) king ruling a unified realm. There were rulers in several provinces.

1120–1130. The slaying of King Ragnvald Knaphövde outside the village of Karleby.

1130. Sverker I recognized as King. He was married to Queen Ulfhild, widow of Inge II. Sverker had close connections to the Cistercian Order. Monasticism was introduced.

1156. The murder of King Sverker I. Erik Jedvardsson, who represented another dynasty, was elected king. Between 1150 and 1200 there were struggles between different groupings, mainly between the descendants of Sverker I and King Erik. But there were also other power constellations.

1160. The murder of King Erik Jedvardsson. Karl Sverkersson was elected king.

1164. The establishment of the archdiocese in the city of Old Uppsala. The king was described as the ‘King of the Swedes and the Geats’ by the Pope.

1167. King Karl Sverkersson was murdered by Canute, son of Erik Jedvardsson.

1195 (or 1196). Death of Knut Eriksson by natural causes. Sverker II was elected king.

1208. The battle of Lena. Sverker II, supported by Danish troops, was defeated by Erik Knutsson, son of Knut Eriksson.

1210. The battle of Gestilren. Erik Knutsson finally defeated Sverker II.

1216. Death of King Erik Knutsson. Johan Sverkersson, son of Sverker II, was elected king.

1222. Death of King Johan Sverkersson.

1225–1230. The Fixation of *The Elder Westrogothic Law* in writing.

1229–1234. Canute II the Tall (Sw. *Knut Långe*), who belonged to the grouping called Folkung (Sw. *folkungar*), had the power over the realm while Erik Eriksson, son of Erik Knutsson, was in exile in Denmark.

1246. Birger jarl (Birger Magnusson) became de facto ruler of the unified Swedish realm but not elected king.

1250. Valdemar, son of Birger jarl, was elected king.

During these periods, religion played a significant role. Christianity was established earlier in Västergötland and Östergötland than in Svetjud. The earliest Christian realms were found in these provinces and the first monasteries were also established there.⁴³ Christianity was a crucial part of the unification of the Swedish realm through the introduction of new organizational forms. Recent excavations outside the Varnhem Abbey church have revealed that there was an even older stone church at the hill behind the present church. In the stone church Christian burials were found. The C-14 dating has shown that the oldest of the skeletons were from the first half of the 10th century. The result of this excavation confirms an early establishment of Christianity in Västergötland.

The provinces of Västergötland, Östergötland, and Svetjud (Figure VI.4) became a unified kingdom, partly as a result of the process with the establishment of the archdiocese in Uppsala in 1164,⁴⁴ partly when a strong political centre was established in Bjälbo, Östergötland – with the grouping around Birger Jarl – in the early 13th century.

The taxation system was another important reform for the unification of the realm and was introduced mainly in the early 13th century when the tithe was fully established.⁴⁵ However, predecessors may have existed as a result of a local ecclesiastical administration.

When the taxes were collected by the Church and by the royal power, it was initially collected through natural products.⁴⁶ It wasn't until the second half of the 13th century that Swedish coins began to be used, although local variants of payments with coins were present earlier.⁴⁷

It is especially important in this context that *The Elder Westrogothic Law* expresses a completely different economy than a coin-based one, which, in contrast, exists in *The Younger Westrogothic Law* and the *Ostrogothic Law* (Sw. *Östgötalagen*).⁴⁸ It thus reinforces the impression of a particular, provincial legislation.

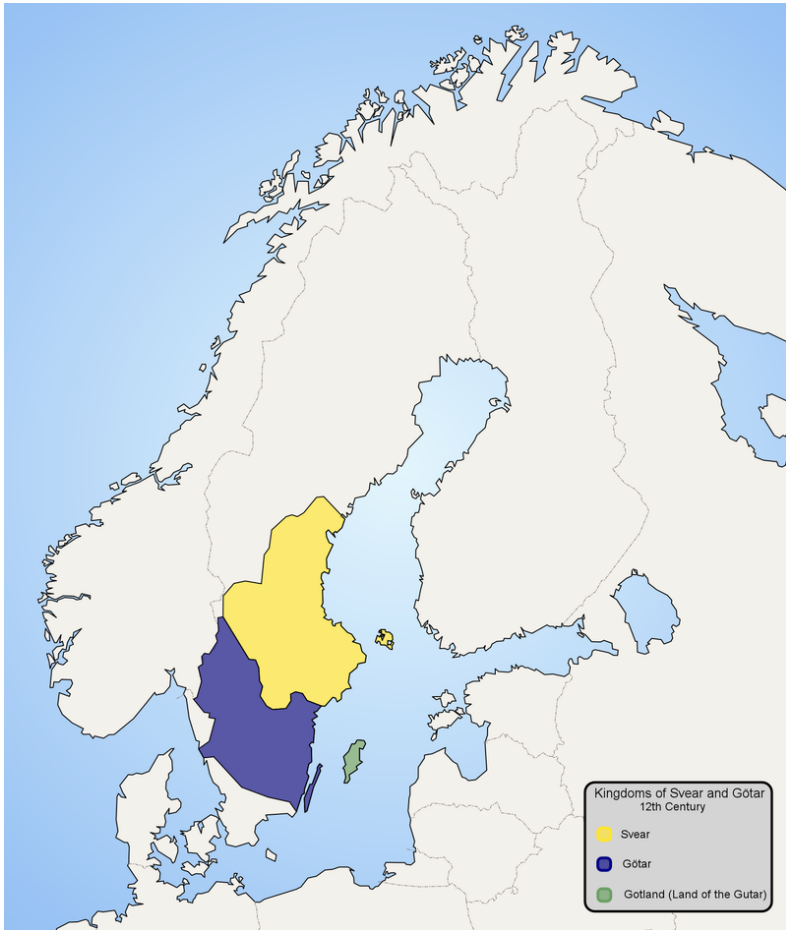


Figure VI.2. Lands of the Geats (blue) and the Swedes (yellow). Source: Wikipedia, Public Domain, File: Scandinavia-12th century. [https://en.wikipedia.org/wiki/Swedes_\(Germanic_tribe\)#/media/File:Scandinavia-12th_century.png](https://en.wikipedia.org/wiki/Swedes_(Germanic_tribe)#/media/File:Scandinavia-12th_century.png) (2019-03-23).

There are several references to heathen practices in *The Elder Westrogothic Law*, and it is mentioned that the first lawmen were heathens. This latter information can be interpreted in two different ways: either (a) the lawmen wished to legitimize their position by suggesting genealogical ties to an office which would have existed for a long time, or (b) they were in opposition to other

groupings who claimed heredity from ancient times to legitimize their office, such as the bishops or the Christian kings. However, one can only speculate about how Christian the lawmen of the early 10th century really were.

Competitive church movements

During the 10th and 11th centuries, various church movements competed about the missionary work in Scandinavia. In Svetjud, the archdiocese Hamburg-Bremen seems to have had the greatest influence, while Västergötland during the 10th century were influenced by a mission that originated in England. The competition between the German and the English church can be seen in the indignation of Unwan, archbishop of Hamburg-Bremen, who criticized King Canute the Great when he gave bishops from England dioceses in Denmark.⁴⁹

The diocese of Skara formally belonged to the archdiocese of Hamburg-Bremen. The first bishop of the Skara diocese, Thurgot, was sent from the archdiocese of Hamburg-Bremen. However, he is not mentioned in the list of bishops in *The Elder Westrogothic Law*. In the list Sigfrid is mentioned as the first bishop.⁵⁰ According to Adam of Bremen, Thurgot and Sigfrid were active at the same time.⁵¹ However, after his death Sigfrid quickly became a saint, explaining what significance he perceived to have for the Skara diocese and Västergötland. According to the list of the kings in *The Elder Westrogothic Law*, Olof Skötkonung was baptized in the well outside the aforementioned church of Husaby.⁵²

The competitive missionary initiatives, which were directed toward Västergötland, as mentioned above, primarily from England (Canterbury) and Germany (Hamburg-Bremen), were linked to various political groupings. In Norway, for example, the ruling dynasty had a link to England, while the territories of Svetjud were supported by the archdiocese of Hamburg-Bremen.⁵³ The conflicts between the missionary dioceses gradually ceased during the 11th century.⁵⁴

It was probably during these conflicts that some of the groupings of great men were linked to the bishoprics. The English influence ended with the missionary period, and domestic bishops

were elected as bishops, like the kings and lawmen were elected at the assembly places of the things.⁵⁵ In the new eligible dioceses, the aspirant to the bishopric was concerned with obtaining support from different groupings. This relationship can be reflected in the list of bishops in *The Elder Westrogothic Law*.

Competitive bishops in Västergötland

The lists of bishops and lawmen in *The Elder Westrogothic Law* have not been discussed to a large extent in the research.⁵⁶ I will here describe how different bishops and lawmen – and competitive groupings around them – were put against one another in the province of Västergötland, as shown by the lists.

The bishops seem to have been dependent on the generosity they showed towards the householders in order to get their support. For example, Bishop Bengt, the twelfth in the order, is mentioned as being immensely rich but generous with contributions to the construction of church buildings, bridges, and roads, and it is noted that he did not demand heavy taxation charges from subordinate householders (or farmers), and in addition, that from his inheritance a share was given to the ‘poor men’.⁵⁷

Other bishops, including the sixteenth, Bishop Bengt the Younger (*Biscopær bændikt vngi*), are described as ‘warriorlike’. Bengt ‘gathered weapons of war, armor and shields, and so administered the stake (crosier) and the chair’ (*han samnæðhi hærwapn brynniur oc skyoldæ oc skippæðhi swa stafwi oc stole*).⁵⁸ The legacy of Bishop Bengt was that he was ‘hard’ and ‘fierce’ towards both laymen and learned and that during his time much property was vandalized.⁵⁹

Obviously, the bishops were contestants of power with other individuals and groupings. They were required to belong to the groupings of great men (see below), but they could not (formally) leave the bishopric to a son. They were, however, a part of an eligible diocese, and the scheme to become popular was through donations to both the Church and the population, which may have been a strategy to secure the bishopric of a successor from the family or a grouping.

Of kings, bishops and lawmen in *The Elder Westrogothic Law*

According to *The Elder Westrogothic Law*, the kings have had some legal privileges that they shared with the bishops which can be seen in the law of the escheat, the so called 'Dane-inheritance' (OSw. *dana arf*), when the inheritance after foreigners, without heirs, would be passed to the king. In the case of a cleric who passed away, the inheritance was taken care of by the bishop.⁶⁰

In the provincial laws of the Swedes – the Law of Uppland (Sw. *Upplandslagen*), the Law of Södermanland (Sw. *Södermannalagen*), and the Country Law of Magnus Eriksson (Sw. *Magnus Erikssons landslag*) – it is stated that the king is entitled to the estates that were the property of the Swedish Crown, the so-called Wealth of Uppsala (Sw. *Uppsala öd*; OSw. *vpsal öþæ*), as well as the fines from the lawsuits of a manslaughter made as a result of revenge (OSw. *duldadrap*).⁶¹

The king received these privileges after the journey of the *Erikskata* (see below) when the coronation took place. A prerequisite for the coronation was that the archbishop and his subordinate bishops were present and took part in the ceremony.⁶² The bishops had the power to confirm some of the privileges of the king. In the 14th century these prerogatives of the bishops became less authoritative. In *The Country Law of Magnus Eriksson*, from the mid-14th century, it is specified that it would be 'preferable' if the archbishop carried out the coronation of the king for the sake of their mutual 'dignity'.⁶³ *The Country Law of Magnus Eriksson* further confirms the king's right to the estates of the Wealth of Uppsala (Sw. *Uppsala öd*) and that it was 'his own' right to receive the fines from the lawsuits of the *duldadrap* and the escheat.⁶⁴ The bishops still remained influential and continued to be so until the Reformation (see chapter 'Swan song' below).

The opposition to the royal dynasties appears even more clearly in the list of lawmen in the much earlier *Elder Westrogothic Law*, with its provincial character. Certainly, the lawmen swore an oath to the king at the Thing of all Geats (Sw. *Alla götars ting*)

and thereby confirmed the loyalty of the province. However, Lindkvist points out that there was a difference between the king's and the lawmen's influence over the interpretation of the law.⁶⁵ The king's influence over the jurisdiction in Västergötland was probably weaker than in the rest of the provinces. What the lawmen represented – an elite or whole landscape – is not clear.⁶⁶ It is probable that they were associated with the legal districts (OSw. sg. *Lagsagha*, Figure VI.1),⁶⁷ and they were probably great landowners.⁶⁸ At the things their primary duty was to recite the law.⁶⁹ The lawmen were great men with ambitions similar to the ruling dynasties of Svetjud because they are attributed a long history (genealogy) by the list of the lawmen. The groupings around them consisted of wealthy householders. He who aspired to become a lawman or bishop had to be the son of a householder.⁷⁰ The dynasties of lawmen used social bonds to relate to groupings that could become contestants or allies in the struggle for power.⁷¹ Through marriages, the groupings around the lawmen made bonds with the royal dynasties and the groupings of great men in Nordanskog (or Svetjud) and Östergötland. For example, Eskil Lagman ('lawman') was the son of Magnus Minnesköld (or Minnisköld) and half-brother of Birger Magnusson Jarl. He was married to Kristina Nilsson who was a descendant of both Erik Jedvardsson and the Norwegian King Håkan Galen Jarl.⁷²

The propagandistic legacy of a lawman can be seen in the description of the lawman Karle from Edsvära (OSw. *Karlli af Ezwæri*), number eleven on the list. Karle is attributed with several good qualities, including being 'a father of the native land' (OSw. *faðþir at fostærlandi*), which Lindkvist compares to the honour title of *pater patriæ*, 'father (or protector) of the fatherland',⁷³ originally used to honour Roman statesmen, generals, and emperors. He is described as 'fair' and as someone who punished those who deserved it but also was merciful. There is also a hint that he did not overuse the hospitality law (the guest right of the rulers).⁷⁴ Karle was succeeded by his son, Algot, who did not get the same good obituary testimony in the list.⁷⁵

The last lawman, Folke Lagman (OSw. *Folke laghman*) is mentioned as 'attentive' (*warskær*) and 'lenient' (*milðær*). At the same

time there might be a change in *The Elder Westrogothic Law*. It is stated that ‘many took the honour of our law’ (*toko marghir bedþær af warum laghum*) and the children of mistresses (OSw. sg. *frilla*) were forbidden to inherit.⁷⁶ Obviously, here is a breakpoint where there was a dissatisfaction with certain traditions in the legislation such as the institution of mistresses. Who the ‘many’ refer to is unclear, but since they are opposed to ‘our law’, they were probably groupings who opposed the lawmen of Västergötland.

In the second half of the 13th century, the province of Västergötland became a political periphery, while Östergötland and Svetjud became administrative centers with a larger population.⁷⁷ The role of the lawmen was thus changed vis-à-vis the population of Västergötland: a lawman did not have the same influence over the province he once had.

Powerful women in Västergötland

The Elder Westrogothic Law does not mention anything about women in the groupings around the lawmen and the bishops. From the sources we know that there was a ‘queen’s institution’ at a national level, which – according to Harrison – was surrounded by ‘rituals’ in the second half of the 13th century.⁷⁸ The queens could master different territories, and they could participate in the political game and at least beginning in the 1320s, influenced Swedish national policy.⁷⁹ However, it is difficult to know which position women of power had at the beginning of the 13th century in relation to ‘national policy’ or in relation to the groupings in Västergötland.

Women seem to have had influential positions even earlier in Västergötland. The recent excavation at Varnhem revealed a stone church dated to the 1030s. A burial was also found that contained the remains of a woman with high-status accessories dated to the mid-11th century and a rune stone with the inscription ‘Kata’.⁸⁰ She was probably the owner of the big farm at Varnhem and the stone church, which stood at the courtyard. It is too early to draw any conclusion about the regional organisation that the church represented, but it was most probably a centre of power and Kata may very well have been one of the key persons in this community.

In the first half of the 12th century, a ‘Mrs. (Sw. *Fru*) Sigrid’ made a large donation to the monks in Varnhem. She could have belonged to one of the most influential groupings.⁸¹ She was probably a relative to the house of Stenkil as well as to Erik Jedvardsson, according to Harrison and Maria Vretemark.⁸² As I have pointed out earlier, the positions of women were dependent on the current situation. If, for example, a master of a household proved incompetent, a more qualified wife could stand out as a leader in the eyes of the nearest relations. This was due to the conditions in a society in which one had to struggle for survival.

Thus, at the political level, the groupings in Västergötland relied on social bonds such as marriages to create alliances over the

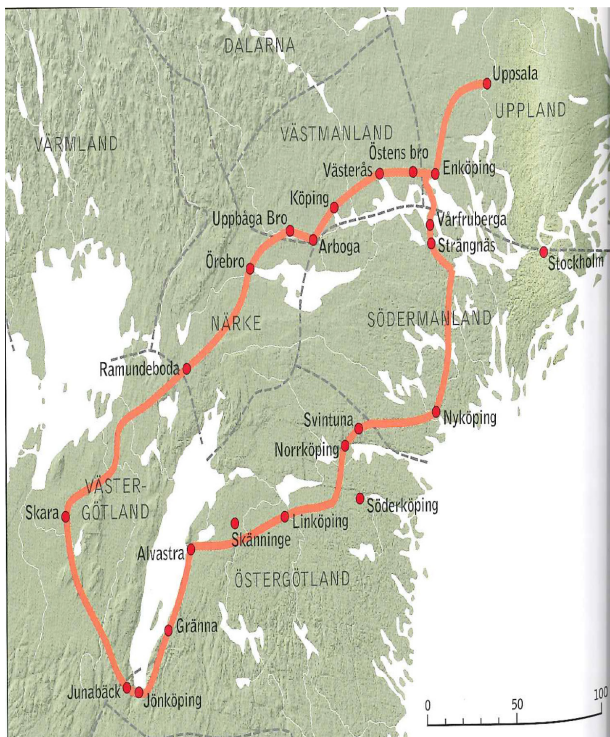


Figure VI.3. ‘The hypothetical path of the *Eriksgatan* according to Dick Harrison. Source: *Sveriges historia*. By permission from Dick Harrison (CC BY-NC-ND), Copyright: Norstedts and Dick Harrison.

areas of confrontation between the Geats and the groupings in Svetjud and Östergötland. Other ways to consolidate power – and to avoid or postpone conflicts – were to be more responsive to the demands of the householders rather than to the royal dynasties, perhaps to take stand against increasing taxation charges, but also by preserving indigenous traditions.

The Eriksgata and the election of the king

The ceremonial journey of the Eriksgata⁸³ appears as a special institution in the Elder and the Younger Westrogothic Law. The journey began after the election at the Stones of Mora (Sw. *Mora stenar*) outside the present city of Uppsala. The king was obliged to visit all the provinces in his realm. When the procession entered Västergötland and came to the Thing of all Geats (Sw. *Alla götars ting*), the Geats would acknowledge the ruler: they were entitled ‘to take or reject’ (*at taka ok sva vrækæ*) the king; that is, they had the right to acknowledge or deny the throne pretender. It is also stated that it was the duty of the lawman to ‘to judge’ (OSw. *dōma*) the ruler at the thing (see previous chapter) and thereby acknowledge him as king. It is important to note that these ceremonies were performed as two separate ritual actions. The former was linked to the ceremony⁸⁴ at the Stones of Mora whereas the

Law	Date	Eriksgata	Election of king
<i>Dalalagen</i>	c. 1250–1350		X
<i>Hälsingelagen</i>	c. 1320		
<i>Magnus Erikssons landslag</i>	(1350s)	X	X
<i>Södermannalagen</i>	1280s	X	X
<i>Upplandslagen</i>	1296	X	X
<i>Västmannalagen</i>	14th c.		
<i>Yngre västgötalagen</i>	1350	X	X
<i>Äldre västgötalagen</i>	1225		X
<i>Östgötalagen</i>	1290	X	

Figure VI.4. Provincial laws with or without stipulations about the election of the king and the Eriksgata.

latter took place at the Thing of all Geats. Whether similar rituals as at the Stones of Mora took place at the

Thing of all Geats is not clear. The Geats, however, still had the formal right to not acknowledge the ruler as king before the coronation, the basis of an elective kingship.

In some of the provincial laws, neither the Eriksgata nor the election of the king (cf. Figure VI.5) is mentioned. When these legal stipulations occur in the laws, details are sparse. In the *Östgötalagen* the Eriksgata is mentioned, but not the election of kings. However, in the *Östgötalagen* it is mentioned that the king had the right to pardon miscreants (Sw. *nidingsmän*) and he had the right to 40 marks⁸⁵ from each hundred (Sw. *härads*). These are the same rules as in *The Elder Westrogothic Law* and the Ostrogothic Law.

The Law of Dalecarlia (Sw. *Dalalagen*), the law of the province of Dalarna (or Dalecarlia) – which has been regarded as old-fashioned⁸⁶ – only mentions the election of kings, without details, and not the Eriksgata.⁸⁷ Neither the Eriksgata nor the election of kings are mentioned in the Law of Helsingia (Sw. *Hälsingelagen*) or the Law of Västmanland (Sw. *Västmannalagen*).⁸⁸ But the Law of Sudermania (Sw. *Södermannalagen*) mentions that the king would be elected at the Stones of Mora with some details regarding the taking of oaths and that the king was lifted up on the stones.⁸⁹

In the *Country Law of Magnus Eriksson* there is an important difference in relation to the other provincial laws: the crowning can take place at a more suitable place than Uppsala. This may suggest that Uppsala lost some of its political significance even if it remained as a symbolic important place.

Saxo Grammaticus knew of some of the traditions that were fixed in writing in *The Elder Westrogothic Law* in the 1220s. One of the chapters in book 13 (book 13 in *Gesta Danorum*) may be deduced from the section of *The Elder Westrogothic Law* about ‘the right of the Swedes’ to elect king. Saxo reports of a Swedish king called Inge who was trampled to death by his horse.⁹⁰ This might have been Inge the Younger (Sw. *Inge den yngre*) of the house of Stenkil, who died around 1125. Magnus Nielssøn (alt. Nilsson) from Denmark was then elected king of the Geats. An important point in Saxo’s text is that the Geats did that without having the right to elect king. Saxo

certainly used Latin terms but referred to an authoritarian past.⁹¹ Thus, the election of kings can be rooted in older traditions, which on the other hand has been a matter of a debate among scholars.

Some opinions about the election of kings and the Eriksgata

During the first half of the 20th century, researchers regarded the Eriksgata and the election of kings as elements based on older traditions. The historian Jerker Rosén argued that the elections were originally performed at the Stones of Mora and that they were rituals with a long history.⁹² The lawyer and philosopher Karl Olivecrona believed that the Eriksgata and the election were rituals of a magic character that could be traced back to a (presumed) sacral kingship.⁹³

More recent research has focused on other aspects. For example, Sjöholm claims that the Eriksgata was an element that was added later in the provincial laws. She further states that the medieval provincial laws were created as a 14th-century political instrument based on canonical law to legitimize the power of the king; even if Birger Jarl had strong control over different regions, his sons had a weaker position. As a consequence, the king's Eriksgata became an addition to the law as a propaganda tool.⁹⁴

The historian Lars Gahrn examined the main reasons for the unification of the Swedish realm in his thesis *Sveariket i källor och historieskrivning* ('the Swedish realm in sources and historiography' [1988]). According to Gahrn, many researchers had come up with interesting ideas regarding law materials such as *The Elder Westrogothic Law*, but due to the 'poorness' of the laws, these can merely be regarded as 'suggestions'.⁹⁵

Harrison argues that the traditions of the Stones of Mora was probably created during the reign of Magnus Eriksson in the 14th century. But the traditions of the Eriksgata could be much older.⁹⁶

Other interpreters, such as Sundqvist and Hultgård, have pointed out the connection to oral tradition and similarities with continental pre-Christian laws. Sundqvist have these arguments:⁹⁷

- (1) Sundqvist believes that there was no rigid distinction between religious and legal ceremonies.

- (2) Sjöholm does not take into account that oral traditions can be found in the laws. Other sources outside the law material can be used to confirm older traditions.
- (3) The laws cannot be seen as results of Christian ideas alone, but sometimes contradict Canonical law.
- (4) When the election of a king is investigated in the legal texts, individual factors must also be taken into consideration and compared with evidence in other sources.

Sundqvist thus shows how religion and jurisprudence presuppose each other in connection with the traditions of the law; for example, the coronation included elements such as the taking of oaths.

Hultgård uses the Eriksgata as an example in his article about 'cultic journeys' (Ger. *kultiske Umfahrt*). Although the term Eriksgata is not mentioned in the Elder Westrogothic Law, there are parallels to the same ritual action in sources such as Tacitus's description of the Nerthus cult, the journey of the Merovingian kings' before their coronation, and there are also other parallels in continental sources. Hultgård, however, does not discuss the relationship between religion and law in this context.⁹⁸

The archaeologists Alexandra Sanmark and Sarah Semple have demonstrated possible archaeological evidence of continuity from earlier times at some places along the king's route.⁹⁹ Brink has also observed that the king and his retinue moved between old places in the provinces during the Eriksgata. There are rune stones at several of these places.¹⁰⁰

One thing to note is how the researchers have methodologically taken the traditions into consideration: religion is either treated as separate from the law or as impossible to distinguish from the law. Researchers of different disciplines tend – quite naturally – to focus on what is perceived as relevant to their own studies.

Below the focus will be on the province of Västergötland in relation to the Eriksgata and the ambulatory kingship. My basic assumption is that *The Elder Westrogothic Law* is based on old traditions. More important, the law also formed after the contemporary political situation in the disorder of the 12th century, when different groupings competed with each other for power

and influence. These conflicts continued in the 13th century until Birger Jarl and the groupings around Bjälbo in Östergötland acquired a dominant, nationwide position. By seeing the older traditions as dependent on – and as a result of – the political situation of that time, one can explain their origin and function without having to distinguish between ‘religion’ and ‘law’. History – whether oral or recorded in text – was important to legitimize the existence of families or groupings.

In order to give a background to the political and economic conditions during the time *The Elder Westrogothic Law* was formulated, in the following a brief description of the ambulatory kingship will be made.

The ambulatory kingship

The Eriksgata was a consequence of the fact that the king did not reside in one location. He constantly moved between staying at the royal estates and staying as a ‘guest’ of other households. The ritual actions that surrounded the kingship and would define the governmental power of the Swedish society originally had the character of a ‘contract’ between groupings with different interests.¹⁰¹

By traveling between different estates that he owned, the king was able to control large land areas within the kingdom. According to Harrison:

The Swedish kings of the 1000s and 1100s [...] built their positions on personal networks that were held together by bonds of friendship, marriages, and loyalty. The king’s retinue of loyal warriors, the hird and esteemed great men who chose to reconcile their fate with the king constituted tools of power that could not be underestimated. Without armed men by his side, the king was an easy target of the assassins of the rival throne pretender.¹⁰²

Obviously, the guesting was an insecure moment because the hosting householder was at risk of being ruined.¹⁰³ The king risked that the people or the groupings might become dissatisfied with him. The fact that the king had to exploit the guest right in Västergötland was probably due to the fact that there were fewer royal estates there than in the regions of Svetjud.

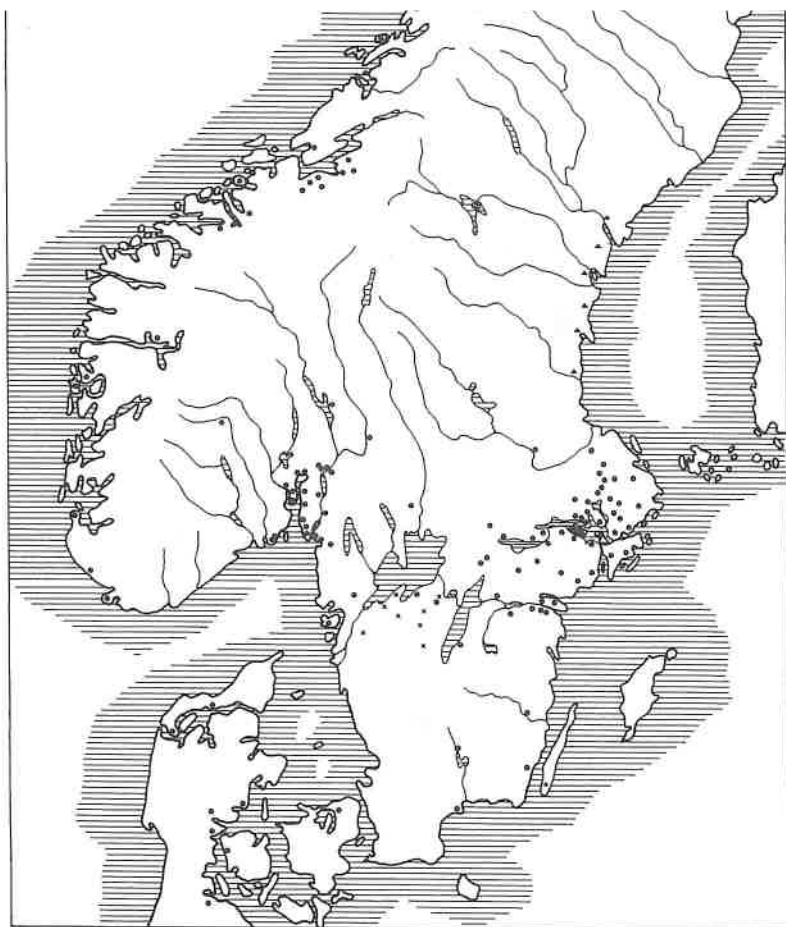


Figure VI.5. The distribution of the *husabyar*, and some of the *Uppsala öd*, in Sweden. Source: Brink 1990: 59. (By permission of the author, license CC BY 4.0).

During the time of Birger Jarl, the guest right was transformed into an added taxation called (OSw.) *gengiærþ*, which the king collected when travelling between his estates. It was paid *in natura* and later in coins.¹⁰⁴

Some of the royal estates that the king and his retinue ambulated between belonged to the so-called *Uppsala öd* (see above). Other royal estates were called *husabyar* (ON sg. **Húsabýr*).¹⁰⁵

The organization of the *husabyar* has been linked to the administrative division of hundreds (Sw. *hundare*).¹⁰⁶ Brink believes that these villages have been added to the kingship in two different stages: in part, they belonged to the dynasties and were available to the kings as individuals, and in part they endowed the kingship through donations and gifts or through more or less compulsive measures such as confiscation and ransoms. This latter kind of estates in Sweden, mainly the *Uppsala öd*, was called *bona regalia* ('crown lands'), its Danish equivalent in the *kongeleiv*.¹⁰⁷

Because the royal estates were made up of large land areas in the Middle Ages,¹⁰⁸ some of them were likely to have been appropriated by violence and thus a significant cause of disputes. At the same time, they had the function of areas of communication (cf. Part I) that could be used for negotiations. The estates could also be used as a base for administration: taxations, legal issues (e.g. fines), and payment to soldiers (sold).

Something that separated Västergötland from other provinces seems to have been the absence of the conscription called *lething* (Sw. *ledning*; OSw. *leþunger*). The royal power had different types of income in different parts of the realm. The lething was an organization for naval operations that consisted of different districts of armaments. These districts were obliged to pay the taxes *in natura*.¹⁰⁹ In Västergötland there was the above-mentioned guest right instead, which later transformed into the taxation of the *gengiærþer*.

Thus, the guest right, the *gengiærþ*, and the *leidang* formed the body of taxations for different places or individual households in the realm, which can be compared to the hostage district, the Kihlakunta, in the eastern part of the realm (Finland) as mentioned in Part V.

Because the *gengiærþ* and the lething were paid for *in natura*, the goods were stored in the warehouses of the royal estates. From the warehouses, the goods were transported out of the realm via trading networks and sold for money.¹¹⁰ These funds formed the basis for a modified infrastructure. The coins were used to finance the building of roads and bridges and to hire soldiers.¹¹¹ Later the

roads became a precondition for the heavy cavalry, and thus a way to control the realm with new form of armed forces.

Taxes and rules for the sale of land can also be seen as regulatory procedures of territories and lands under the king's direct dominion. But the tax collection was not always unconditional and could be imposed under special circumstances concerning the defense of the realm. In the later Country Law of Magnus Eriksson, it is mentioned that if an enemy army, 'Christian' or 'heathen' entered Swedish territory or if anyone within the country made a riot, the king had the right to demand taxes of his subjects.¹¹² The king also had the right to demand taxes to finance the Eriksgata, when his children were given away in marriages for the building of royal estates. What was once an affair of a prominent family was now a matter for the entire realm. Still, these taxations had to be approved by representatives of the realm: a bishop, lawmen (from each of the *lagsaghas*), members of the privileged class, and the country people.¹¹³ It could be assumed, though, that these taxes, even in this later legislation, were the result of negotiations between the country people, the various groupings and the kingship.

Through the royal estates of the *husabyar* – which in the Middle Ages could include stone churches, warehouses, and castles – there was also another means of controlling power or as a means of communication in order to achieve stability. For example, during times of crises a ruler could distribute grains and corn to the population from the magazines.¹¹⁴ This kind of distribution was the continuity of the distribution of goods at the ceremonial *blót* feasts during the Viking Age and a part of the gift system,¹¹⁵ although the religious role of the ruler as a cult leader had been taken over by the clergy. However, the purpose was still the same as in the old gift system: in exchange for the distribution of goods and by sponsoring the feasts, the ruler received loyalty from the people.¹¹⁶

Restrictions imposed on the king

According to Brink, the royal estates could be privately owned. The ownership was related to certain legal and ritual regulations.

In the Ostrogothic Law, ceremonial elements are mentioned in case of the transfer of the king's land to a buyer. The king was under the law and subject to the rules as when a householder sold and transferred land. The king's estates should first be offered to his closest kin. At the transfer, the buyer should offer the king three meals, after which the king ceremonially marked the transfer by placing a pinch of soil in the buyer's robe and thus bypassing the purchase. The king had the right of withdrawal from the affair until he had stepped out with his feet over the threshold.¹¹⁷

There were also other restrictions concerning the King's right to sell the lands of his estates. In terms of testimonials (Sw. *vit-sord*), that is, a statement about the sale and purchase of land, the householder (or farmer) has a special position in *The Elder Westrogothic Law*:

a vitu firi kononge · ok lændær · ʏ · firi biscupi · ok ·
 bonde firi allum · þem · Egho bøndær by · ok annan
 lændir · mæn skil þem a · þa æghu bønþer uitu ok
 eigh lændir mæn · bya þerræ mælli · Boæ bønþær
 i by mæþ lendum manni · eig mughu þer uitu mi
 stæ · þy hældar¹¹⁸

A bishop's testimony takes precedence over the king's, and the lenderman's over the bishop's, and the householder's over all of them. If householders own a village and lendermän another village and they disagree, the householders' testimony takes precedence and not that of the lendermän between these villages. If householders live in the same village with a lenderman, they will not lose their testimony. (transl. Thomas Lindkvist)¹¹⁹

So the bishop has the right to appeal and furnish proofs before the king, the great man, and the householder. It must have been about the estates as the king's personal property because the royal estates was not allowed to be sold but should have been handed over to the successor. In a marginal note, the rights between the king and a person who had been given lands are clarified:¹²⁰

Giær · ʏ · i ·
 gen kononge
 skøtæ · kononger

A man gives
 [something]
 to the king, since the

hanum jorð	king conveys land to him.
firi · idræs · kononger	If the king regrets
fyr æn han	before he
combær at hær(að)	comes to the district,
þa ær han ei	then he is not
vald at taka	entitled to withdraw
attær skötning	the donation of the land,
æn ha wil ·	if he wishes.
combær annar	[If] another man
fots sulv · a ·	puts his sole on the
þræskollæ þa	threshold, then
ær skötnengh	the donation is
medh laghum	legally
fangin	obtained.
	(My translation) ¹²¹

The word *skötæ* refers to the fief holders. The Y-rune suggests an old fashioned style and that the text comes from an older original. The ritual act that is described in this text was binding even for the king. Such ritual restrictions were very likely to be of an old order. In the same way that the Roman emperors were formally limited, in some cases, in the city of Rome – as a consul, general, priest or divinity, etc. – had to be approved by the Senate, the Swedish medieval ruler was also restricted by the traditions of the provincial laws. However, this was partially changed with the introduction of the country law and the introduction of the Country and City Laws of Magnus Eriksson. These laws contain the legislation called *edsörelagarna*, which Lindkvist and the historian Kurt Ågren designate as the most important legislation and the first one that was ‘valid for the whole realm’.¹²² The *edsörelagarna* contained stipulations regarding the safety of women, the unlawful entering of a person’s residence, peace at the thing, and the sanctity of churches.¹²³ The name of *edsöre* comes from Swedish *ed*, ‘oath’, and *-söre*, ‘swear’, and indicates an oath that the king and his great men made to insure that they upheld the laws. This legislation was implemented in the middle of the 13th century.¹²⁴

Trade relations

Archaeologists have shown interest in *The Elder Westrogothic Law* as well as the Eriksgata in connection with excavations of the river Junebäcken in the present city of Jönköping.¹²⁵ An archaeological survey of the river Junebäcken has been carried out ahead of a planned expansion of VA pipelines in the streets Junegatan and Friardalen in Jönköping.

One found traces of ironworks workshops from the 13th century 300–400 meters east of the Junebäcken (older: *Junabäcken*).¹²⁶ As late as during the 18th century, the present street Västra Storgatan (at that time called *Store Gata*, ‘High Street’) was part of the Eriksgata. It was the main street from the later part of the 13th century. The investigations have shown that it was coated with pebbles and iron slag from the forging workshops. Another indication that Jönköping was a trade centre already during the 13th century is that the archaeologists have found objects of ‘foreign origin’.¹²⁷ People thus used the old route of the Eriksgata for commercial purposes.

According to the model I presented in Part I, trade relations are a step in peace processes. Trading locations were areas communication. These places were temporarily established and could be intended for either winter or summer markets and then developed into fixed trading venues, which eventually became cities.¹²⁸

The communications between the trading centers went through maritime links – rivers, lakes and seas – as well as on roads. However, in Götaland and in Svetjud, the infrastructure included the ice-lined rivers and lake systems, with guest resorts.

The trade activity of the Viking Age is considered to have declined as the combination of robbery and trade ceased in the 1100s or even earlier.¹²⁹ The trade changed character when trading centers developed into cities and by the expansion of the foreign trade with traders mainly originating in Germany but also from other countries.

Even more extensive than the foreign trade was the local trade, which was often close to the multifunctional thing places.¹³⁰

<i>The Elder Westrogothic Law</i> c. 1225		The Country Law of Magnus Eriksson 1350	
Aspects	Means	→	Means
Social & religious factors	Domestic lawmakers and bishops chosen by the Geats. Negotiations between Sverjud and Västergötland. The king will be recognized at the thing. Ambulatory kingship.	→	Ritual actions must take place in Västergötland: Gifts, marriages between different groupings, oaths.
		→	Elective kingship. Still negotiating relations between the lawmen, the bishops, and the kingship. But in Uppland, advancement of the chivalry and the nobility. Division into castle fiefs (Sw. <i>slottslän</i>).
			The Erikskata. There is a continuity of ritual actions, but the place for the coronation can be chosen by the kingship. Gifts in shape of church donations, still marriages and oaths.

Economical factors	Trading centres in competition with cities about trade. There are only limited taxations.	Partial payment <i>in natura</i> . Limited coining. Exchange of gifts. The king may not sell the royal estates. Absence of the tax of lething in Västergötland. There is a limited legislation of the <i>edsöre</i> . Individuals are sentenced in their own <i>lagsaghas</i> .	→ Cities with full privileges for commerce. Developed taxation. Tithes for the Church.	Payment in hard cash. The kings are not allowed to sell royal estates. The taxation funds the building of castles and payment of professional soldiers.
Judicial factors	There is a law for the province of Västergötland. There is a written law tradition.	There is a limited legislation of the <i>edsöre</i> . Individuals are sentenced in their own <i>lagsaghas</i> .	→ Nationwide laws. City law. Country law.	Legislation of the <i>edsöre</i> .

Figure VI.6. The changing power conditions of the kingship, bishops, lawmen, and country people, according to *The Elder Westrogotic Law* and the Country Law of Magnus Eriksson.

Examples of multifunctional trading centres and thing places were the Disting (OSw. *Disæþing*) at Uppsala, the Lionga Ting at Linköping and the Thing of all Geats outside the town of Skara. Other significant trading places were at the present cities of Kalmar, Visby, and Lödöse.¹³¹

Finally, it was in the interest of the emerging governmental authorities to control trading places because some of them were illegal (see Figure VI.6). Within the governmental powers there were fiscal interests to control and regulate the trade through customs and other types of taxation. The authorities also restricted the trade to certain days. The new role of the cities as trade metropolises developed into a monopoly for the citizens. There were some counter-movements that challenged the trade monopoly though. Householders had the right to trade for their own consumption and the coastal population had the right to trade on ships by the legislation called (Sw.) *bondeseglationen* (lit. 'householders's navigation'). The rulers and the ecclesiastical powers could, for their part, freely conduct trade.¹³²

Regardless of whether the order of the society that is described in *The Elder Westrogothic Law* – in relation to the provincial laws of the Swedes and the Country Law of Magnus Eriksson – can be explained by Bagge's model of the development of medieval societies or not, there is empirical proof for the societal development.¹³³ To some extent, the development can be described by the three steps of my suggested model:

- (1) There was a peaceful order, but it was by no means given. Oral agreements certainly existed before *The Elder Westrogothic Law* as border treaties. Various ceremonies and ritual actions such as gift giving occurred between rival groupings. The actions were important for great men who possessed offices, such as the bishoprics, and for the lawmen, as a way of dealing with the groupings around the kings.
- (2) There were several types of cooperation, as, for example, trade relations and road constructions. There was competition between groupings and trading centres, but the collaborations formed a basis for alliances. The establish-

ment of the royal estates can be regarded as examples of both subordination and cooperation.

- (3) Legal consolidation. The laws were not nationwide from the beginning but provincial. Peace agreements were concluded between conflicting groupings, which had consequences for the provinces. The laws were later changed and rewritten; past experiences were the basis for the new design. In the 13th century the province of Västergötland had become a political periphery of the realm.

We do not have all information about conflicts and peace relations available. Still, it is through the above-mentioned societal conditions – conflicts between rival groupings, the kingship, and the country people before governmental authorities arises – that the giving of hostages is to be understood in the provincial laws.

The hostages and the kingship

As a single component, the giving and taking of hostages at the river Junebäcken has, in comparison with the Eriksgata and the king's election, attracted surprisingly little interest from researchers who have analysed the above-mentioned episodes of *The Elder Westrogothic Law*. Perhaps this is due in part to the fact that the relationship between the Swedes and the Geats in this section of the law is difficult to interpret. Another factor that contributes to this uncertainty is that Magnus Eriksson (1316–74) was the first king we know for certain who travelled the Eriksgata. The name is mentioned for the first time in the Country Law of Magnus Eriksson. Therefore it may not be possible to determine whether the predecessors of Magnus Eriksson ever rode it, according to some scholars.¹³⁴ However, researchers are careful to point out that it does not mean that the Eriksgata would not have taken place earlier.¹³⁵

As for the role of the hostage, there are also some uncertainties. The historian Erik Lönnroth touches upon the king's ride in *The Elder Westrogothic Law* in an essay about the early history of Västergötland. According to Lönnroth, the giving of hostages was a part of the Geats' right to reject the king and his retinue. The king was considered a stranger in Västergötland until he was



Figure VI.7. The Junebäckmonument in Jönköping. Source: Wikipedia. Attribution-ShareAlike 4.0 International, By Bengt Oberger – Own work (License: CC BY-SA 4.0). https://sv.wikipedia.org/wiki/John_Lundkvist#/media/Fil:John_Lundkvist_Juneb%C3%A4cksmonumentet_01.JPG (2018-10-12).

received and celebrated at the Thing of all Geats. The release of the hostage could consequently be a part of and guarantee for the independence of Västergötland.¹³⁶ But Lönnroth did not develop this perspective further.

In a monograph about Birger Jarl, Harrison has presented a short survey on the hostage giving at the river Junebäcken. The hostage giving served as a guarantee for the king's office and at the same time a guarantee for the king's safety.¹³⁷ In the later *Sveriges historia: 600–1350* ('The History of Sweden' [2002]) Harrison is

more uncertain. Who were the *gisslomän* (see section below), the men who stood as hostage? Whose hostages were they? Did they function as a personal security for the king?²¹³⁸

It is obvious that the king's ceremonial duties at the Thing of all Geats emerged as a consequence of negotiations between the Swedes and the Geats even if we do not know to what extent that is the case. Harrison points out that the Geats were not so interested in the rest of the Swedish realm, something that could explain why it was the right of the Swedes to elect king.

In Västergötland there were, as previously mentioned, several groupings of interest that supervised their interests at the things in the province. That was also the case at many other assembly places in Scandinavia during both the Viking Age and the Middle Ages. These interests can be highlighted through an analysis of hostage releases and the ritual actions of the Eriksgata.

The giving and taking of hostages at the Junabäcken as described in the Elder Westrogothic Law is one of the most detailed accounts of the giving and taking of hostages in the Old East Norse and Old West Norse text sources. A division of this section of the text can be made into sequences as follows:

- (1) The king travels through the province of Östergötland.
- (2) Messengers are sent to the Thing of all Geats.
- (3) The lawman of the Geats shall appoint two persons as hostage from the northern part of Västergötland and two from the southern part. An additional four men will travel with them to the river Junebäcken.
- (4) The hostages of Östergötland leave the King's retinue at the river Junebäcken. They testify that the king's identity is legally valid, that it is the legitimate king who shall enter into Västergötland.
- (5) The king travels to the Thing of all Geats (at Skara) with hostage and his retinue.
- (6) The king arrives at the thing. He swears a fidelity to all the Geats. He vows to not break the 'true law'. Then the lawmen and the Geats can acknowledge the king.

- (7) When the king is acknowledged, he has the right to perform his ritual and legal obligations: to pardon three men who 'did not perform foul deeds' and to give the elected bishop his staff and ring and to lead the bishop to his chair.

The messengers that were sent to the Thing of all Geats would announce the king's arrival to the thing. This could be a key to understanding the giving of the hostages: the Geats had no knowledge of who the king was, because the election of the king was of elective character – the king was chosen – and the Geats may not have fully understood what dynasty the king belonged to. Thus it was the duty of the messengers to confirm the king's identity and possibly his ancestry. This relationship is also suggested by the hostage giving at the river Junebäcken where the hostage of the Eastern Geats (Sw. *östgötar*) was present. The hostage of the Eastern Geats would testify that the procedure with the king followed their law and thereby confirmed that he was the true king (or pretender to the throne). The fact that the Eastern Geats followed their own law also reinforces the impression of *The Elder Westrogothic Law* as a provincial legislation based on earlier oral traditions.

Who the hostages were,¹³⁹ what role they had, and the reason for the selection is partly hidden in the text. Some hypotheses can be presented based on information that can be read between the lines:

- (1) The hostage was selected from both the southern and northern parts of Västergötland. The selection could have been pragmatic: one simply wanted representatives from various parts of the province. These people were familiar with the terrain and the villages that the king would pass through.
- (2) The hostage would affirm who the king was when they rode through the areas where they were well-known. This procedure was similar to the procedures of the province of Airgíalla where a hostage of the visiting army would stay with the hosts at each campsite unless a person well-known to the inhabitants was in the army.

- (3) The selection of hostages may have to do with the changing and different political groupings. For the kingship it would have been beneficial to get a hostage from not just one specific area, but from several areas, far apart. This, however, presupposes that the king had an influence over who became hostage.
- (4) The hostage may have served as a status marker for the king, but as discussed in the cases in Part IV, the hostage taking under such circumstances was a result of war actions and a way to symbolize the victory. Nothing like it can be read into this context.
- (5) The Geats showed their good intentions by giving hostages, which did not necessarily mean a subordination, but the king was also obliged to show his good intention by accepting the hostage whose identity he probably had little or no knowledge of.

On the selection and purpose of the hostage we can also only make a hypothesis: the lawman who appointed the hostages may have exercised a more decisive influence in this context than has been noted so far. The selection of the hostages might have been decisive – not only for the safety of the king – but also in order to confirm his identity and thereby his future status.

We know very little about the retinue that the king travelled with. The law only mentions the hostages (from Västergötland and Östergötland). We have no information about which persons the king's retinue was composed of. What people rode together with the ruler? Did the king's guard (Sw. *hird*) and chosen parts of his counsel participate? From the perspective of power, an impressive following would certainly have an impact on the people. However, the only text that could give a clue to the size of the retinue is a paragraph in twelfth section of the Country Law of Magnus Eriksson.¹⁴⁰ The retinues of the clergy and noblemen were regulated: the archbishop had four horses in his retinue, the bishop's and the king's officials thirty, the knights and squires (Sw. *svener*) of the king's council twelve, and the knights and squires outside the king's council six horses each. If this information is relevant to the early 1200s, and if some of the council

followed the king, the retinue may have included hundreds of people or more.

The retinue went through strategically important junctions, of which Junebäcken was one of the trading centres. This was probably an act that was equally important as showing up on the Thing of all Geats. At the thing, only a limited part of the country people could gather, and the king was bound by the stipulations of the law: the ritual acts. The retinue was also a performative act with a future result: by showing himself to the people – so that those who did not know would know his appearance – the king made an everlasting impression.¹⁴¹ Meanwhile during the journey, the hostages were probably within the immediate reach of the king, although this is not clear.

I have mentioned in earlier parts that the person conducting negotiations had a ‘sanctioned protection’. There has not been much written about the safe conduct. It is, however, an important issue. For example, it is stated in the provincial laws that there was a safe conduct for the protection of negotiators at the thing.¹⁴² Safe conduct could also be issued for a criminal (for example a killer) so that he could travel to the thing where his case was to be brought up. In the Country Law of Magnus Eriksson it is stated that the king could issue a letter of safe conduct (OSw. *daxbref*).¹⁴³ A Norwegian equivalent was the so called *dagsbréf*. The Historian Lars Hamre claimed that the word *gríð* could have the same meaning as *dagr*- in *dagsbréf*.¹⁴⁴ Another word corresponding to *dagr*- was *feligr*, a ‘protection against assault’, which appears in a letter of safe conduct.¹⁴⁵ These terms can be compared to the previous discussion of the formulation *mæþ grufum oc gislum*, which is also found in *The Elder Westrogothic Law*.¹⁴⁶ At least from the 16th century there are examples of how the safety of the hostage was guaranteed by a letter of safe conduct.¹⁴⁷

The safe conduct of the king when he entered into Västergötland was intricate. He could hardly issue a letter of safe conduct for himself. In all likelihood, the safe conduct was something that had to be sanctioned by the Geats. It was different from that of the king as a private person in different negotiations about the king’s personal purchasing of estates. In both cases, the king was restricted

by ritual acts he had to perform. This is an example of what I refer to as a 'contracted role' between groupings of interests.

At the Thing of all Geats, ritual acts were performed similar to those described earlier. The aim was to confirm both the king and the leaders of the Geats, as well as the bishops and lawmen, but also to restrict the king's power. Both worldly and ecclesiastical authorities, as well as the country people, exercised an influence through these ritual acts, symbolically as well as in reality. That is what I refer to as 'regulations' of land areas. These regulations were expressed through the ability to communicate in an area of communication as, for example, the thing. These regulations emerged when different groupings of interest joined forces to achieve a temporary or permanent settlement of a tension or conflict.¹⁴⁸

At the thing, the king had a limited role, as can be seen from how the oaths were formulated (see above). Since *The Elder Westrogothic Law* focuses on the actual allegiance form, it indicates that the king had to renew his contracted role towards the Geats. Implicitly, one can assume that this contracted role had more the character of an alliance than a true statement of faith. For example, the law does not mention whether the king was perceived as military commander in Västergötland.¹⁴⁹ This military role might have changed with shifting alliances, though. Some rulers relied on the support of groupings in Västergötland against rival groupings in Svetjud.¹⁵⁰ Therefore, the military role of the king during the periodically troubled 12th and 13th centuries would depend on the degree of interaction between the groupings of Västergötland (and Östergötland), the country people, and the kingship. The king's limited influence in Västergötland can also be seen in that he had to adhere to the 'correct law' (of the Geats) when he entered the province.

An interesting aspect is the receiving role of the bishop and the lawman at the thing. The situation is reminiscent of the ceremonial reception other rulers such as, for example, the confirmation of Olaf Tryggvason at Andover in 994. It may be that the interpretation of the long-standing situation between the Danelaw and the Heptarchy was not the same as the one between Västergötland and Svetjud – but as previously stated, Olaf had to give up some of his authority, at least symbolically, in connection

with the confirmation ceremony. His primary political interest was directed towards Norway.

Perhaps the Swedish king's interests were in the first place aimed at Svetjud. This might be indicated by the performances of the ritual acts reported in the Elder Westrogothic Law. The purpose with these ceremonies was to get support for the king and to secure his position prior to the final recognition in Uppsala, i.e. the coronation.

What was the purpose of the hostage giving and taking during the king's journey through Västergötland? It has been claimed that the hostage would guarantee the safety of the king's person. But Ragnvald Knaphövde had been killed because he entered Västergötland without having received hostages. Was the king's retinue strong enough to keep him safe? That might have differed between different kings. Maybe the guard was enough, but we do not know if it was present in the retinue. What could the king do if he was assaulted? Perhaps he could fall back to a royal estate, but these were scarce in Västergötland. Waiting for reinforcements from allied groupings was perhaps another option, but how quickly could they come to his aid and what loyalties did they have?

My point with these hypothetical questions is to emphasize that as a power strategy the king had the most to win on an unharmed hostage. The function of the hostage may have had more to do with the king's dignity than being a security against violence. The king could not control which persons were appointed as hostages, something that was extremely important if the true purpose with the hostage was to act as a security.¹⁵¹

For the Geats, the hostage was a strategy to show their good intentions, but also a way to control who entered their landscape.

Because Västergötland was a province far from the main territories of the Swedes in the province of Uppland and only sporadically had close contact with the kingship, the hostage was a necessary measure to secure that the person who gave himself out as king really was the king. Perhaps one can see an example when this relationship did not work out in connection with the death of Ragnvald Knaphövde at Karleby in 1130.

The shameful death of Ragnvald

The word Eriksgata is not recorded in the list of kings of *The Elder Westrogothic Law* even if the Eriksgata existed *de facto*.¹⁵² Other types of royal journeys, which may have involved a hostage procedure, could also have occurred. We know, as mentioned above, that the king relied on an ambulatory kingship. I have given other examples in the place name analyses of the legislative districts of *kíhlakunta* or *gisslanlag* in the eastern part of the realm and the possible place name Gislemark (or Gislamark) in Svetjud. We can therefore assume that there were other forms of hostages than this case based on the evidence I discussed earlier. At least in the case of the *gisslanlag*, it can be confirmed that it was a disposable hostage,¹⁵³ that is, persons who, on request, were given as hostages. As suggested in the analysis of various hypotheses about the Law of Småland, this tradition was not a part of the traditions regarding the Eriksgata. Thus, the purpose of Ragnvald Knaphövde's visit in Västergötland when he was murdered at Karleby (OSw. *karllæpitt*) could have been unclear for the Geats. Ragnvald Knaphövde was elected king of Svetjud after Inge. Saxo does not mention his name but writes that a king was elected after Inge but that he was killed by the Geats; only after that was Magnus accepted as king.¹⁵⁴ However, the important thing for the priest from Vidhem, who wrote the list of kings in *The Elder Westrogothic Law* was the (supposed?) lack of respect Ragnvald showed the Geats when he did not take the hostage from the river Junebäcken to the Thing of all Geats. Therefore, the death of Ragnvald is described as 'shameful'. It implies a violation of a code of conduct. Such codes are brought to the fore when people meet.

The text states that the hostage was a matter of a contractual character between Ragnvald and the Geats (or: different groupings in Västergötland). A clue to understanding the relationship between the Geats and Ragnvald can be seen in the Old Swedish adjective *ogisladher*, 'without (the) hostage', which comes from the verb *gisla*, 'to put someone [in custody] as hostage' in the list of kings.¹⁵⁵

The Old Swedish verb *gisla* corresponds to the Old English verb *gislian*. According to Lavelle, the Old English *gislian* has evolved from the Old English noun *gisl* and sometimes the OE expression *sealden gislas*, ‘giving hostage’, appears in texts.¹⁵⁶ The OSw. word *gisla* can therefore be compared to the Old Icelandic *oc selðo at gíslingo goðom* in *Vafþrúðnismál* 39. The hostage was either ‘given’ or ‘put’ as an obligation when a treaty was concluded.¹⁵⁷ The word *ogisladher* in the list of kings indicates that there was an agreement about hostage between the Geats and Ragnvald, even if it were no Eriksgata but some other kind of journey.

Ragnvald rode, or ‘steered’, into Karleby ‘bold’ (OSw. *baldær* alt. *balder*) and ‘magnanimous’, or ‘presumptuous’ (OSw. *huxstor* alt. *hughstor*). According to the Swedish Academy Dictionary, both of these adjectives have a double meaning and express characteristics that may have been perceived as both positive and negative.¹⁵⁸ With this ballad-like description, the writer wants to show how Ragnvald appeared as presumptuous when he violated the rules that were originally agreed upon. It is likely, though, that such characteristics of a person can be related to the hostage as a phenomenon and has to do with the encounter with a foreign collective as discussed earlier in this volume. The ambition to get valuable persons, the right persons, as hostages can be included in the same category. Because no hostage confirmed Ragnvald’s identity, he was killed outside or in the village of Karleby.

The events at Karleby can also be seen in the context of the negotiation strategies which could be compared to Anttonen’s discussion about the Finnish *pyhä* concept as well as to Bell’s discussion about the concept of ritual. Ragnvald’s behaviour reinforces the impression that it was a performativity, i.e. a demonstration of his power and authority in competition with the great men of Västergötland (see above). But Ragnvald’s performance was not effective, even though that had been the intention.

As stated above, hostages, as described in *The Elder Westrogothic Law*, were more symbolically important than as a true political instrument of power. At the same time, it should be noted that there were different types of hostages. The two cases that are

described in *The Elder Westrogothic Law* indicate that there were older traditions that changed over time and that were built on past experiences. The death of Ragnvald was perhaps one of them.

The death of Ragnvald as a story

Just like in the other cases that I discussed earlier, mythical and legendary stories about hostages were created in relation to the areas I refer to as 'areas of confrontation'. It is possible that the manslaughter of Ragnvald Knaphövde was a real event or just a legendary story that was spread among the populace. For whom this kind of story was created, the elite in society or the country people, is, however, not clear.

In the case of Ragnvald, the motive behind the killing was probably to legitimize the grouping around the lawmen of Västergötland in relation to the kingship. There is no other source of this manslaughter except Saxo's report about the new king elected by the Swedes – after the death of Inge Younger – that was killed by the Geats. In any case, the episode with Ragnvald also illustrates the anticipated conduct in connection with hostages. The story also illustrates what could happen if one did not accepted hostages when the code of conduct demanded such an act.

The impressive hostage

A story from the 16th century exemplifies a model hostage. In Peder Svart's chronicle of the life of king Gustav Vasa I of Sweden, it is told how a man called the Daljunker ('The Youngster from Dalecarlia') acted as the insurgent and leader of some of the Dalecarlians (Sw. *dalkarlarna*) during the Second Dalecarlian Rebellion (1527–1528) in the province of Dalarna. The Daljunker claimed to be Nils Sture, son of the former ruler Sten Sture the Younger (Sw. *Sten Sture den yngre*).¹⁵⁹ He thereby tried to legitimize his demands on the Swedish throne.

In April 1526 (or 1527?), the levy of the Daljunker encountered the king's army at Börstad (alt. Båttstad) ferry at the Dal River (Sw. *Dalälven*) in the parish (Sw. *socken*) of Stora Tuna. After a number of arrows and crossbow bolts had been fired over the river, the two parties decided to negotiate. Boats were put in the river and

hostages – fifteen men from the rebels – were given as security for those people from the royal side who were to negotiate.

The king's side was represented by, among others, the bailiff of mines (Sw. *bergsfogde*) and nobleman Måns Nilsson Svinhufvud. To convince the rebellious Dalecarlians to surrender their weapons, the king's men argued that the Daljunker had lied about his identity and that Nils Sture was actually dead. As a security for this matter, Måns Nilsson offered himself up as a hostage by offering the rebellious Dalecarlians to imprison him and tie him with a rope made of bast until they discovered the truth about the Daljunker.¹⁶⁰ If the Daljunker really turned out to be Nils Sture, they were allowed to chop Måns Nilsson in a hundred pieces. Everyone else in the delegation concurred. This impressed the Dalecarlians.¹⁶¹

It is difficult to assess how much truth there is in this story. The chronicle of Peder Svart has been regarded as an exemplary work of fiction but inadequate as a historical source, which can be seen in the portrayal of Gustav Vasa's adventures in Dalarna before the uprising – the so-called Swedish War of Liberation. This text also served as a propaganda tool towards the union-king Christian II. In the case of describing the Dalecarlians who sided with the king, Peder Svart can show them in their most favorable light. It can also be argued that Peder Svart was not present during this negotiation and that he thus could freely construct his text from hearsay (if there were any).

These stories confirm that the use of hostages was formalized in ways that expressed the confidence of the participants during peace meetings. The mentioned stories show that a codified behaviour and certain procedures had to be followed and therefore they constituted a motive that was used in various legendary stories.

Swan song

Even if it is beyond the scope of this survey, which is delimited to the Viking Age and the early Middle Ages, I will in the following section show how the Eriksgata – and thus the giving and taking of hostages – eventually ceased to be a regulatory factor in Sweden. During the period of the Kalmar Union (1397–1523),

the Eriksgata gradually became less important for the union kings. This development continued after the introduction of the hereditary monarchy during the reign of Gustav Vasa and his descendants. The last king to ride the Eriksgata was Charles IX (Sw. Karl IX) in 1609.

The Country Law of Magnus Eriksson continued to be valid even during the Kalmar Union. The Country Law of Christopher (1442), which was an update of The Country Law of Magnus Eriksson, contains no changes when it comes to the Eriksgata but was used until the creation of the Civil Code of 1734. The union kings were chosen by a royal election, which was stipulated in the so-called Union Letter of Kalmar from 1397. The kings, however, continued to ride the Eriksgata. Eric of Pomerania, for example, rode his Eriksgata in 1401.¹⁶²

During the Kalmar Union, some restrictions and changes took place regarding the election of kings and the Eriksgata. There were no longer any elections at the Stones of Mora.¹⁶³ Nevertheless, in the late 14th century, King Hans made an Eriksgata,¹⁶⁴ and the independence of the provinces was still respected – at least symbolically – which was based on old agreements.

At the beginning of the 16th century, Sweden was at the stage of a new state formation as the Kalmar Union was being dissolved. The conflict lines proposed by the historian Erik Lönnroth in his analysis of the Kalmar Union are certainly probable. According to him, there were conflict lines between the king and the national council, which ended up in the struggle between various groupings of interests, such as the Sture Party (including Sten Sture the Younger) and the Ribbing Party, which were in opposition to the union kings from the mid-1400s.¹⁶⁵ Perhaps one can see an attitude change to the agreements and towards the providences at the end of the union time. It can be seen in the attitude of the union king Christian II to certain peace treaties and contexts where hostages had traditionally been used.

The hostages of the Danes in 1518

There has been almost always a strong bias towards Christian II in Swedish history writing – not least in connection with the

Stockholm Bloodbath – and the descriptions of him in Swedish chronicles are often full of clichés and antipathy. This applies not least to the chronicle of Peder Svart, but also to other sources. Nevertheless, I choose to use Peder's chronicle as a source when I focus on some of the actions of Cristian II in the war of 1518–1521 because they included hostages and descriptions with interesting details.

After the battle of Brännkyrka in September 1518 between the forces of Christian II and Sten Sture the Younger, peace negotiations were initiated in the archipelago of Stockholm. Hostages were given to Christian II as security for his person during the negotiations. Among the hostages were the future king Gustav Eriksson Vasa, the bishop, the military commander, Hemming Gadh, and four noblemen.¹⁶⁶

However, Cristian II was absent from the agreed meeting, thereby ignoring the armistice. The Danes brought the hostages to Copenhagen, despite being under oaths that included promises that the hostages would not be taken farther than to the town of Kungshamn (in the Norwegian county of Bohuslän). Christian II even guaranteed the security of the hostages in a letter of safe conduct with his seal, according to Svart. Once in Denmark, the hostages were well treated, even though the chronicle describes how they were 'detained'. Later Gustav Eriksson fled to Lübeck, whereas the others were convinced to join the Danish side.¹⁶⁷

According to the historian Lars-Olof Larsson, the Danes' management of the hostages was 'an obvious breach of all honorable honors and ancient tradition'. Larsson argues that it was about the modern immorality of the supposed benefit of the state of affairs, thus this thinking could be compared with the ideas of Niccolò Machiavelli. Christian's assurance of the safety under oaths was obviously nothing he had to abide to. Whether this breaking of the oaths says anything about honour or the perception of God is not clear in this context, but it seems obvious that it has to do with a pragmatic behaviour as shown in other examples.¹⁶⁸

It is not clear whether the hostage perceived their treatment as an offense when they arrived in Denmark. The interpersonal contacts between great men have previously mentioned. The loyalty to countries and nations (and the royal powers) are ideas of later

periods. Instead, there was a pragmatic approach to the relations between nobles that was expressed in reward systems. Getting a large estate in a Danish-controlled area was, for example, surely more appealing than getting a smaller one in a Sweden. It is not even certain whether it was perceived as immoral to 'switch sides' among the nobility. It was a behaviour that had existed since at least the early Middle Ages, when professional armies of different feudal lords fought on the continent. The knights and the mercenaries had an influence on the outcome of the battles and could decide when to cease fighting. A defeated army of mercenaries, especially knights, could get a new service (sold) from another feudal lord. It is in the light of this kind of relationship that the betrayal of the 'hostages' of 1518 should be understood.

One could say that Christian II made the choice to 'invest' in the hostages – by treating them kindly and persuading them to switch sides – something which resembles the hostage institution in the Roman Empire, although the conditions for the peace agreements had changed since then. All of Christian's hostages were of significant nobility, and they were also young men, except for Hemming Gadh, Lars and Jörgen Siggesson Sparre, Bengt Nielson, Olof Rynning, and Gustav Eriksson Vasa.¹⁶⁹ As young men from prominent families they had the potential to hold offices as members of councils. Whether Christian actually had a scheme with these hostages from the beginning is unclear. They were, however, hostages that Christian named and requested.¹⁷⁰

At a later stage, both Christian and Gustav Vasa treated the hostages in a pragmatic way (the way it suited them). Hemmig Gadh, who initially assisted Christian in the conquest of Stockholm in 1520, was sent as an envoy to Finland. But the king had him decapitated at the Raseborg Castle for some unknown reason.¹⁷¹ Hemming Gadh has since been considered a traitor within Swedish history writing. Lars Siggesson Sparre, on the other hand, joined Gustav Vasa when he returned to Sweden and eventually became a lawman and received knighthood.¹⁷²

The game with hostages and prisoners and illegal actions is an interesting feature of the chronicle of Peder Svart's chronicle: Christian learned that Gustav Vasa was in Lübeck and requested that Gustav should be handed over with reference to his status as

prisoner.¹⁷³ The chronicle depicts Gustav's answer in a prosaically ornate manner:

No honest man shall (he said) with any reason whatsoever prove that I am a prisoner, but a hostage. Come forth the one who can justly, and with truth, proof in what skirmish, or in what [other] way, I or the other good Swedish men (that wereso dishonestly abducted with me) took part the time we were captured, or who those were that attacked us. However, since no one with guilty reasons can prove this, we shall not be called prisoners, but assaulted, and betrayed and disappointed, and honest men. By what right can someone be a prisoner, who have never committed [himself] to prison?¹⁷⁴

In this context the hostage taking by Christian was a breach of written agreements. The writer of the chronicle could relate to violation of the code of conduct by the breach of right and honour and the breaking of an oath. The actual code of conduct with the hostages and relevant documents was a continuity from earlier times and need not be doubted as such. However, in the description of the chronicle, the status of being a hostage or detainee had a decisive impact on Gustav Vasa's (supposed?) answer.

The way of regarding the hostage that the chronicle expresses is a continuation from ancient times; the status was due to how the person in question expected to be treated – with the possibility of being exchanged or released later – and the hostage was the guarantor of peace agreements, as pointed out. In the case of prisoners, who also could be well treated, captivity could lead to a miserable life and eventually death.¹⁷⁵

In the chronicle it is described how Gustav Vasa should have said that he would never have volunteered for prison. Instead, he could use his status as hostage to protect his person. The violation of the treaty also became a way for Gustav Vasa to designate Christian II as fraudulent and a criminal. Naturally, this pejorative depiction of Christian II in the chronicle was part of the later construction of Gustav Vasa's person, where Christian II and his act in violation of the agreement became an antithesis against which Gustav Vasa was defined. At the same time, it is interesting that the use of hostages still served as a means within an area of confrontation

focused on using it properly to influence the outcome of a conflict. In this case it was at the national level.

The Eriksgata of Christian II

The above-mentioned cases concerned members of the higher social strata. There is yet another deed of Christian II that indirectly involved the country people of Sweden. The Stockholm Bloodbath was perhaps directed against nobility, bishops, and the higher bourgeoisie in the first place,¹⁷⁶ but there are indications that the king's violent acts under his Eriksgata also had an impact on the country people. In the long run, these actions had consequences for both the traditional giving of hostages and the status of the provinces.

After the cleansing in Stockholm in December 1520, Christian left the city to ride his Eriksgata. He brought large forces with him. On the way, the king carried out cleansings of those who had joined the Sture Party or other opposing parties. In the cities of Norrköping, Linköping, and Vadstena, executions took place.¹⁷⁷

At the time of the king's coronation in Stockholm in 1520, an uprising had broken out in the territory called Finnveden, in Småland.¹⁷⁸ The leaders of this uprising and other opposition members from the province of Småland were captured and taken to Jönköping and executed when the king arrived. The king cancelled the rest of the Eriksgata. However, it is the king's exit during the journey that has been most remembered.¹⁷⁹ At Nydala Abbey outside Värnamo he had a number of Cistercian monks executed because of their support for the anti-unionist Ribbing Party. In the yearbook of the Nydala monks, Christian received the nickname that has followed him in Swedish history writing: Tyrant (Sw. *Tyrann*).¹⁸⁰ We will not delve further into the motivation for these cleansings. In such situations, pragmatic considerations may have weighed more heavily than others, ignoring the different interests of groups and individuals who had little to do with the interests of the rulers. Christian II also had Danish opposition to take into account, as well as a financial crisis due to war loans. This may have contributed to his desperation.¹⁸¹

Despite these conflicts between the union kings and the anti-unionist parties, the people of the provinces lived their own lives throughout the time of the Kalmar Union. There were movements (or forces) that stood outside politics and formed the basis for peaceful relations. As early as the 14th century, the political boundaries and the boundaries of free trade did not always coincide. In general, trade across the provincial borders was controlled by forces such as demand, supply, and deficits. These were forces that could not always be influenced by political decisions of the royal power or others within the highest strata.¹⁸²

L.-O. Larsson has discussed the border peace of the late Middle Ages. Despite war, peace was possible in the border areas between Denmark and Sweden, for example in the parishes of Möre and Varend at the borders of the provinces Blekinge, Halland, and Småland. This peace meant that the trade and family relations across the national borders continued, as well as a natural desire to keep war and ravages at a distance.¹⁸³

According to the analysis of Österberg, the interaction between the central authority and the local communities was a political culture based on interdependence between the state and the householders that also concerned legal conditions. But internal affairs such as economic transactions (including property disagreements) and civil cases were dealt with on the local level.¹⁸⁴

For the peasantry and the country people, the executions in Stockholm may have had little to do with their daily life. For more than a hundred years, they had lived under the sovereignty of the union kings and, in turn, the regents (Sw. *riksföreståndare*) of Sweden. But they also had special privileges that were linked to the independence of the provinces and their own lands, not least through their own armaments. However, in two letters from 1521, Christian II announced that all householders should be disarmed.¹⁸⁵ As pointed out by L.-O. Larsson, it meant that the householders' right to defend their own communities disappeared and thus the ability to act against the demands from the alternating authorities (union kings or anti-unionist parties). Additionally, demanding tax burdens might have been required by the bailiff, even if such changes occurred during different periods but such changes had also occurred earlier.

The ability of the farmers to influence their dispersed settlements was an important element that the authorities had to relate to, and it was a part of the identity of the provinces. As a symbol, Christian's Eriksgata meant something of an end point for this identity. No sources mention that hostage takings occurred at Christian's Eriksgata, even if the Eriksgata was statutory. Obviously, this action, as well as other ritual actions during the Eriksgata – which were still stipulated in the Country Law of Christopher from 1442¹⁸⁶ – was of secondary significance for the king, if they were carried out at all.

The end of the Eriksgata

During the time of Gustav I and his successors, Sweden became a hereditary monarchy. The uprisings that the kingship had to deal with during the time of Gustav – the Dalecarlian rebellions and the Westrogothian rebellion (Sw. *västgötaherrarnas uppror*) – are considered by the research to be relatively weak, even though the Dacke War (Sw. *Dackefejden*) was a real threat.¹⁸⁷ Even during this period the king could ride into the provinces with a retinue; however, they required increasing strength, which can be seen in the example of Gustav I.

At Candlemas (Feb. 2) 1528, Gustav I mustered a great army at Västerås – according to the chronicle of Gustav Vasa, it was between 12,000 and 14,000 men – ‘to mortify a few parts of the country’. But the main goal was to quell the Second Dalecarlian Rebellion. The king went up to Dalarna with his army. Before that, he sent a letter calling for both the people of Western and Eastern Dalarna to meet him at the thing of Tuna (Sw. *Tuna Ting*), the old gathering place, or else he would pay a ‘visit’ to their homes so that it would ‘hurt afterwards’.¹⁸⁸ At Tuna, he surrounded the thing with troops and field artillery, a tactic similar to that of Olaf II of Norway (St. Olaf) 500 years earlier. After that an inquisition (chastisement) was held. The king was able to distinguish those who participated in the council of the Daljunker and had them executed. The other participants of the rebellion were pardoned. The king proceeded to the mines of Kopparberg and then into the province of Helsingia (Sw. Hälsingland), where

the people were forced to the thing of Delsbo in the same way as in Dalarna. Finally, the same procedure was executed in the province of Gästrikland before the king returned to Stockholm and dissolved the army. It should be noted, however, that these latter trials were bloodless.¹⁸⁹

With the actions of Gustav, the respect of the royal power for the boundaries of the provinces had disappeared, as did the order of peace with those who met there. Some restrictions on the king when he was going to ride into the provinces with his retinue (or army) no longer existed. At most, some restrictions survived as a formality; after all, the Eriksgata was conducted as late as in the early 16th century, but it was no longer an act of political significance. Thus, a symbol of the province's ability to ensure its borders disappeared that had lasted for at least 400 years. The above-mentioned event at the river of Dalälven in 1526 was perhaps the last time hostages had a significant role to play in negotiations between the royal power and the provinces, with the exception of the Dacke War (1542–1543). With standing forces¹⁹⁰ – and an infrastructure based on castles and fortresses – it was no longer necessary to fear the householders' uprisings as before, even though the royal power still had to relate to the householders who were responsible for the agricultural production.¹⁹¹

The things did not lose their function as an area of communication between the householders and the state. The country people also found out other ways to intervene with the authorities.¹⁹² This could be compared to Österberg, who has demonstrated a 'mutual structural dependence' that characterized the Swedish society, in which householders had the right to make complaints to the crown.¹⁹³

The hostage that was used in connection with the Eriksgata was primarily symbolic. But a symbol, or symbolic (ritual) act, must be provided with a relevant content to make it meaningful.¹⁹⁴ When the relationship – which was characterized by a confrontation – between the provinces and the royal power ceased, the use of the hostage no longer had any meaning. However, during other negotiations and settlements, hostages still had a symbolic significance. Legal historians usually have it that 1748, after the War of the Austrian Succession (1740–48), was an end date for the use of hostages in peace processes.¹⁹⁵

Concluding remarks

This section discusses the hostage givings that are described in the the Book about Lawlessness (Sw. *Rättslösabalken*) of *The Elder Westrogothic Law* (Sw. *Äldre västgöotalagen*) and its list of kings.

The first hostage giving is that of the hostages left at the river of Junebäcken at today's city of Jönköping during the king's Eriksgata, the traditional journey of the king before his coronation in Uppsala. The other case is that of the slaying of the king Ragnvald Ingesson Knaphövde outside the village Karleby in Västergötland about 1120–1130 because he did not leave hostages. These traditions of hostages can be the result of confrontations between different groupings in different provinces of the Swedish realm.

The Elder Westrogothic Law is preserved in parts in an old fragment called B 193, while the oldest complete manuscript is called B 59a. It is apparent that episodes in the Law can at least be traced to an original from the 1240s. This early copy was recorded only 15–20 years after the original Elder Westrogothic is supposed to have been fixed in writing.

The scholarly debate over the law has concerned, among other things, its age, Christian influence, whether there is native remnants (including pre-Christian traditions), the relationship with other provincial laws and the traditions of the Eriksgata. During the first half of the 20th century, the connection to older traditions was emphasized. In the 1970s increasingly critical voices emerged, not the least of whom is Elsa Sjöholm, who believes that the purpose of the Law was to mark the influence of the royal and ecclesiastical powers in the 14th century. However, Thomas Lindkvist has shown how native traditions occur in *The Elder Westrogothic Law*. Lindkvist emphasizes the uniqueness of the Law in relation to other medieval Swedish legislation.

Christianity was established earlier in Västergötland and Östergötland than in the rest of the Swedish realm. The earliest Christian kingdoms were founded in the provinces of Västergötland and Östergötland, before a unified realm in 1164. Peace agreements were made that defined the realm. Taxation systems were introduced in the early 13th century.

The three lists of the Elder Westrogothic law, which reports the dynasties of kings, law speakers, and bishops, is found as an appendix of the law. The bishops and the law speakers were representatives of major groupings standing against each other. The bishops were competing for power with other groups. They were required to belong to the families of great men but could not leave their offices to any son.

Lindkvist points out that there was a difference between the king's and the law speakers' influence over the law. The king's jurisdiction was probably weaker than in the rest of the provinces. The kingship had restrictions in Västergötland, which lasted until the 14th century when Magnus Eriksson's national team was fixed in writing. At the same time the dynasties of law speakers and bishops relied on social bounds towards other groupings with possible co-competitors or allies in the struggle for power.

The *eriksgatan* is described in the law as the king's ceremonial rides to the various provinces within the realm after his coronation. The Westrogoths would admit the arrived ruler, something that is expressed by the fact that they had the right 'to take and likewise refuse' (OSw. *at taka ok sva vrækæ*) the king. The king would afterwards be chosen at Mora stones outside Uppsala. In the Law, however, the royal election in Uppsala, or the *eriksgatan*, is not mentioned by name, only in a marginal note from the 16th century. The perception of whether the royal election or the *eriksgatan* are based on older traditions has shifted among researchers. During the first half of the 20th century, *eriksgatan* and the royal election was considered to be a part of an old lineage. Sjöholm, on the other hand, has argued that the *eriksgatan* is a late addition in the provincial laws. Other interpreters, such as Hultgård and Sundqvist, have pointed out the connection to oral traditions and similarities with continental pre-Christian laws. In the study I do not take a position on whether the royal election was an old institution, but I am content with focusing on Västergötland's role in connection with the *eriksgatan* and the ambulatory royal power. However, the premise is that *The Elder Westrogothic Law* is generally based on older traditions. These traditions are partly rooted in 'heathen' time. The law also concerned both the contemporary political situation and its foundations in the unrest of the 12th

century, when different groupings competed with each other for power and influence.

The *eriksgatan* was connected to the ambulatory royal power. The ritual acts had at an early stage a 'contractual nature' in the meeting between different groupings with different interests. The ambulatory royal kingdom included forms of taxations. In Västergötland, however, there was the taxation of the *gengiærþer*. The royal power also had some restrictions. The property of the Crown, called *Uppsala Öd*, was not to be sold but would be handed over to the successor. Such partially ritual restrictions were most likely of old order, although such a structure took many different forms.

According to the model (in Part I), trade relations are a step in the peace process. Trading places were areas of communication. These places were initially temporary and could be objects intended for either winter or summer markets, then developed into fixed trading places, which in turn became cities. The trading activities of the Viking Age was considered to have slowed down as the combination of plundering and trade ceased during the 12th century or even earlier. The trade changed as the trading places later developed into cities. The development of society can be described by the three steps of the model:

- (1) There was a peaceful order, but it was by no means given.
- (2) Several types of collaborations, such as trade relations and road constructions.
- (3) Legal consolidation.

We do not have all the information about conflicts and peace conditions available. It is within these societal conditions – conflicts between rival groupings, the royal power, and the country people before a power arises that can subdue all resistance – that hostages must be understood as described in *The Elder Westrogothic Law*.

As far as the role of the hostage is concerned, there are some uncertainties, who the hostages were, what role they had, and the reason for the selection was partly obscured. However, that the king had a role out of an agreement with the Geats can, however, be determined by the behaviour at the Thing of all Geats (Sw.

Alla götars ting) and the ceremonial obligation when appointing the bishop and the law speaker. The legendary story of the death Ragnvald can be an example of the mythification of hostages. The stories carry a message of a codified behaviour that must be followed by certain procedures and therefore constituted a motive for various mythical and legendary stories.

From the time of the kings of the Kalmar Union, the importance of the *eriksgatan* weakened, which culminated in the introduction of the appearance of monarchy during the reign of Gustav Vasa. At the end of the Union, one can see a change of attitude towards the agreements between the provinces and the Crown. It can be seen in the attitude of Christian II towards certain peace treaties and contexts where the hostage was traditionally used.

After the battle at the Battle of Brännkyrka between the forces of Christian II and Sten Sture the Younger in September 1518, peace negotiations were made out in the archipelago. In violation of the agreement, Christian brought the hostages to Denmark. The second incident is after the Stockholm Bloodbath purges in Stockholm in December 1520; Christian left the city to ride his Eriksgata. He brought with him great forces. On the way, the king carried out cleansings of those who took Sten Sture's party. Hostages in connection with the *eriksgatan* were primarily symbolic. But a symbol or symbolic (ritual) action must be provided with a relevant context in order to make it meaningful. When the relationship characterized by a confrontation between the provinces and the royal power ceased, the hostage that had been described in the provincial laws no longer had any meaning.

Notes to part VI

1. The provincial laws are divided into so-called *balkar*, litt. 'wooden beams', but actually 'codes' or 'sections'.
2. I. Larsson 2010: 412 f., 419; Wiktorsson 2011: 11.
3. Wiktorsson 2011: 11 f.
4. Wiktorsson 2011: 29 f.
5. Wiktorsson 2011: 11 f.

6. Wiktorsson 2011: 13.

7. Wiktorsson 2011: 13.

8. Wiktorsson 2011: 15.

9. Wiktorsson 2011: 15.

10. Hedlund 2011: 31 ff.

11. Sveær eghe konong at taka ok sva vrækæ · þættæ +
han skal mæþ gislum ovan fara ok ær retlo
i · østrægøtaland þa skal han sændi mæn sæ **bolcær** •
hingæt til aldragøta þings · þa skal laghmaþer gislæ
skiptæ tua sunnan af landi · ok tua norþæn af lan
þe · siþan skal aþra fiuræ mæn af landi gæra med
þem · þer skulu til iunæbæk · motæ fara · Østgøta gi
sla skulu þingat fylgiæ ok vittni bæra at han ær
sva inlændær sum lægh þerræ · sigiæ · þa skal alþragø
tæ · þing i gen hanum gøtom trolæken sværiæ at han
skal eigh ræt lægh a landi varu brytæ · þa skal laghma
þær han fyrst til konungs dømæ ok siþen aþrir · þer · ær
han biþar · K[onongær] skal þa þrim mannum friþ giuæ þem ær eig
hava niþingsværk giort · En biscup skal taka · þa skal ko
nong allandæ at spyriæ huarn þer uiliæ hava han
skal bonþæ sun væra · þa skal konongær hanum staf i hand
sæliæ ok gullfingrini siþan han kirkiu leþæ ·
ok i biskups stol sættiæ · þa ær fuldkommen til valdær
uten uixlt Bondæ sun skal laghmaþer væra · þy skulu
alliR bonder ualde mæþ gusz miskun.

Äldre västgötalagen II ([ed.] Wiktorsson): 84 (text), (leaf 21r).

12. *Äldre Västgötalagen*, the Book about Lawlessness ([ed.] Lindkvist):
33 (transl.) ch. 1.

13. Tiundi war

Rangwaldær · konongær · baldær oc huxstor · reð · a · karllæpitt
at vgislædhu · oc fore þa sæwirðnigh han giorðhe allum
wæstgøtom · þa fek han skiæmðær død hæ · styrðhi þa goðhær
laghmaðhær · wæstrægøtlandi · oc lanz høffhengiær · oc waru
þa allir tryggir landi sinu ·

Äldre västgötalagen II ([ed.] Wiktorsson): 198 (text), (leaf 49v).

14. *Äldre västgötalagen* II ([ed.] Wiktorsson): 198 (text), 199 (transl.) (leaf 49v).
15. Jägerskiöld 1966: 258.
16. Nyström 1974: 77 f.
17. Sjöholm 1988: 47 ff.
18. Sjöholm 1988: 49, 206 ff., 298.
19. Sjöholm 1988: 34, 37 f.
20. Harrison 2009: 293.
21. Sundqvist 2002: 311.
22. Tegengren 2015: 24.
23. Inger 1999: 11. The Reform Movement reached Sweden later (1250) by sending a through a letter to the Archbishop of Uppsala: with the information that the chapter would execute Archbishop without any possibility for the lawmen to influence them (Inger 1999: 11).
24. Inger 1999: 11.
25. Inger 1999: 11 ff., 15.
26. Inger 1999: 15.
27. Sjöholm 1988: 91, 138, 325 f.
28. Cf. Inger 1999. Proof for parallel phenomena in the Norwegian Gulathing Law (No. *Gulatingsloven*) and Frostathing Law (No. *Frostatingsloven*), as well as the Icelandic Gray Goose Laws (Ic. *Grágás*) must also be put forward.
29. Lindkvist 2013: 55.
30. Lindkvist 2013: 58.
31. Lindkvist 2013: 60.
32. I. Larsson 2010: 411.
33. The provinces of Västergötland and Östergötland.
34. See Lindkvist 2008: 669.

35. Harrison 2009: 216 ff.
36. Harrison 2009: 216 ff.
37. Harrison 2009: 218.
38. Se Lindkvist 2008: 669.
39. E.g. Sundqvist (2007: 12) Sundqvist (2007: 12) has, for example, pointed out that the extent of the area is discussed, but it is generally considered that it comprised the current Mälars area, Uppland, Södermanland, and Västmanland (cf. Harrison 2009: 33 ff.).
40. M. G. Larsson 2000; Lindkvist 2008: 669.
41. *Svenskt ortnamnslexikon* 2003: 103 f.
42. Partly after Lindkvist 2008: 670 f.
43. Lindkvist 2008: 671.
44. Sundqvist 2002: 295.
45. Lindkvist 2008: 671.
46. Harrison 2009: 275.
47. Even if coins were minted in the 1150s in the city of Lödöse, the people in the provinces of Västergötland and Värmland did not use money until a hundred years later (Harrison 2009: 276).
48. Harrison 2009: 276.
49. Adam of Bremen ([ed.] Hallencreutz): 100 f. (Book 2, Ch. 54, 55).
50. *Äldre västgötalagen* II ([ed.] Wiktorsson): 202 (text), 203 (transl.) (leaf] 50v).
51. Adam of Bremen ([ed.] Hallencreutz): 231 f. (Book 4, Ch. 34).
52. See Nilsson 1998: 57 f.
53. Even in Svetjud, the influence of the English Church was strong. The German mission may have partially ceased after collapse of Birka, but according to Nilsson (1998: 62), it had a continuation parallel to the English mission. The historian Henrik Janson (1998: 133 ff., 260 ff., 276 f., 295 f., 319 f.) claims that Adam of Bremen's depiction of the 'pagan' Uppsala temple is an allegory of

the conflict lines between the Gregorian reform movement – which opposed the increased influence of the emperors and the kingdoms on church matters – and the archdiocese of Hamburg-Bremen, which would have been close to the German-Roman Emperor Henry IV (1050–1106). According to Janson (1998: 111 ff., 313 f.), the representative of the Gregorian reform movement in Uppsala would have been Bishop Osmund. See Sundqvist (2002: 119 f.), who states that there is no sustainable evidence that Bishop Osmund would ever have been in Uppsala in the middle of the 1000s; see also Nilsson (1998: 38 f., 71), who has put forward the hypothesis that Osmund was possibly linked to Olof Skötkonung's son, Emund, belonged to the Byzantine church tradition, and was 'headless', i.e. a ranging bishop without a concrete mission.

54. The Danish influence of power over the Northern Sea region definitely ceased after the Battle of Hastings in 1066. According to the church historian Bertil Nilsson, '[i]n this way, the sovereignty of Hamburg-Bremen over the Nordic diocese churches was consolidated, and Archbishop Adalbert of Bremen ordained bishops for the Nordic towns. Consequently, influences from the South [the Continent] became dominant' (Nilsson 1998: 62 f.).

55. Nilsson 1998: 61 f.

56. Lindkvist 2013: 59; cf. I. Larsson 2010.

57. *Äldre västgötalagen* II ([ed.] Wiktorsson): 206 (text), 207 (transl.) (leaf 51v).

58. *Äldre västgötalagen* II ([ed.] Wiktorsson): 206 (text), 207 (transl.) (leaf 51v).

59. *Äldre västgötalagen* II ([ed.] Wiktorsson): 206 (text), 207 (transl.) (leaf 51v).

60. *Äldre västgötalagen* II ([ed.] Wiktorsson): 66 (text), 67 (transl.) (flock 14, § 1–2, leaf 16v). Also in the *Manhelgdsbalken* of the *Södermannalagen* ([ed.] Holmbäck och Wessén): 174 (flock 22, § 3).

61. The *duldadráp* meant that a city or township was obliged to pay for a murder when the perpetrator could not be identified.

62. Kungabalken, *Södermannalagen* ([ed.] Holmbäck & Wessén): 43 (flock 3); Kungabalken, *Upplandslagen* ([ed.] Holmbäck & Wessén): 43 f. (flock 3).
63. Kungabalken, *Magnus Erikssons landslag* ([ed.] Holmbäck & Wessén): 8 (flock 8).
64. Ärvdabalken, *Magnus Erikssons landslag* ([ed.] Holmbäck & Wessén): 64 (flock 21).
65. Lindkvist 2013: 61, 673.
66. Lindkvist 2013: 60.
67. The *lagsaghas* were areas with a common law and equivalents to the provinces, which were divided into smaller units such as a *härad* (a hundred) in Västergötland and a *hundare* (a hundred) in Svetjud (Lindkvist & Ågren 1997: 10 f.).
68. Lindkvist 2013: 61.
69. The existence of this duty is confirmed by a letter from the Pope Innocentius III (c. 1160–1216) to the Archbishop in Uppsala 1206 (see I. Larsson 2010: 413).
70. Rättlösabalken, *Äldre västgöotalagen* II ([ed.] Wiktorsson): 84 f. (text), 85 f. (transl.) (flock 2–3, leaves 211–214).
71. Cf. the model in Part I.
72. Lindkvist 2013: 58 f.
73. Lindkvist 2013: 59; *Äldre västgöotalagen* II ([ed.] Wiktorsson): 194 (text), 195 (transl.) (leaf 48v). See *Norstedts latinsk-svenska ordbok* ([ed.] Ahlberg *et al.*): 631.
74. *Äldre västgöotalagen* II ([ed.] Wiktorsson): 192 (text), 193 (transl.) (leaf 48r).
75. *Äldre västgöotalagen* II ([ed.] Wiktorsson): 194 (text), 195 (transl.) (leaf 48v).
76. *Äldre västgöotalagen* II ([ed.] Wiktorsson): 194 f. (text), 195 f. (transl.) (leaf 48v); cf. Lindkvist 2013: 59.
77. Lindkvist 2013: 62.

78. Harrison 2009: 282.

79. Harrison (2009: 282) gives an example of how the Danish princess Martha of Denmark (1277–1341) married the Swedish King Birger Magnusson (1280–1321) in Stockholm, 1298. Four years later, she was crowned in Söderköping and received, as morning gift, the provinces of *Fjärdunaland* and *Söderköping*. Later she was forced in exile after taking part in the political game. King Magnus Eriksson's mother, Ingeborg, had a leading role in her son's regency council in the 14th century.

80. Vretemark 2014.

81. The manuscript *Sorensis monasterii antiquitatis* is a copy from 1608 by the Danish professor Hans Stephensen (*Johannes Stephanius*) (1561–1625) of an older original from the Cistercian monastery at Sorø in Denmark. The manuscript describes how a woman named 'Mrs Sigrid' made a donation of the big farm Varnhem with its associated land areas, including the old farm church, to the Cistercian Order (excerpt in Edenheim 1982: 50 ff.).

82. Harrison 2009: 175; Vretemark 2014: 132.

83. The Eriksgata is not mentioned by name in the part of the manuscript B59 attributed to the A-writer, that is, the oldest part of the manuscript. The word *eriksgata* is only written in a marginal note. The note was probably made by the Councillor Hogenskild Bielke, or somebody within his circle, in the latter part of the 16th century. For the debate about the origin of the name, see Sundqvist 2002.

84. 'The taking' of a ruler probably meant that the candidate was lifted up on the Stones of Mora (Sw. *Mora stenar*) outside of Uppsala. The expression 'taking a king' (ON *konungstekja*) appears in the Norwegian *Hirdskraa* (5) and meant that the candidate was regarded as a pretender to the throne (ON *konungsefni*) but not as a king before the coronation. There were similar traditions in Denmark (see Sundqvist 2002). According to Sundqvist (2002), the ceremony of 'taking' had parallels in pre-Christian traditions. Ammianus Marcellinus (c. 330–395) reports how the emperor Julian the Apostate (331–363) was raised upon the shield of a legionnaire and hailed by the crowd. According to Magnus Aurelius Cassiodorus (c. 485–c. 585) King

Vitiges (d. 540) of the Goths was raised on shields before a battle. The opposite, 'the deeming', meant that the ruler was thrown off the stones and thereby not acknowledged as a throne pretender or ruler. The presence of this ritual is also confirmed by the right 'to dispose' (*vræka*) of a ruler. In *Heimskringla* there is a story about the heathen King Hrollaug of Naumadal, who ritually rolled himself from a high seat down to an earl's seat. Thereby he 'degraded' himself to earl (See Sundqvist 2002).

85. Mark was a medieval measure of weight of noble metals. The value was shifting: The 'Skaramark' has been measured to 213. 3 grams and the 'Stockholmmark' to 204. 97 (Rasmusson 1966: 423 ff. In total, 40 marks would something like 8198.8–8532g, i.e. 8.2–8.5kg.

86. Dalalagen, *Svenska landskapslagar* 2 ([ed.]. Holmbäck & Wessén): XIX; cf. Sjöholm (1988: 321 f.), who claims that never was any law of the province of the Dalarna; the manuscript B 54 does not have any title (Sjöholm 1988: 327 ff.).

87. *Dalalagen* ([ed.]. Holmbäck & Wessén): 21 (flock 1).

88. Hälsingelagen, *Svenska landskapslagar* 3 ([ed.]. Holmbäck & Wessén); Västmannalagen, *Svenska landskapslagar* 2 ([ed.]. Holmbäck och Wessén).

89. *Södermannalagen* ([ed.]. Holmbäck och Wessén): 42 f. (flock 2–3). The *Eric Chronicle* (Sw. *Erikskrönikan*) is the earliest text to mention the election of kings at the Stones of Mora.

90. Saxo Grammaticus, *Gesta Danorum* = *Danmarkshistorien* II ([ed.]. Friis-Jensen): 100, 102 (text), 101, 103 (transl.) (Book 13 Ch. 5, 1).

91. The expression *penes Sueones arbitrium erat* in *Gesta Danorum* is comparable to the Old Swedish *sveær eghe konong at taka ok sva vrækæ*. Saxo, however, does not use the verb, *ēligō*, which more specifically means 'choose', but the noun *arbitrium* which may also mean 'judgement', 'decision', and 'opinion' (*Norstedts latinsk-svenska ordbok* (red. Ahlberg et al.): 72 f.; Sundqvist 2002: 313).

92. Rosén 1939: 383 ff.

93. Olivecrona 1942. A central concept in Olivecrona's hypothesis, the verb *döma*; see Sundqvist 2002 about the debate regarding the sacral kingship.
94. Sjöholm 1988: 50, 206 ff., 298.
95. Gahrn 1988: 32, 99, 134.
96. Harrison 2009: 277 f., 280.
97. Sundqvist 2002: 311.
98. Hultgård 2001.
99. Sanmark & Semple 2008: 249 ff.
100. Brink 2000b: 52 f.
101. Harrison 2002: 284.
102. Harrison 2009: 273, 284.
103. C.f. the *gislalaghs* in Part V.
104. *Svenska landskapslagar* 3 ([ed.] Holmbäck & Wessén): 57, n. 16; Dovring 1951: 43; Lindkvist 1988: 23.
105. Brink 2000a: 66.
106. See, for example, Hyenstrand 1974.
107. Brink 2000a: 70 f.
108. Sundqvist 2002: 87.
109. Harrison 2009: 283.
110. Rosén 1966: 305.
111. Rosén 1966: 305.
112. *Magnus Erikssons landslag* ([ed.] Holmbäck & Wessén): 5 (flock V, § 6).
113. *Magnus Erikssons landslag* ([ed.] Holmbäck & Wessén): 5 (flock V, § 6).
114. See C. Andersson (2013: 220 ff.) for the research history.
115. The historian Catharina Andersson (2013: 219 ff.) has shown that the gift exchange continued in the 13th and 14th centuries as

‘religious gifts’. A nobleman or a noblewoman could choose to donate to a monastery. The donation could also include giving away their daughters, primarily as nuns, to the monastery. Sons too could be donated to monasteries. There were several benefits with this gift strategy. Not only did it strengthen the religious capital of the donor but also the social. It could be rewarding to support the ecclesiastical power, for example in the appointment of a ministry (C. Andersson 2013: 226 ff., 232 ff.). The giving of children as gifts to the monasteries was a continuation of the practice of giving children as foster children (OI *fóstri*) to subordinate families (C. Andersson 2013: 244 f.).

116. See Sundqvist 2002: 344 f. for a discussion.

117. *Östgötalagen* ([ed.] Holmbäck & Wessén): 141 f. (flock 4).

118. Jordabalken, *Äldre västgötalagen* II ([ed.] Wiktorsson): 104 (text), 105 (transl.) (flock 5, leaf 26[r]).

119. Jordabalken, *The older version of the Västgöta Law* (Äldre Västgötalagen) ([ed.] Lindkvist): 41 (Ch. 5).

120. Rosén 1966: 253; Harrison 2009: 284.

121. *Äldre västgötalagen* II ([ed.] Wiktorsson): 104 (text), 105 (transl.) (leaf 26[r]).

122. Lindkvist & Ågren 1997: 14.

123. Lindkvist & Ågren 1997: 14.

124. Lindkvist & Ågren 1997: 14.

125. See Kallerskog & Franzén 2012.

126. Kallerskog & Franzén 2012: 9.

127. Kallerskog & Franzén 2012: 9.

128. Lindkvist & Ågren 1997: 53 f.

129. Rosén 1966: 301.

130. Lindkvist & Ågren 1997: 53 f.

131. Rosén 1966: 300; Lindkvist & Ågren 1997: 54.

132. Lindkvist & Ågren 1997: 54.

133. See Part I, p. 39 f.

134. See for example Rosén 1966: 252; Harrison 2009: 279; Kallerskog & Franzén 2012: 9.

135. Rosén 1966: 252; Harrison 2009: 279.

136. Lönnroth 1985: 21.

137. Harrison 2002: 122.

138. Harrison 2009: 280.

139. It is likely that the hostage was made up of only men in these cases because only men had access to the thing.

140. Kungabalken, *Magnus Erikssons landslag* ([ed.] Holmbäck & Wessén): (section 12).

141. Cf. Bell 1997: 81 f.

142. Liedgren 1965: 469.

143. The letter of safe conduct could be a guarantee of security in addition to the time the criminal had to travel from the thing to the king and back (Liedgren 1965: 469). The letter could also contain some other stipulations (Liedgren 1965: 469). In the database of the National Archives (<https://sok.riksarkivet.se>; 2015-11-01) there are many examples of letters of safe conduct from the time-period 1298–1697.

144. Hamre 1965: 468.

145. Hamre 1965: 468. In the database of the National Archives (<https://sok.riksarkivet.se>; 2015-11-01) there is a letter of conduct (SHDK-No: 41772) dated 29 July 1378. It was issued by Håkan Magnusson, ‘King of Sweden and Norway’, and safe conduct is given for the great man Aslak Neridsson. The term ‘letter of *grið*’ is used in this case.

146. See Part IV.

147. Liedgren 1965: 469.

148. Cf. Österberg 1989.

149. It can for example be compared to *Sveriges historia* (‘The History of Sweden’) by the historian Ingvar Andersson (1969: 60),

which states that the king had a role as 'warlord' and 'representation figure' before 1250 in the Swedish realm.

150. See the list on conflicts.

151. See Part IV.

152. It is possible that the Eriksgata took place as early as during the Viking age, but in such cases it was probably a more limited journey that might only have covered the people of Uppland (Sundqvist 2002: 318; Hultgård 2001: 439 f.; Sanmark & Semple 2008: 250).

153. The hostage of the Geats could also have been a disposable hostage, which is indicated by the fact that it was statutory and applied during peacekeeping conditions.

154. Saxo Grammaticus, *Gesta Danorum* = *Danmarkshistorien* II ([ed.] Friis-Jensen): 100, 102 (text), 101, 103 (transl.) (Book 13 Ch. 5, 1).

155. Söderwall 1884–1918: 402; 1900–1918: 151.

156. Lavelle 2006: 273.

157. See Fritzner (1883–96) 1973: 600; Söderwall 1900–1918: 151.

158. SAOB <http://g3.spraakdata.gu.se/saob/> (2015–10–23).

159. *Gustav Vasas krönika* ([ed.] Mosesson): 109 (anno 1526). L.-O. Larsson (2003b: 149–163) has argued that the Daljunkern was actually identical with Nils Sture. Sten Sture died of his wounds after the battle of Bogesund in February 1520.

160. According to Pound (1959: 187) it was customary to leave the hostage tied.

161. *Gustav Vasas krönika* ([ed.] Mosesson): 108 f. (ann. 1526).

162. Lönnroth 1969: 45 ff.; L.-O. Larsson 2003a: 83 ff.

163. The king's election had changed in a way that the lawmen did not have to come as representatives of their *lagasaghas* to confirm the king's election. Instead, the election was carried out at different places by great men; it was something that had already begun with the Country Law of Magnus Eriksson. Only after the general

elections could the election and tribute ceremonies be performed at the Stones of Mora (Yrwing 1964: 365 f.).

164. Skyum-Nielsen 1964: 158 ff.

165. Lönnroth 1969.

166. *Gustav Vasas krönika* ([ed.] Mosesson): 11 ff. (ann. 1490).

167. *Gustav Vasas krönika* ([ed.] Mosesson): 15 (ann. 1490).

168. L.-O. Larsson 2003a: 432. During the negotiations with Sten Sture, Christian II asked him to come to the archipelago personally (Lauring 1963: 103). Sten Sture was willing if a hostage could be given as security for his person (Lauring 1963: 103). According to the chronicle of Peder Svart ([ed.] Mosesson): 11 (ann. 1490), the offered hostage was not valuable enough to function as a real security: they could be sacrificed on the 'slaughtering-block'. The hostage was sent back, and according to Lauring (1963: 103), it was perceived as an offence by Christian. Christian would then have declared that he was willing to come ashore and negotiate if a hostage would be granted as security for his person (Lauring 1963: 103). Christian later tried to justify his behaviour in some letters to German cities. He had no plans whatsoever to come ashore for the meeting but took it as an insult when Sten Sture sent his hostage back (Lauring 1963: 104). The battle and its aftermaths is depicted in a ballad in the *Stora rimkrönikan* (*Sturekrönikan*), *Svenska medeltids dikter och rim* ([ed.] Klemming): 471 ff. (ch. 22).

L.-O. Larsson (2003a: 432) argues that this way of breaking the safe conduct began with the murder of the Norwegian nobleman Knut Alvsson Tre Rosor during a peace treaty in 1502. Knut was in one way or another in league with a Swedish insurgency against the union king Hans Knut, who was one of most powerful men of Norway and had most of his support in Western Norway. His leading rival, the Danish Henrik Krummedige, a member of the Danish Council of the Realm (Da. *Rigsraadet*), was commander at the Bohus (No. *Båhus*) Fortress in the Norwegian province of Bohuslän (No. *Båhuslen*) (Lauring 1962: 196; Larsson 2003a: 392 f.). Knut made a campaign against southern Norway and reached the Bohus Fortress, which was besieged. The siege was broken and Danish reinforcements were sent to Bohuslän. On August 18, 1502, Henrik Krummedige and Knut met

on the former's ship in the port of Oslo for negotiations. Although Knut had been given safe conduct, he was murdered on the ship (Lauring 1962: 198; Hamre 1965: 469; L.-O. Larsson 2003a: 396). This violence was subsequently sanctioned by King Hans, according to L.-O. Larsson (2003a: 396).

169. *Gustav Vasas krönika* ([ed.] Mosesson): 12 (ann. 1490).

170. *Gustav Vasas krönika* ([ed.] Mosesson): 12 (ann. 1490).

171. The database of Riksarkivet, <https://sok.riksarkivet.se> (2015-11-01); L.-O. Larsson 2003a: 447.

172. *Svenskt biografiskt lexikon* 1906: 487 f.

173. *Gustav Vasas krönika* ([ed.] Mosesson): 15 (anno 1490).

174. Det skall ingen ärlig man (sade han) med någon skäl bevisa att jag är en fånge, utan en gisslare. Komme den fram som rättvisligen och med sanning bevisa kan uti vad skärmytsel eller på vad rum jag eller de andra gode Svenske män (med mig så sveklige bortförde bleve) stadde vore den tid vi vorde fångade, eller vem de vore som oss angripe. Men all den stund det ingen med skäl bevisa kan, bör oss icke vara kallade fångar, utan överfallne förraskne och besvikne, och ärlige män. Heller med vad rätt kan den vara en fånge, vilken aldrig fängelse klappat haver?

Gustav Vasas krönika ([ed.] Mosesson): 15 (ann. 1490).

175. See Part I.

176. L.-O. Larsson 2003a: 444 f. During the Bloodbath, 7–9 November 1520, about 100 persons were executed after a brief trial. Before the trial, the widow of Sten Sture the Younger, Christina Nilsdotter Gyllenstierna, who led the defense of Sweden, received a letter from Christian II that assured her and the members of anti-unionist parties amnesty if they surrendered. However, after the surrender Christian broke his promise.

177. L.-O. Larsson 2003a: 448.

178. Finnveden was one of the lands that constituted the province of Småland.

179. L.-O. Larsson 2003a: 448.

180. L.-O. Larsson 2003a: 448; 2003b: 57; *Gustav Vasas krönika* ([ed.] Mosesson): 16 f. (ann. 1490). In reality, this nickname was never used for Christian II during his lifetime.

181. Christian's uncle, Frederick I of Denmark, led an insurgency at Jutland in the early 1520s.

182. L.-O. Larsson 2003a: 78.

183. L.-O. Larsson 2003a: 413.

184. Österberg 1989: 74 ff.

185. L.-O. Larsson 2003a: 450.

186. *Kristofers landslag*. Corpus iuris sueo-gotorum antiqui (Samling af Sweriges gamla lagar, på kongl. maj:ts nådigste befallning utgifven af d. C. J. Schlyter 12).

187. Österberg 1989: 88; L.-O. Larsson 2003b: 195 ff.

188. *Gustav Vasas krönika* ([ed.] Mosesson): 116 (ann. 1527).

189. *Gustav Vasas krönika* ([ed.] Mosesson): 117 f. (ann. 1527).

190. Cf. L.-O. Larsson 2003b. 171.

191. Österberg 1989: 83.

192. Cf. Österberg 1989: 81.

193. Österberg 1989: 89 f.

194. Cf. Anttonen 2000.

195. See Pound 1959: 185. Following the War of the Austrian Succession 1740–48, a negotiation peace was conducted. Different constellations stood against each other, Great Britain, fighting on the side of the Habsburg monarchy and France on the side of the other constellation (including Sweden). The Cape Breton Island off the Canadian East Coast was received by Great Britain through the Aix-la-Chapelle (Aachen) Treaty in 1748. As security for the island, two English nobles as hostages were sent to France (Pound 1959: 185). This was a breaking point: After this event the hostages were considered to have occurred mostly as a part of reprisals (Pound 1959: 186).