

The Earldom of Orkney, the Duchy of Schleswig and the Kalmar Union in 1434.

Authors:

Ian Peter Grohse, PhD, Associate Professor of Medieval History, University of Tromsø – The Arctic University of Norway

Dr. Stefan Magnussen, Abteilung für Regionalgeschichte, Historisches Seminar, Christian-Albrechts-Universität zu Kiel

Abstract:

In August 1434, Erik VII, king of Denmark, Norway and Sweden, confirmed William Sinclair as earl of Orkney, thus ending a decade-long dispute over the hereditary nature of that island fief. Although surviving sources pertaining to Orkney tell us little about Erik VII's motives, historians have traditionally pointed to circumstances in and around the isles to explain the king's acknowledgement of William's claims. In this article, it is argued that the events must be interpreted in light of a concurrent dispute over counts of Holstein's hereditary claims to the duchy of Schleswig, which were vigorously denied by Erik VII. It can be concluded that the latter dispute influenced the debate over Orkney by making the hereditary enfeoffment of William Sinclair a strategic impossibility for Erik VII, who could not acknowledge one claim without opening the door for another. The king's acquiescence of William's claim in 1434, we contend, reflected changing conditions in Schleswig, where the king was forced to recognize the counts' hereditary rights. The contribution offers a new take on Orkney's late-medieval development and encourages that island principality's inclusion in pan-Scandinavian events.

Keywords: Erik of Pomerania, Schleswig, Orkney, Norway, Denmark, fief

I Introduction

The conflict over the duchy of Schleswig is certainly one of the keys for understanding the early history of the Kalmar Union, a dynastic adjoining of the Danish, Norwegian and Swedish realms brought to life with the joint coronation of King Erik VII in 1397.¹ Since the second half of the 14th century, the Danish crown had aspired to reclaim the small principality from the northern German counts of Holstein and reincorporate it in their sphere, an ambitious scheme that gained momentum following the death of duke Gerhard II of Schleswig in 1404. For more than three decades, the unresolved matter of Schleswig dominated the agenda of the Danish monarchy and thus the union as a whole. Royal ambitions, however, collapsed in September 1431, after which point both sides agreed to an armistice on 22 August 1432.²

¹ King Erik VII of Denmark is commonly referred to as Erik of *Pomerania* owing to his origins in that northeastern German principality. Born Bogusław, son of duke Wacisław VII of Pomerania, he was selected by his great aunt, Margrete, to succeed her deceased son, King Oluf II of Denmark (Olav IV of Norway), and rechristened as Erik in allusion to Scandinavian traditions. For the sake of clarity, the following employs the Danish designation instead of the Norwegian (Erik III) or Swedish (Erik XIII). The same applies to his predecessor Oluf/Olav. On the accession of Erik VII in the Nordic realms see e.g. Etting, *Margrete*, 106–22, 145–56; Rock, *Herrscherwechsel*, 104–35; Christensen, *Kalmarunionen*, 110–71; Larsson, *Kalmarunionens tid*, 43–90.

² The most noteworthy account of the conflict over the duchy of Schleswig remains Erslev, *Erik af Pommern*. The conflict has recently received some attention in e.g. Hedemann,

That defeat proved disastrous for Erik VII, for it not only forced him to bury the Danish crown's long-cherished claims to the region for the time being; it also enflamed tensions within the union that eroded his relatively consolidated position as ruler of the Nordic realms. In accordance with his coronation charter from 1397, the subjects of his Swedish and Norwegian dominions were expected to support the monarch's efforts in southern Jutland.³ In Sweden, however, growing resentment towards the heavy burdens associated with a policy perceived as mainly serving Danish interests, added to festering discontentment over the king's installation of foreign bailiffs and excessive interference in clerical matters. Tensions erupted in June 1434, when inhabitants from the Swedish province of Dalarna, under the leadership of Engelbrekt Engelbrektsson, revolted against royal authority and encamped menacingly outside the town of Stockholm. At the time, representatives from Sweden's council of the realm were at the royal court in Vordingborg where they, together with the councils of the other two realms, were negotiating a more durable settlement of the armistice with the Hanse and the counts of Holstein. After receiving news of unrest at home, the Swedish delegates returned to Vadstena, where many joined the revolt and formally renounced their allegiance to Erik VII in August 1434.⁴

These events occasioned a major shift in royal policy, as Erik VII was forced to suspend his campaign for the duchy of Schleswig and focus his energies on securing his Swedish dominion. This also compelled him to place greater emphasis on Norway.⁵ Seeking to placate tensions in Sweden, the king entrusted Norway's council of the realm with persuading its Swedish counterpart to abandon the revolt and allow the king to amend his ways, which the council attempted in a letter composed in Copenhagen on 27 August 1434.⁶ This, however, was not the only time that the *consilarii norvegie* played an important role in the political dealing of the day, as many had been present and participated in negotiations in the months preceding.⁷

These negotiations were in many respects remarkable, particularly given the infrequency of such union-wide gatherings during the reign of Erik VII.⁸ While developments in Schleswig and Sweden headlined the itineraries, and have been studied extensively, participants also addressed matters that have received little scholarly attention. This applies in particular to the

Danmark, and Neustadt, *Kommunikation*, who mostly focused on diplomatic processes. Magnussen, *Burgen*, ch. 5 reevaluated the role of castles in the conflict.

³ On the obligations, expenses of and effects on the Norwegian and Swedish realms, see Erslev, *Erik af Pommern*, 300–3, 320–1 and, with stronger emphasis on Norway, Taranger, *Tidsrummet 1319–1442*, 258–62; Moseng et al., *Norsk historie*, 337–8.

⁴ On events in the summer of 1434 and the Swedish revolt in general, see e.g. Olesen, *Rigsråd*, 19–24; Carlsson, *Senare Medeltiden*, 240–93; Larsson, *Engelbrekt Engelbrektsson*; Erslev, *Erik af Pommern*, 327–49. For details on the Vordingborg assembly in 1434, see Neustadt, *Kommunikation*, 367–86.

⁵ Also here there were revolts in 1436/37 and 1437/38, but unlike in Sweden, these did not lead to the immediate deposition of the king, see Hamre, *Norsk historie*, 107–18; Imsen, “Trekunionsunionen,” 359–66; Moseng et al., *Norsk historie*, 346–8. On revolts specifically, see e.g. Daae, “Bidrag”; Daae, “Nye Studier”; Storm, “Om Amund Sigurdsson Bolt”; Aldener, “Bidrag”; Kirkeby, *Hallvard Gråtopp*; Imsen, “Unionsregimente”; Njåstad, “Grenser,” 105–19. On Erik VII's ultimate deposition in Norway, most recently Rock, *Herrscherwechsel*, 188–91 with further literature.

⁶ DN 5, no. 646, but incorrectly dated 7 August. See also Imsen, “Trekunionsunionen,” 357–8. In its reply of 12 September, the Swedish council once more justified its action, see DN 5, 647. On the circumstances in Norway, see e.g. Daae, “Bidrag,” 62–7.

⁷ Cf. HR 2.1, no. 373; DN 23, no. 88. The quote is from the plica of DN 5, no. 645.

⁸ Erslev, *Erik af Pommern*, 283.

earldom of Orkney, a Norwegian crown domain off the northern coasts of mainland Scotland.⁹ Amidst negotiations, on 9 August 1434, Erik VII, acting as king of Norway, conferred the earldom to the Scottish nobleman William Sinclair.¹⁰ That grant marked the culmination of Sinclair's long campaign to activate what was, in his view, a rightful hereditary claim to the honour. His efforts had begun, at the earliest, immediately after the death of his father, Henry (II) Sinclair, in 1420, or, at the latest, when inhabitants of Orkney petitioned Erik VII's consort, Queen Philippa, to bestow the young Sinclair, whom they described presumptively as 'our earl' (*nostrum comitem; jærlin*), with his hereditary title in 1425.¹¹

Scholars have struggled to explain Erik VII's skepticism toward William Sinclair's claim, as neither the feudal charter nor any parallel tradition provides satisfying insight into his motives.¹² Seeking explanations, historians have typically ascribed the earldom and its earls a somewhat passive role in royal policy-making along the Scottish-Norwegian frontier.¹³ Instead, they attribute initiation for both the delay and the subsequent grant to the incumbent rulers of Scotland and Norway, James I and Erik VII respectively.¹⁴ Citing the lack of any hard evidence that William Sinclair's father, Henry (II), ever formally activated his claim to the earldom, some have suggested that Erik VII rebuffed William's petitions, which hinged upon his father's comital status, in an effort to abolish the hereditary title of earl and increase royal influence over the island province.¹⁵ Others argue that by advocating the Scottish nobleman's appointment to the Norwegian fief, James I pursued his budding, and later successful, ambitions to incorporate

⁹ See Thomson, *New History*; Crawford, *Northern Earldoms*; Grohse, *Frontiers* for a general consideration of the earldom.

¹⁰ For example, Olesen's otherwise meticulous survey of the Danish council of the realm and Nordic royal policy, in which William Sinclair is referred to only once as recipient of a letter from the Norwegian council in 1446 (Olesen, *Rigsråd*, 347, referring to DN 7, no. 732). Although Sinclair's enfeoffment is briefly mentioned in e.g. Hasund, *Tidsrummet 1280 til omkring 1500*, 290, it receives no noteworthy attention in other surveys of Norwegian history, e.g. Taranger, *Tidsrummet 1319–1442.*; Hamre, *Norsk historie*; Imsen, "Treriksunionen"; Bjørkvik, *Folketap og sammenbrud*; Moseng et al., *Norsk historie*. This is surprising as the enfeoffment receives considerable attention in Huitfeldt, *Krønike*, 772–4.

¹¹ DN 2, no. 691; DN 6, no. 423. For a discussion of these events see below.

¹² The *Lehnsrevers* is preserved only as a vidimus issued between 1448 and 1463, which is currently housed at the Danish Archives in Copenhagen (NKR 3177-b). The charter is edited at *NGL* 2.1, 74 and translated into Danish in Huitfeldt, *Krønike*, 772–4. It is unclear whether there was ever a feudal charter from Erik VII. It could have been lost a few years later or never been issued, see notes on the loss of charters by William Sinclair in 1443 (DN 20, no. 833) and the remarks further down in n. 78.

¹³ This applies only to a limited extent to Crawford, *Northern Earldoms*, 352–6, although she does not address the question of why it was feoffed in August 1434. On the influence of national historiography on research on Orkney most recently Grohse, *Frontiers*, 10–23.

¹⁴ Some studies mention, but do not elaborate on the motives for Sinclair's eventual enfeoffment in 1434, e.g. Imsen, "Landet Orknøy," 216; Clouston, *History*, 249; Hay, *Genealogie*, 71–2.

¹⁵ Crawford, *Northern Earldoms*, 354–5; Crawford, *Earls*, 264.

Orkney into the Scottish realm.¹⁶ Recently, it has been proposed that both kings agreed on William's enfeoffment in order to mollify growing tensions along the Norwegian-Scottish frontier and strengthen the earldom as an institution for regional stability and peace.¹⁷

There is no doubt that both Erik VII, as the formal overlord of Orkney, and James I, whose advocacy is explicitly cited in the charter, played important roles in William Sinclair's enfeoffment in 1434.¹⁸ In this contribution, however, we will argue that both the motives for the preceding delay and the circumstances of the eventual confirmation are not to be found solely within the context of Scottish-Norwegian relations. Rather, one must interpret these events in light of the concurrent dispute over the duchy of Schleswig, a political, legal and military conflict also centered on a controversy over the legitimacy of hereditary claims, which was vigorously denied by Erik VII. While Steinar Imsen has cited the latter controversy when discussing the broader political context for Sinclair's enfeoffment, the correlation between them has yet to be explored in any depth.¹⁹ We argue that the dispute over Schleswig influenced the debate over Orkney by making the hereditary enfeoffment of William Sinclair a strategic impossibility for Erik VII, who could not acknowledge one claim without opening the door for another. The contribution thus offers a new take on the earldom of Orkney's late-medieval development and encourages that island principality's inclusion in pan-Scandinavian events, especially with regard to the hereto largely neglected comparison with the duchy of Schleswig.

II The earldom of Orkney and hereditary succession

To rationalize William Sinclair's installation as earl of Orkney in August 1434, it is necessary to address the premise and precedents of his campaign. He had, as mentioned, labored to prove his birthright to the earldom for over a decade. The most revealing evidence for his efforts stems from the so-called Genealogy of the Earls, an account of the claimant's illustrious lineage dating back to earliest, semi-legendary earls of Orkney in the late-ninth century. Compiled by the incumbent bishop of Orkney, Thomas Tulloch, at some point in the 1420s,²⁰ the Genealogy recounts how William presented himself before the bishop and chapter at St. Magnus Cathedral in Kirkwall and provided evidence that *lang tymis afore bypast his antecessoris and progenitoris and thai Eirlis of Ochadie iustlie lauffullie inforssable, linialie, and gre be gre be [sic] jure hereditare hed succedit to the forsaid Eirdome of Orchardie*.²¹ A near contemporary account of events in the isles reveals that William also recruited support for his claims from other members of the Orcadian elite, who planned to accompany him to Erik VII's court in Copenhagen and

¹⁶ Crawford, *Earls*, 276–8. The importance of James I's intervention was also stressed in Crawford, "The Fifteenth-century 'Genealogy of the Earls of Orkney,'" 171. See also Grohse, *Frontiers*, 104, for criticism of this assumption. Regarding the incorporation, see Crawford, "Pledging"; Smith, "When did Orkney and Shetland become part of Scotland"; Grohse, "The Lost Cause".

¹⁷ Grohse, *Frontiers*, 103–6.

¹⁸ NGL 2.1, 74.

¹⁹ Imsen, "Landet Orknøy," 218.

²⁰ *Bann. Misc.*, 63–85; DN 20, no. 833. The dating of the original *Genealogy* (or *Diploma*), which exists only in a Latin copy from the late-fifteenth century and a Scots translation from 1554, is uncertain. The editors *Diplomatarium Norvegicum* cited 1443 as a possible dating for the later, although Crawford suggests that the surviving copy stems from the later part of the century, and that the original was 'drawn up probably in the 1420s', Crawford, *Northern Earldoms*, 63, 352–5. The Scots translation is cited here.

²¹ *Bann. Misc.*, 68.

affirm ‘evidence that he was born to the earldom of Orkney’.²² Although local unrest prevented that embassy, William personally attended royal court in 1422/23, presumably arguing his case with similar allusions to his noble lineage.²³ Roughly a year later, the *communitas Orcadie* petitioned Queen Phillipa, then acting regent during Erik VII’s foreign voyages, imploring her to appoint ‘our earl’ (*noster comes*) as he ‘is of an illustrious, ancient lineage and noble stock, so he is to be our true, lawful, and naturally born earl’.²⁴

Erik VII’s reluctance to acknowledge William’s claim is difficult to reconcile with the evidence presented in the Genealogy. William’s grandfather, Henry (I) Sinclair, had been invested with the earldom by King Håkon VI in 1379,²⁵ and the Genealogy claims that his father, Henry (II) Sinclair, had *succedit* him and *decessit ondoutit erile of Orchadie and Schetland*.²⁶ However, the assertion that William’s ancestors *be jure hereditare hed succedit* to the earldom,²⁷ may have seemed less persuasive to his prospective patrons in Scandinavia, as there is no supporting evidence that either the queen regent, Margarete, or Erik VII ever formally installed William’s father.²⁸ Moreover, according to Henry I’s investment charter from 1379, the earldom should ‘freely return to our oft-mentioned lord the king and his heirs and successors’ upon that earl’s death and remain there until a male heir obtained ‘the grace, good pleasure and consent of our said lord the king and his heirs and successors’.²⁹ Perhaps it was the case, as Barbara E. Crawford suggests, that Henry (II), a nobleman thoroughly occupied with estates and enterprises in Scotland, never formally petitioned or received the Norwegian king’s consent and simply ‘used the title to give him commensurate status while employed in [Scottish] affairs

²² DN 2, no. 691: *witnisbyrd horo han war borin til jærldsðomit i Orknø*; cf. REO, 37; Imsen, “Country,” 28.

²³ William was accompanied by his second cousin, Thomas Sinclair, as well as the archdeacon of Shetland and two servants. See Imsen, “Country,” 14–5; Crawford, *Northern Earldoms*, 351.

²⁴ DN 6, no. 423: *ex illustri prosapia antiqua et nobili parentela ipse noster verus legitimus et naturaliter progenitus sit comes*. See Crawford, *Northern Earldoms*, 351–2; Thomson, *New History*, 177–8; Grohse, *Frontiers*, 213–4.

²⁵ DN 2, no. 459. See Thomson, *New History*, 160–5; Crawford, *Northern Earldoms*, 334–40; Wærdahl, *Incorporation*, 241–5.

²⁶ *Bann. Misc.*, 80, 82. He was also referred to as the second Sinclair earl of Orkney in the *Scotichronicon* (Fordun, *Scotichronicon* 2, lib. XV, cap. 32, 460: *obiit etiam Henricus de Sancto-claro, hoc nomine comes Orcadiæ secundus*). The reference to Shetland was perhaps a later addition to the Scottish translation from 1554, s Crawford, *Northern Earldoms*, 348 n. 59.

²⁷ *Bann. Misc.*, 68.

²⁸ Crawford, *Earldoms*, 348–9.

²⁹ DN 2, no. 459; cf. REO, 24: *dominum nostrum regem heredes suos et successores libere redire debeat [...] domini nostri regis heredum et successorum suorum super hoc requirere gratiam beneplacitum et consensum*. Cf. DN 2, no. 670, where the bishop of Orkney received the country on fief with the same condition that it would be returned to the monarchy upon termination of his tenure, and DN 2, no. 676, where David Menzies was to hold the earldom ‘as long as your [the monarchy’s] will and grace allows’ (*swo lenge som theris wilie oc nathe tilsigher*). The bishop received the fief with the castle in Kirkwall, constructed sometime around 1400, and was thus liable to the so-called ‘castle law’ (*slotlouen*; *slottsloven*), which demanded that castle fiefs revert to the monarchy upon the holder’s or the monarch’s death. See Grohse, *Frontiers*, 144 n. 44; Rosén, “Slottsloven”; Christensen, *Kalmarunionen*, 181–4.

of state'.³⁰ In such a scenario, William would have struggled to prove that he was, in fact, the son of an earl or rightful heir to the earldom. William P.L. Thomson interpreted the matter differently, noting that Erik VII appeared confident in the Sinclair's performance. In 1418, Erik VII installed Henry (II)'s brother, John, as fief-holder in Shetland, noting that he did so 'in consideration of the fealty and obedience shown by his father and the rest of his kindred'.³¹ This indicates, Thomson concluded, that 'the Crown was not dissatisfied with how Sinclair rule had hitherto operated'.³²

Whatever the status of William's father may have been, the case sheds light on two, seemingly conflicting concepts of rule in late-medieval Orkney. The one, championed by William Sinclair and his supporters, regarded the earldom as a noble patrimony invoked through allusions to lineage and birthright. The other, adhered to by Erik VII, regarded the earldom as a governing office that the king could suspend or restore, grant or withhold, based on royal prerogative. As Steinar Imsen notes, 'members of the old earldom family had an inherited claim to be appointed earls. However, there was no automatic hereditary succession'.³³ The aforementioned clausal in Henry I's installation charter demanding that claimants seek the king's 'grace, good pleasure and consent' illustrates that monarchs had the right to reject or delay petitions.³⁴ This was hardly a novel idea. The late-thirteenth century *Hirdskrá*, the law regulating the Norwegian king's retinue, emphasizes the same principal, underscoring the king's power to 'make' (*gera*) earls or 'give him the title of earl' (*geva honom iarls nafn*) in accordance with specific 'conditions' (*skilorðe*) and the king's 'good will' (*goðvilia*).³⁵ That is not to imply that lineage was immaterial. As a rule, only descendants of an earl had a right to pursue a claim. Nevertheless, the 'authority of the earl', Imsen observes, 'was a delegated authority', not an innate or heritable right.³⁶ Randi B. Wærdahl advances a similar view, arguing that earls could 'be equated with the sheriffs and fiefholders who held fiefs on lease elsewhere in the kingdom'.³⁷ While earls enjoyed a notional 'dignity', they derived real authority from royal appointment.³⁸

Erik VII was not the first Norwegian monarch to delay succession. Twice in the fourteenth century, the earldom lay vacant, although not for a lack of claimants. Following the death of earl Magnus V in 1320, regents governing on behalf of the young King Magnus VII delayed enfeoffment of what appears to have been the strongest claimant to the earldom, Maol Iosa, for

³⁰ Crawford, *Northern Earldoms*, 349. The Genealogy (*Bann. Misc.*, 82) notes that 'at the last he decessit ondoutit erile of Orchadie and Schetland'. According to Crawford, *Northern Earldoms*, 348 n. 59, this suggests that doubts as to his status were only resolved soon before his death in 1420. The fact that the author emphasized the 'undoubtedness' of his claim may indicate that the monarchs in Scandinavia, Margrete and Erik VII, had stalled his appointment.

³¹ DN 2, no. 647; SD 20: *per pii recordii genitorem meum et ceteros de cognacione mea meque*.

³² Thomson, *New History*, 173. The charter alludes specifically to John's father (*genitorem*), that being Henry I, but only vaguely to other 'kinsmen' (*cognacione*). If his brother, Henry (II), was earl of Orkney, it is strange that the king failed to mention him, see Crawford, *Northern Earldoms*, 349 n. 60.

³³ Imsen, "Earldom," 170.

³⁴ DN 2, no. 459.

³⁵ *Hirdskråen*, 82–3; cf. *Ibid.*, 78–9.

³⁶ Imsen, "Earldom," 171. See also, Crawford, *Northern Earldoms*, 352.

³⁷ Wærdahl, *Incorporation*, 244.

³⁸ *Ibid.*

roughly a decade.³⁹ The reasons for this are not immediately apparent, but like William Sinclair a century later, the *Genealogy* claims that Maol scrambled to find evidence that he was *lawfull aire be law of heritage till bayth the Eirldoms of Orchadie and of Cathanie* [Caithness in northern Scotland].⁴⁰ The same source claims that the king ordered the bishop of Orkney to collect *all charters, evidents, and letters of previledge pertinent to him concernent the Erildom of Orchadie*,⁴¹ implying that he too scrutinized Maol's hereditary claims before installing him as earl in 1330.⁴² Following that earl's death without male issue in 1350, Orkney entered another period of non-comital rule, as the late earl's grandsons, Malise Sperra, Alexander de Ard and Henry (I) Sinclair, each struggled to convince Norway's kings, Magnus VII and Håkon VI, of their suitability.⁴³ The relative strength of their claims appears to have played a lesser role in the kings' decision-making. In 1353, Magnus VII granted the title of earl to Erengisle Sunesson, a Swedish nobleman and husband to one of the late earl's daughters who at that point was a loyal adherent of the king.⁴⁴ Although his was at most a titular authority (Erengisle never governed Orkney in practice), it demonstrated the monarchy's willingness to set aside the traditional norms of inheritance to elevate their favorites. Rule by a bona fide earl was not reestablished until Håkon VI granted the earldom to Henry (I) Sinclair in 1379. The latter's success was unlikely due to any superior hereditary claim. Indeed, Crawford suggests that his cousin, Alexander de Ard, was initially prioritized, as Håkon VI appointed him as 'steward, commander and custodian' (*procuratorem, capitaneum et custodem*) in Orkney in 1375.⁴⁵ His appointment, it seems, served as a kind of trial run for the prospective earl, who was expected upon the close of his one-year tenure to present 'what right and reason he claims to have to the lordship and earldom'.⁴⁶ However, he was also expected to demonstrate his governing acumen by providing accounts of revenue as well as reports on his dealings with Orkney's bishop, who in previous

³⁹ Crawford, *Northern Earldoms*, 317, describes this as 'a real break in the earldom inheritance'. Although the previous line of Angus earls were also based in Scotland, this 'break' allowed advancement of a 'different Scottish noble family, with a distant claim', *ibid.* See also Thomson, *New History*, 150–2; Crawford, *Northern Earldoms*, 317–20.

⁴⁰ *Bann. Misc.*, 78. See Thomson, *New History*, 150; Crawford, *Northern Earldoms*, 319.

⁴¹ Barry, *History*, 406. This passage does not appear in the extant Latin text, and although it was included in the Scots translation, it was omitted from *Bannatyne Miscellany's* edition. See Crawford, *Northern Earldoms*, 319 n. 145.

⁴² Thomson, *New History*, 150; Crawford, *Northern Earldoms*, 319.

⁴³ See Thomson, *New History*, 153–9; Wærdahl, *Incorporation*, 231–41; Crawford, *Northern Earldoms*, 320–31.

⁴⁴ Erengisle first appears as 'earl of Orkney' (*jarl j Orknøyum*) in 1353 (DN 2, no. 319). He lost his title for supporting an uprising against King Magnus VII in Sweden in 1356/57, but continued to style himself as earl until 1388, see Wærdahl, *Incorporation*, 231; Grohse, *Frontiers*, 98 n. 59; Bull, "Erengisle Sunesson", 542–3; Tunberg, "Bååt, Erengisle Sunesson", 49. It is noteworthy that the *Genealogy* (*Bann. Misc.*, 80) does not refer to him as earl, but rather as *ane knyght callit Hergisill, born in the partis of Swecia; the quhilk knyght com in the partis of Orchadie, and be law and resone of his wife josite ane part of the landis of Ochadie*. This implies that for the author, he was a foreign estate holder, not a bona fide earl. See Grohse, *Frontiers*, 98.

⁴⁵ DN 2, nos. 437–8. The Latin titles are mentioned in his enfeoffment charter from 30 June 1375, whereas the corresponding Norwegian titles *høfwdzmann gøimara ok rettom syslo-manne*, appear in the king's proclamation of that grant to the people of Orkney, issued on the same day. See Imsen, "Earldom", 176; Wærdahl, *Incorporation*, 233–236.

⁴⁶ DN 2, no. 438: *rette ok skælum han seghir sek at hafua till herradømit æder jærldsðomit*.

years obstructed royal administration.⁴⁷ This suggests that, for the king, the claimant's qualifications as an executive and advocate of the crown were equally, if not more, important as his lineage.

Unlike the struggle for the earldom in the late-fourteenth century, there is no evidence of any competing claims to the earldom in the 1420s or 1430s. Nevertheless, Erik VII stalled William's succession. According to Crawford, the delay suggests that 'he intended not to make any grant at all to William Sinclair' and that he hoped to 'break the heritability of the earldom, disband the dignity and rule the islands in the same way as Shetland',⁴⁸ where fief-holders had no heritable claims to authority.⁴⁹ During the aforementioned vacancies in the fourteenth century, monarchs installed baillies and other non-comital agents to govern Orkney.⁵⁰ The benefits of such arrangements may have been negligible. In the 1360s, for instance, the royal officer, Håkon Jonsson, failed to subdue opposition from Orkney's bishop, who claimed authority to administer and collect revenue from the country.⁵¹ Alexander de Ard, who pledged to advance the crown's interest and quell that bishop's opposition in 1375, appears to have been a disappointment, as he was replaced by Henry (I) Sinclair four years later.⁵² However, the previous shortcomings of non-comital rule did not dissuade Erik VII from making similar arrangements in the wake of Henry (II)'s death in 1420. That same year, he transferred control of Orkney with all royal rights to the country's bishop, Thomas Tulloch, and two years later, in 1422, augmented the bishop's authority by granting him control of the castle and fortress of Kirkwall.⁵³ The following year, Erik VII's consort, Philippa, installed David Menzies of Weem, the late Henry (II)'s brother-in-law and appointed tutor of the then-underage William Sinclair, to govern 'the earldom and country of Orkney' (*thet ierledøme oc land Orknøy*) on the crown's behalf.⁵⁴ Perhaps this was, as Crawford suggests, part of that king's wider agenda to eliminate the noble, and thus hereditary, trappings associated with rule in Orkney, which would be particularly evident in the appointment of a bishop, who was not going to leave any heirs.

A closer look at developments in Scandinavia, and especially Norway, may support this theory. The hereditary tradition of succession to the earldom, the only of its kind within the

⁴⁷ Ibid. On the bishop's struggle with the royal official, Håkon Jonsson, see Thomson, *New History*, 155–7; Wærdahl, *Incorporation*, 232–3; Crawford, *Northern Earldoms*, 323–5.

⁴⁸ Crawford, *Northern Earldoms*, 354.

⁴⁹ Shetland was part of the earldom until King Sverrir confiscated it in 1195. See Thomson, *New History*, 121–2; Wærdahl, *Incorporation*, 71–84; Crawford, *Northern Earldoms*, 242–6. Imsen, "Earldom", 164–5; Imsen, *Kongemakt*, 36. See also Crawford, *Northern Earldoms*, 343–5.

⁵⁰ Wærdahl, *Incorporation*, 83–4, maintains that royal officials had governed alongside earls since 1195 and wielded even greater power during abeyances. Crawford, *Northern Earldoms*, 245, contends that royal officials were normally 'appointed to oversee [...] royal estates' and collect their king's share of fines from the country, and that they only obtained great civic authority in the absence of earls.

⁵¹ DN 1, no. 404.

⁵² The earl put an end to the troublesome prelate in 1382 or 1383, see Crawford, *Northern Earldoms*, 340–2.

⁵³ DN 2, nos. 657, 670. See Imsen, "Landet Orknøy"; Crawford, *Northern Earldoms*, 350; Grohse, *Frontiers*, 165–7, 173–4.

⁵⁴ DN 2, no. 676. See Thomson, *New History*, 174–7; Imsen, "Country," 10; Crawford, *Northern Earldoms*, 350–1; Grohse, *Frontiers*, 121–7. On Menzies background and arrival to Orkney, see Grohse, "Tutor Testamentary"; Grohse, "Fremmede," 104–5.

union monarchy's Norwegian realm, was far stronger than in other fiefs in the mainland kingdom.⁵⁵ Nevertheless, the establishment of the Union of Kalmar in 1397 also occasioned a reduction of the authority once ascribed to Norway's nobility, as Queen Margarete and, to an even greater extent, Erik VII, delegated fiefs and administrative offices traditionally held by members of the domestic aristocracy to crown officials of lower birth.⁵⁶ This has been described as a step toward a 'governance by fouds under central control'.⁵⁷ Oftentimes, the men chosen for service were burghers or members of the lower nobility in Denmark or the Holy Roman Empire, and were, given their lack of heritable assets or familial network in Norway, more dependent on and more loyal to the monarchy than the men they replaced.⁵⁸ The shift was most palpable in the relatively wealthy regions around the Oslo Fjord, where large fiefs long held by a handful of noble families were divided up into smaller districts and drawn under the authority of crown officials.⁵⁹ In the 1420s and 1430s, Erik VII's policies prompted open opposition from among peasants, who disapproved of their new governors' practices, as well as nobles, who were deprived of lucrative fiefs and positions in royal governance.⁶⁰ An uprising in 1436/37 demonstrated this outrage toward the king's tactics. Although this was a popular movement supported by peasants throughout the kingdom, it is evident that the agitator, Amund Sigurdsson (Bolt), feared for his and other noblemen's interests.⁶¹ The fortunes of the Bolt family, which had long controlled the prosperous Borgarsyssel along the eastern edge of the Oslo Fjord, had diminished as a result of Erik VII's reforms, and negotiations between the rebels, the council of the Realm and the king in Copenhagen testify to the perceived (and real) threat posed to members of Amund's house.⁶² The situation was not unique to the Norwegian realm. Also in Sweden and Denmark, Erik VII advanced what Esben Albrechtsen describes a policy of 'systematic exclusion' of prominent domestic families from governance by allowing men of low and often foreign birth to assume fiefs and other governing offices traditionally enjoyed by the domestic nobility.⁶³

The situation in Orkney in the 1420s and 1430s appears strikingly similar. Erik VII's appointment of David Menzies as royal steward in 1423 proved particularly contentious. Like crown officials in southeast Norway, David demonstrated little concern for the welfare of local

⁵⁵ The title earl had never been hereditary in Norway. However, that title and the old title of 'baron' (*lenðrmaðr*) represented the highest echelons of political power and were often reserved for members of the royal line or high nobility. King Håkon V abolished the titles in 1308 (DN 11, no. 6), making an exception only for the 'the king's sons and the earls of Orkney' (*vtan konungs sonum æinum ok iarlenum af Orkneyium*). See Wærdahl, *Incorporation*, 162; Grohse, *Frontiers*, 92–3.

⁵⁶ Opsahl, "Del I," 142–8.

⁵⁷ Imsen, "Treriksunionen," 330.

⁵⁸ Opsahl, "Del I," 142.

⁵⁹ Imsen, "Unionsregimente," 103–7, refers to the region as the 'eye of the storm' (storm-senteret) due the 'feudalisation' and redistribution of estates in the area.

⁶⁰ See e.g. Storm, "Om Amund Sigurdsson Bolt," 104–6.

⁶¹ Opsahl, "Del I," 157–8; Njåstad, "Grenser," 119.

⁶² Opsahl, "Del I," 158. On Bolt, see Sollied, "Kildekritiske undersøkelser"; Njåstad, "Grenser", 110–2.

⁶³ Albrechtsen, *Fællesskabet*, 168. See also Lerdam, *Danske len*; Olesen, "Erik af Pommerns stærke unionskongedømme," 73; Larsson, *Kalmarunionens tid*, 149–50; Larsson, "Engelbrekt Engelbrektsson," 83; Haug, *Margrete*, 274–85. A main contention was the marginalization of the high nobility with council seats. Lerdam, *Danske len*, 51, notes that 'under Erik of Pomerania, the number of council noblemen in [Danish] fiefs was reduced due both to a three-fold increase of German fief-holders and the appointment of Danish fief-holders of the low nobility with no connection to the council'.

inhabitants, exhibiting a style of rule that the Orcadian historian J. Storer Clouston believed was uniquely Scottish, and thus foreign to Orkney.⁶⁴ However, it is clear that William Sinclair and his supporters also viewed the appointment as a threat to the traditional rule by earls, a tradition that reserved power to members of a hereditary line.⁶⁵ This is testified by the Orcadian community's appeal to Queen Philippa in 1425, where they tout William's 'illustrious, ancient lineage and noble stock' and bemoan the injustices of 'foreigners' (*alienigenas*) who had attained governing offices.⁶⁶ Although they were successful in forcing David from power, the Orcadians had to wait another decade before seeing their 'true, legitimate and naturally-born earl' confirmed by Erik VII.⁶⁷ The situation was similar in southeast Norway. Although the council of the Realm acknowledged the demands of Amund Sigurdsson and the peasants to reserve fiefs and offices to domestic men of high birth, and forwarded those demands to the king, there was no obvious reversal in the king's policies, which continued to favor crown appointees at the expense of noble families.⁶⁸

However, Erik VII eventually gave in to William Sinclair's petitions. It is unlikely that any new or compelling evidence of William's hereditary rights to the earldom had come to light since the *Genealogy* and other testaments to the claimant's lineage were first compiled and delivered to the king. Indeed, his descent from an illustrious line of earls was probably never in doubt. Yet, as Imsen reminds us, William's only right to the earldom was the right to be appointed if and when the king chose to do so.⁶⁹ Something else must have happened to compel the king to relinquish his misgivings toward the claimant and invoke his prerogative to grant the earldom, and the cause probably resides in the shifting balance of power far from Orkney, in the duchy of Schleswig.

III The struggle over Schleswig

The dispute over the hereditary and thus feudal status of the Orkney earldom appears somewhat undramatic when compared to struggle over the duchy of Schleswig. Nevertheless, it is fruitful to analyze these cases in concert, as the pursuant heirs to both the earldom and the duchy negotiated their claims with the same overlords, Margrete and Erik VII. It is, therefore, reasonable to assume that the monarchs' attitudes toward these geographically, culturally and historically distinct lordships arose from a somewhat coherent royal ideology. Moreover, given the relative wealth of source pertaining to the conflict in Schleswig, comparison may also provide insight into the principles that conditioned the monarchy's policies in Orkney.

Tensions in Schleswig revolved around a similarly contentious matter of hereditary succession, as king Erik VII confronted claimants seeking to actuate their self-ascribed birthright to their late father's ducal principality. The main difference lay in the intensity of the latter confrontation. The late duke, Gerhard II, left three sons – Heinrich, Adolf and Gerhard – who, with the support of their guardian mother and uncle, pursued a decades-long and frequently

⁶⁴ Clouston, *History*, 242.

⁶⁵ According to Thomson, *New History*, 178, the people disapproved of Menzies because they held a 'conservative and traditional view of how Orkney out to be governed'; ideally, there should be 'an earl who paid due regard to the local gentry'. See also Imsen, "Country," 11; Grohse, "Fremmede," 100.

⁶⁶ DN 6, no. 423.

⁶⁷ *Ibid.*

⁶⁸ Opsahl, "Del I," 158–9.

⁶⁹ Imsen, "Earldom," 171–2.

armed campaign for the duchy from their residential seat at Gottorp castle.⁷⁰ The legal and ideological basis of that campaign was similar to that invoked by William Sinclair, who cited the enfeoffment of his patrilineal forebearers in Orkney as evidence of his claim's authority. In Schleswig, the ducal claimants looked at the precedent established in 1386, when Margrete had enfeoffed their father, then Count Gerhard VI of Holstein, as duke of Schleswig. As in the case of Orkney, the dispute thus raises questions about the patrimonial nature of the lordly title, the scope of action of its claimants and the materiality of prior enfeoffments.

The duchy of Schleswig offers a particularly valuable reference as it concerns feudal precedent. As we have seen, one of the central issues in research on late-medieval Orkney is the absence of a charter attesting to the enfeoffment of William Sinclair's father, Henry (II), and the doubts this raises about his formal status as earl as well as the correlative veracity of his son's later claims to that title. But as in Orkney, there is also no evidence of any charter confirming the enfeoffment of Gerhard II in 1386. Most of our knowledge of the conferment stems from an account by the contemporary chronicler Detmar, who offered compelling testimony of the event, which is said to have taken place in Nyborg on 15 August 1386. The counts of Holstein (*de holstenheren*),⁷¹ the chronicler recounts, received the duchy 'in perpetuity' (*to ewiger*⁷² *tiid*) and with the provision that inheritance to the honour should pass to his children as heirs (*von kindeskint to ervende*), while only one of them was to exercise the ducal dignity (*scole men en regneren*);⁷³ an honour that interestingly did not fall to the most senior count, Nikolaus, but to the eldest son of his recently deceased brother.⁷⁴

Some have assumed that the duke's grant was in fact once committed to parchment, but has since disappeared.⁷⁵ Although plausible at first glance, the theory is less convincing when considering the evidentiary authority of charters. If one accepts that such a crucial legal instrument existed, but was lost along with any vidimuses, then one must assume that both were also forgotten shortly thereafter, as none of the quite well-documented hearings in the early-fifteenth century reference them in any form.⁷⁶ However, this hardly seems plausible given the legal value that such a charter would have carried for hereditary claimants to the duchy. It is therefore

⁷⁰ The counts of Holstein gained possession of the ducal residence just outside Schleswig by way of lien in the summer of 1340 as part of the treaties of Spandau and Lübeck of May and June 1340, which prepared the homage of King Valdemar IV of Denmark. See DD 3.1, nos. 47–8 (1340 Jun 23) with Tägil, *Valdemar Atterdag*, 29–32.

⁷¹ Whether this implied the enfeoffment of the entire house or only the agnatic line is discussed in e.g. Albrechtsen, *Herredømmet*, 61–70.

⁷² In the common parlance of the time, the term 'ewig' did not mean 'endless' (in the sense of *in aeternam*), but rather 'a long time', which was usually confined to an actor's lifetime. See Jahnke, "Anomalie," 66–7 for a discussion of the term in the context of the electoral charter of Ribe from 1460.

⁷³ *Detmar-Chronik von 1101–1395*, 596, but also 589–90. (*en to besittende unde eren kinderen to ewiger tid*). Another account appears in *Chronicon Holtzatiae*, 95 from about 1448. The anonymous and rather unreliable author also asserts that Gerhard received *totum ducatum Jutzie siue Schleswicensem sibi et heredibus sui in pheidum (...) perpetue possidentum* and does not mention any charter. On the feud's afterlife in later sources, see Albrechtsen, *Herredømmet*, 56–9 and Hedemann, *Danmark*, 39. On the participation of Norwegian prelates, see Haug, *Margrete*, 140.

⁷⁴ This may be explained by the fact that Nikolaus' only daughter, Elisabeth, was married to Duke Albrecht IV of Mecklenburg, which could have brought the duchy under the house of Mecklenburg.

⁷⁵ See e.g. *Detmar-Chronik von 1101–1395*, 596 n. 2.

⁷⁶ Hedemann, *Danmark*, 39.

more likely that the new duke never received any written certification.⁷⁷ The charter's non-existence may rather reflect the queen regent's administrative practice of deliberately withholding written confirmation of feudal privileges, as is witnessed by her letter to Erik VII from 1405, where she explicitly instructed the young king not to commit any favors in writing during his journey to Norway.⁷⁸ This is also relevant to the case of Orkney, for it suggests that the absence of Henry (II) Sinclair's charter does not alone discredit his and his successors' assertions about his enfeoffment. Like the count of Holstein in 1386, Henry (II) may have obtained his earldom through ritual performance.⁷⁹

Moreover, the dispute over Schleswig also sheds light on the necessity of taking the broader historical circumstances into account when assessing actors' scope for action. As we have seen, the earldom of Orkney entered several extended periods of vacancy in the fourteenth and early-fifteenth centuries. Similarly, the duchy of Schleswig had been in a state of limbo for over a decade prior to Gerhard II's enfeoffment in 1386. The vacancy began with the death of Henrik Valdemarsen, the last of the so-called Abel dynasty of dukes, in 1375.⁸⁰ For some time, this cadet branch of the Danish royal house had consolidated its power in Schleswig, thereby positioning itself as a counterweight to royal authority in the region.⁸¹ As with Orkney, the lack of written evidence leaves us to speculate about the motives for the duchy's ensuing suspension. However, it is plausible that the Danish crown hoped to suspend or even liquidate the duchy and prevent the counts of Holstein, who had long been a recalcitrant force along Denmark's southern border, from acquiring and exploiting it to expand their power in the region.⁸²

These events appear to have been related to the changing conditions in Sweden, to which Margrete had recently turned her attention to advance what she believed to be the legitimate claim of her son, Oluf II of Denmark, against the exiled king Albrecht of Sweden.⁸³ In doing so, she risked weakening her position along Denmark's southern border. Probably conscious of that threat, Margrete abandoned her previous policy of deferment and, in July 1386, entered negotiations with the counts of Holstein. In this context, it seems that Margrete enfeoffed Ger-

⁷⁷ Hedemann, *Danmark*, 41–2; Hoffmann, *Spätmittelalter*, 220; Albrechtsen, *Herredømmet*, 56; Linton, *Margrete*, 78–9, 166; Erslev, *Dronning Margrethe*, 130–1, 464 n. 108. Etting, *Margrete*, 80–1 left this open to debate. There is also no written record of the homage paid to Margret by Gerhard II the following year, which is known only from a letter to the city of Lübeck: DD 4.3, no. 242.

⁷⁸ See e.g. DN 11, 110 § 28.

⁷⁹ Even in the Holy Roman Empire, large-scale textualization did not occur until the late-fifteenth century. Prior to that time, charters served primarily to fix respective obligations, cf. Miller, “Lehnsbrief”. It is thus misleading that, as Linton, *Margrete*, 79 writes, the counts had to be satisfied only with the ‘pompøse, ydre ceremonier’, as this was the key element of the act. On the rituality and charters during enfeoffment, see Spieß, *Lehnswesen*, 22, 44–6; same, “Kommunikationsformen,” 277–83; Krieger, *Lehnsheiteit*, 100–8, 426–40.

⁸⁰ Named after king Abel of Denmark, under whose sons the hereditary line of the dukes of Schleswig came into being.

⁸¹ On the history of the duchy of Schleswig until 1375: Albrechtsen, “Abel-Geschlecht”; Poulsen, “Hertugdømmets dannelse”; Albrechtsen, *Herredømmet*; Windmann, *Schleswig*; Orlík, “Tidsrummet.”

⁸² Hoffmann, *Spätmittelalter*, 202–20. Albrechtsen, *Herredømmet*, 69–70; Another reason could have been contested claims, as several princes claimed the right of succession for themselves, cf. *ibid.*, 62; Jørgensen, “Synspunkter,” 239, 246. It may thus be worthwhile to address the largely neglected role of the duchess dowager (one exception being Jørgensen, “Synspunkter,” 242–4), who counted large parts of the duchy among her dowry.

⁸³ Etting, *Margrete*, 82–105; Bøgh, *Sejren*, 167–82; Erslev, *Dronning Margrete*, 135–50.

hard II to prevent an alliance between the closely related counts of Holstein and dukes of Mecklenburg, from which the Swedish king was descended.⁸⁴ Although the chronicler Detmar attributes the resolution of the matter to Margarete's wisdom and power (*se bekanden in der vrouwen wisheit und sterke*),⁸⁵ the counts themselves must have recognized that their long-held aspirations to the duchy were now within reach, as their scope of action vis-à-vis the Danish monarchy had recently widened. Yet, it was somewhat diminished roughly ten years later when Erik VII confirmed the enfeoffment at a meeting in Assens. Like in 1386, there is no extant copy of this renewal. Narrative accounts suggest, however, that Erik VII, now operating from a reinforced position, was far more successful in dictating his terms.⁸⁶

Nevertheless, the feudal status quo created in 1386 lasted for nearly 20 years before being shattered by the death of duke Gerhard II during a campaign into Dithmarschen.⁸⁷ The dynastic crisis that ensued hinged upon the hereditary foundations of the duchy. Whereas the sons of the late duke alluded their father's intergenerational enfeoffment when claiming entitlement to ducal title and the territories pertaining thereto, Erik VII rejected their assertions of patrimonial privilege. After first alleging felony, an accusation deeply rooted in German feudal law, the king ultimately denied the very existence of any feudal institution in his Danish realm, thus negating any hereditary fief to which the late duke's heirs could appeal.⁸⁸

What might this reveal about William Sinclair's struggle for the earldom of Orkney? It is reasonable to assume that legal arguments employed in the dispute over Schleswig applied to proceedings in other regions of the union monarchy's sphere of influence. As suggested above, Erik VII pursued a similar strategy of feudal recuperation in the wake of Henry (II) Sinclair's death in 1420, suspending the earldom as a hereditary institution and establishing a new brand of governance under royal officials who were theoretically more dependent on and loyal to the crown than the earls whom they replaced. Like the sons of duke Gerhard II, William Sinclair also sought to foil those efforts and advance his birthright. Of course, leagues divided the earldom and duchy, which were distinct and largely self-governing provinces within the realms of Norway and Denmark respectively. Given the concurrency and noted similarities between the cases, however, we suggest that the crown's policy along the Danish-German border may have, at least indirectly, frustrated William Sinclair's efforts to activate his birthright along the Scottish-Norwegian frontier. Considering that the three Nordic kingdoms always represented an integrated unit in Erik's conception of rule,⁸⁹ it seems that he could not confirm William's claim in his capacity as king of Norway without endangering his simultaneous efforts to block the counts of Holstein's hereditary pretensions to Schleswig. Doing so would only give his northern German adversaries, who were generally well acquainted with affairs in the Norwegian realm, further evidence for the perceived capriciousness and injustice of royal policy.⁹⁰

⁸⁴ Bøgh, *Sejren*, 166–7, 278; On the relations between Holstein and Mecklenburg in the prior years, see Albrechtsen, *Herrredømmet*, 50–3. Linton, *Margrete*, 79–80 further refers to the huge economic influence of the Holstein nobility in Sweden.

⁸⁵ *Detmar-Chronik von 1101–1395*, 590.

⁸⁶ This act has also only been handed down through later statements, cf. most recently Hedemann, *Danmark*, 42–5. On the treaty of Assens, see generally Albrechtsen, *Herrredømmet*, 70–91 and, emphasizing the agency of the counts, Hoffmann, *Spätmittelalter*, 223–5.

⁸⁷ Hoffmann, *Spätmittelalter*, 228–9.

⁸⁸ On the background of this royal strategy, see Hedemann, *Danmark* with further references.

⁸⁹ Olesen, "Erich von Pommern," 43.

⁹⁰ The Hanseatic cities, among which Hamburg was a central ally of the Holstein counts, maintained close contacts with Norway via the kontor in Bergen as well as the small 'factories' in Oslo and Tønsberg. See e.g. Schreiner, *Hanseatene*; Nedkvitne, *German Hansa*.

IV William Sinclair in the events of 1434/35

We may now turn to the events that conditioned Erik VII's enfeoffment of William Sinclair in the summer of 1434. Once more, we must consider the political unrest that weakened the monarchy's position in Scandinavia, particularly along Denmark's southern and eastern borders. As mentioned above, Erik VII had effectively abandoned his efforts to incorporate the duchy of Schleswig following the successful siege of Marienburg castle, just outside the city gates of Flensburg, by northern German adversaries in the summer of 1431.⁹¹ From that point on, the king assumed a more defensive position, which grew increasingly desperate following the uprising in Sweden in 1434. Erik VII thus found himself in a remarkably similar situation as that of Margrete in 1386, when unrest in Sweden to the east, combined with a potential threat from German princes to the south, might have forced her to acknowledge the counts of Holstein's demands for the duchy of Schleswig.⁹² As in that earlier case, the situation in 1434 occasioned a series of negotiations that sought resolution to two distinct, yet related points of contention. The first concerned the representational foundations of the union monarchy and the power vested in the respective councils of the Nordic realms, which Erik VII reluctantly acknowledged through a series of broad concessions in Sweden as well as in Denmark and Norway.⁹³

The second, and for our purposes central issue concerned the mounting threat to royal power along Denmark's southern border. Despite agreeing to an armistice in 1432,⁹⁴ Erik VII remained at odds with the counts of Holstein and their Hanseatic allies. A series of failed negotiations further underscored his reluctance to concession. This, however, changed after the insurgency in Sweden. Fearing a coalition between his northern German adversaries and his disgruntled Swedish subjects, who indeed appealed for Hanseatic support in September 1434,⁹⁵ Erik VII assumed a more conciliatory posture. Preliminary negotiations between the king's councilors and northern German adversaries in Haderslev paved the way for a formal agreement in July 1435,⁹⁶ which provided count Adolf VIII of Holstein, the last surviving son of Gerhard II,⁹⁷ with a life-long grant of the duchy. Two days later, the king entered another accord with the Hanseatic towns, putting an end to the dispute over the terms of their earlier alliance agreement of 1423.⁹⁸ Together, these concessions, while not singularly calamitous, demonstrated that Erik VII was now on the ropes.⁹⁹

⁹¹ Magnussen, *Burgen*, 308, 314–5; Erslev, *Erik af Pommern*, 263–7.

⁹² A similar situation occurred in 1439/40, when the council of the realm sought to placate domestic tensions by granting the duchy of Schleswig to count Adolf VIII of Holstein. See Olesen, *Rigsråd*, 129.

⁹³ See for an overview, see Hedemann, *Danmark*, 245–8; Rock, *Herrscherwechsel*, 159–71; Christensen, *Kalmarunionen*, 214–28; Olesen, *Rigsråd*, 24–38; Moseng et al., *Norsk historie*, 345–50.

⁹⁴ ST 3, 464.

⁹⁵ HR 2.1, 390. This letter, however, has only survived via a copial book from Vadstena, which is why it is unclear whether it was ever dispatched, see Hedemann, *Danmark*, 236.

⁹⁶ HR 2.1, 387, 424; *Kämmereirechnungen*, 58–9, though labelled as *dietam in Oppenra*, which refers to more southerly town of Aabenraa.

⁹⁷ Adolf's elder brothers Heinrich IV and Gerhard VII died in 1427 and 1433 respectively, see Hoffmann, *Spätmittelalter*, 253–6.

⁹⁸ On the significance of the treaty of 1423, see Hedemann, *Danmark*, 121–31, 208–22, 244–5.

⁹⁹ ST 3, 470–2; HR 2.1, 453; Repertorium 3, 6772. Generally on these events e.g. Hedemann, *Danmark*, 227–43; Neustadt, *Kommunikation*, 367–83; Olesen, *Rigsråd*, 19–31; Erslev, *Erik af Pommern*, 340–9.

William Sinclair's enfeoffment as earl of Orkney on 9 August 1434 fits neatly into the king's reluctantly, yet prudently revised diplomatic strategies. Although sources provide little insight into the negotiations that preceded that grant, we can identify some of the individuals who might have advocated the prospective earl's claim. These included Orkney's bishop, Thomas Tulloch, who was present in Vordingborg on 1 August 1434,¹⁰⁰ as well as William's second cousin, Thomas Sinclair, and five other members of the Orcadian elite,¹⁰¹ whose sealed endorsements were perhaps relayed to the king upon the bishop's arrival. Contrary to prior assumption, there is no evidence for William Sinclair's personally attending royal court in 1434.¹⁰² Even in his absence, however, the matter was apparently resolved in relatively short order. We may assume that talks were neither as complex nor as heated as the concurrent negotiations over power relations in the western Baltic Sea area. As far as we can tell, tensions over William's unrequited claims to the earldom had not occasioned any noteworthy military confrontation with the king or his agents. Moreover, that dispute, which concerned the outermost periphery of the king's Norwegian realm, itself the least prioritized of union monarchs' domains, did not have the same urgency as those festering along Denmark's eastern and southern borders. Although Erik VII had indeed stalled the matter for over a decade, his resistance generally seems to be less impassioned than it had been in the case of Schleswig. Of course, Erik VII must have recognized the danger that, by ignoring the issue, William might exploit the king's current vulnerability and, with the support of Orkney's community or even the Scottish king, seize the isles on his own volition. In such a scenario, Erik VII, would be forced to expend his diminishing resources, which were earmarked for other, more pressing matters, to restore royal authority over that distant province. Considering that threat, it is unsurprising that a compromise was reached within a matter of weeks.

The preceding thus sheds light on the rationale behind the seemingly unexpected shift in royal policy on hereditary succession to the earldom of Orkney.¹⁰³ The motives, as we have shown, are not to be found solely in the region itself or in realm of Scottish-Norwegian relations, but rather in the political upheavals in and around Scandinavia. By extension, this suggests that the earldom and the archipelago of Orkney, which receives relatively little attention in broader discussions of Scandinavian power relations, was not as detached from Northern European developments as it might first appear. Some of the unresolved questions about events in Orkney in the early-fifteenth century, we contend, become clearer when addressed alongside concurrent developments in the duchy of Schleswig, another principality in which tensions between hereditary right and royal appointment dictated political agendas. This concerns, for instance, the debate surrounding William Sinclair's father, Henry (II), whose comital status historians have questioned due to the lack of any extant installation charter or corresponding documental evidence. While we cannot provide conclusive resolution of that issue, comparison with the duchy of Schleswig, where the production of such charters was also more of an exception than a rule,¹⁰⁴ encourages us to challenge prior assumptions of about Henry (II)'s status and thus the foundations of William's hereditary claims. The monarchs who ruled the Nordic realms in the

¹⁰⁰ DN 23, 88.

¹⁰¹ NGL 2.1, 74. Thomas Sinclair was a second cousin to William Sinclair and his tutor after the death of Henry (II) in 1420, cf. Grohse, *Frontier*, 206–8, 241–3.

¹⁰² Crawford, *Earldom*, 355–6; Grohse, *Frontier*, 241 n. 62. It became common practice in the fifteenth century to allow representation by lower-ranking vassals, cf. Spieß, "Kommunikationsformen," 283.

¹⁰³ The controversy apparently flared up again under Christoffer III, see Crawford, "Genealogy," 171–2.

¹⁰⁴ A deviation is the enfeoffment of count Adolf VIII by Christoffer III in 1440 (*Privilegien*, no. 2), see Olesen, "hertug Adolf VIII," 14–7.

late-fourteenth and early-fifteenth centuries, Margarete and Erik VII, appear to have resented and tried to weaken or abolish the hereditary foundations of governance in both Schleswig and Orkney as a matter of course. However, both abandoned that policy and acknowledged hereditary pretensions when faced with broader challenges to their rule. Just as the counts of Holstein had some legal basis for staking their claim to the duchy of Schleswig, which Margrete had granted to their father in 1386, William *may* have been justified in citing his father's earlier enfeoffment to bolster his claim to the earldom of Orkney. Given the challenges facing him in the mid-1430s, Erik VII could only delay them for so long.

VI Bibliography

- Albrechtsen, Esben. "Das Abel-Geschlecht und die Schauenburger als Herzöge von Schleswig." In *Die Fürsten des Landes. Herzöge und Grafen von Schleswig, Holstein und Lauenburg*, im Auftrag der Gesellschaft für Schleswig-Holsteinische Geschichte, edited by Carsten Porskrog Rasmussen, Elke Imberger, Dieter Lohmeier and Ingwer Momsen, 53–69. Neumünster: Wachholtz, 2008.
- Albrechtsen, Esben. *Fællesskabet Bliver til 1380–1536*. Vol. 1 of *Danmark-Norge 1380–1814*. Oslo: Universitetsforlaget, 1997.
- Albrechtsen, Esben. *Herredømmet over Sønderjylland 1375–1404. Studier over Hertugdømmets lendsforhold og indre opbygning på dronning Margrethes tid*. København: Danske Hist. Forening, 1981.
- Aldener, Gösta. "Bidrag till upprorsledaren Amund Sigurdssons historia." *Historisk Tidsskrift* 34 (1946–47): 179–190.
- Bann. Misc. = Bannatyne Miscellany*. Vol. 3. Edinburgh: Bannatyne Club, 1855.
- Barry, George. *The History of the Orkney Islands*. Edinburgh: Archibald Constable, 1805.
- Bjørkvik, Halvard. *Folketap og sammenbrud 1350–1520*. Vol. 4 of *Aschehougs Norges historie*. Oslo: Aschehoug, 1977.
- Bull, Edvard d.e. "Erengisle Sunesson." In Vol. 3 of *Norsk biografisk leksikon*, edited by Edvard Bull d.e. and Einar Jansen, 542–43. Oslo: Aschehoug, 1926.
- Bøgh, Anders. *Sejren i Kvindens Hånd. Kampen om Magten i Norden ca. 1365–89*. Aarhus: Aarhus Universitetsforlag, 2003.
- Carlsson, Gottfrid. *Senare Medeltiden*. Vol. 3 of *Sveriges historia till våra dagar*. Stockholm: Norstedt, 1941.
- Christensen, Aksel E. *Karlmarunionen og nordisk politik 1319–1439*. Copenhagen: Gyldendal, 1980.
- Chronicon Holtzatie auctore Presbytero Bremensis Diocesis. Recensuit B. M. V. Ill. I. M. Lappenberg*. In Vol. 21 of *Monumenta Germaniae Historica, Scriptores (in Folio)*, edited by Georg Heinrich Pertz et al., 251–306. Hannover: Hahn, 1869.
- Clouston, J. Storer. *A History of Orkney*. Kirkwall: W R Mackintosh, 1932.
- Crawford, Barbara E. *The Earls of Orkney-Caithness and their Relations with Norway and Scotland 1158–1470*. Diss. St Andrews: Univ., St Andrews, 1971.
- Crawford, Barbara E. "The fifteenth-century 'Genealogy of the earls of Orkney' and its reflection of the contemporary political and cultural situation in the earldom." *Mediaeval Scandinavia* 10 (1977): 156–178.
- Crawford, Barbara E. *The Northern Earldoms. Orkney and Caithness from AD 870 to 1470*. Edinburgh: Birlinn, 2013.
- Daae, Ludvig. "Nye Studier til Oprørshøvdingen Amund Sigurdssøns Historie." *Historisk Tidsskrift* 11 (1890): 488–499.
- Daae, Ludvig. "Bidrag til Norges Historie i Aarene 1434–1442." *Historisk Tidsskrift* 4 (1877): 62–108.

- Detmar Chronik von 1101–1395*. In Vol. 1 of *Die Chroniken der niedersächsischen Städte. Lübeck*, edited by the Historische Commission bei der Königlichen Akademie der Wissenschaften, 187–596. Leipzig: Hirzel, 1884.
- DN = *Diplomatarium Norvegicum. Oldbreve til Kundskab om Norges indre og ydre Forhold, Sprog, Slægter, Sæder, Lovgivning og Rettergang i Middelalderen*, vols. 1–22, Christian C.A. Lange et al. Christiania/Oslo: P. T. Mallings Forlagshandel et al., 1847–1995.
- Erslev, Kristian. *Dronning Margrethe og Kalmarunionens Grundlæggelse*. Kristiania: Cappelen, 1882.
- Erslev, Kristian. *Erik af Pommern, hans kamp for Sønderjylland og Kalmarunionens opløsning*. Copenhagen: Jacob Erslevs Forlag, 1971 [1901].
- Etting, Vivian. *Margrete 1. En regent & hendes samtid*. København: Gyldendal, 2021.
- Grohse, Ian Peter. *Frontiers for Peace in the Medieval North: The Norwegian-Scottish Frontier c. 1260–1470*. Leiden: Brill, 2017.
- Grohse, Ian Peter. “Fremmede i forvaltningen: Rakkestad og Orknøyene 1424/25.” *Historisk tidsskrift* 99, no. 2 (2020): 97–111.
- Grohse, Ian Peter. “The Lost Cause: Kings, the Council, and the Question of Orkney and Shetland, 1468–1536.” *Scandinavian Journal of History* 45, no. 3 (2020): 286–308. doi: <https://doi.org/10.1080/03468755.2019.1626277>.
- Grohse, Ian Peter. “Tutor Testamentary – a case of guardianship in late Norse Orkney.” *Historisk tidsskrift* 93, no. 2 (2014): 217–241. doi: <https://doi.org/10.18261/ISSN1504-2944-2014-02>.
- Kämmereirechnungen der Stadt Hamburg*, edited by Karl Koppmann, vol. 2. Hamburg: Grüning, 1873,
- Hamre, Lars. *Norsk historie frå omlag år 1400: Føreløsingar*. Oslo: Universitetsforlaget, 1968.
- Hasund, Sigvald. *Tidsrummet 1280 til omkring 1500*. Vol. 3 of *Det norske folks liv og historie gjennom tidene*. Oslo: Aschehoug, 1934.
- Haug, Eldbjørg. *Margrete – den siste dronning i Sverreætten. Norden fullmektige frue og rette husbonde*. Oslo: Cappelen, 2000.
- Haug, Eldbjørg. “Queen Margaret’s Legitimate Power Base at the Change of Dynasty in Scandinavia, 1387–1388.” *Scandia* 85 (2019): 10–36.
- Hay, Richard Augustin. *Genealogie of the Saintclaires of Rosslyn, including the Chartulary of Rosslyn*. Edinburgh: Thomas G. Stevenson, 1835.
- Hedemann, Markus. *Danmark, Slesvig og Holsten 1404–1448. Konflikt og konsekvens*, Aabenraa: Historisk Samfund for Sønderjylland, 2018.
- Hirdskræen. Hirdloven til Norges konge og hans håndgangne menn*, etter AM 322 fol., edited by Steinar Imsen. Oslo: Riksarkivet, 2000.
- HR = *Hanserecesse*, vol. 2: 1431–1476, part 1, edited by Goswin Freiherr von der Ropp. Leipzig: Duncker&Humblot, 1876.
- Hoffmann, Erich. *Spätmittelalter und Reformationszeit*. Vol. 4:2 of *Geschichte Schleswig-Holsteins*, Neumünster: Wachholtz, 1990.
- Huitfeldt, Arild. *Danmarks Rigis Krønike, tom. 1: fra Kong Dan til den høyløfflige Oldenburgiske Stamme*. Kiøbenhaffn, 1652.
- Imsen, Steinar. “Earldom and Kingdom: Orkney in the Realm of Norway 1195–1379.” *Historisk Tidsskrift* 79 (2000): 163–180.
- Imsen, Steinar. *Kongemakt og skattland. Den norske kongens rike utenfor Norge i middelalderen*. Oslo: Cappelen, 2018.
- Imsen, Steinar. “Landet Orknøy oc greuescapet ther same stadhs.” *Historisk Tidsskrift* 86 (2007), 199–244. doi: 10.18261/ISSN1504-2944-2007-02-02
- Imsen, Steinar. “The Country of Orkney and the Complaints against David Menzies.” *New Orkney Antiquarian Journal* 6 (2012): 9–33.

- Imsen, Steinar. "Treriksunionen." In *Avfolkning og union 1319–1448*. Vol. 4 of *Norges historie*, edited by Steinar Imsen and Jørn Sandnes, 313–383. Oslo: Cappelen, 1977.
- Imsen, Steinar. "...attj wthi act oc mening hade i hiel slagett alle ffogter oc lensmen oc siden reise menig man oc gaa al werden offuer...": Unionsregimente og bondemotstand under Erik av Pommern." In *Konge, adel og opprør. Kalmarunionen 600 år*, edited by Knut Arstad, 91–107. Oslo: Forsvarsmuseet, 1998.
- Jahnke, Carsten. "Die Anomalie des Normalen. Das 'dat se bliuen ewich tosamende vngedelt' und die Ripener Wahlhandfeste von 1460." In *Der Vertrag von Ripen 1460 und die Anfänge der politischen Partizipation in Schleswig-Holstein, im Reich und in Nordeuropa*, edited by Oliver Auge and Burkhard Büsing, 39–72. Ostfildern: Thorbecke, 2012.
- Jørgensen, Adolf Ditliv. "Synspunkter for Opfattelsen af Valdemar Atterdags og Dronning Margretes historie." In *Historiske Afhandlinger*, edited by Adolf Ditliv Jørgensen, vol. 2, 212–255. København: Nordisk Forlag, 1900.
- Kirkeby, Birger. *Hallvard Gråtopp frå Lindheim skipreide og hendingane i 1430-åra*. Sauherad: Sauherad historielag, 1996.
- Krieger, Karl-Friedrich. *Die Lehnshoheit der deutschen Könige im Spätmittelalter*. Aalen: Scientia, 1979.
- Larsson, Lars-Olof. "Engelbrekt Engelbrektsson och upproren i Sverige." In *Konge, adel og opprør. Kalmarunionen 600 år*, edited by Knut Arstad, 81–90. Oslo: Forsvarsmuseet, 1998.
- Larsson, Lars-Olof. *Kalmarunionens tid. Från Drottning Margareta till Kristian II*. Falun: Scandbook, 1997.
- Lerdam, Henrik. *Danske len og lensmænd 1370–1443*. Copenhagen: Museum Tusulanum, 1996.
- Linton, Michael. *Margrete den 1. Nordens dronning*. København: Gyldendal, 2001.
- Magnussen, Stefan. *Burgen in umstrittenen Landschaften. Eine Studie zur Entwicklung und Funktion von Burgen im südlichen Jütland (1232–1443)*. Leiden: Sidestone, 2019.
- Miller, Matthias. "Lensbrief." In Vol. 3 of *Handbuch zur deutschen Rechtsgeschichte*, edited by Albrecht Cordes et al., 745–757. Berlin: Schmidt, 2016.
- Moseng, Ole Georg, Erik Opsahl, Gunnar I. Pettersen and Erling Sandmo. *Norsk Historie I: 750–1537*. Oslo: Universitetsforlaget, 2007.
- Nedkvitne, Arnved. *The German Hansa and Bergen, 1100–1600*. Köln: Böhlau, 2014.
- Neustadt, Cornelia. *Kommunikation im Konflikt. König Erik VII. von Dänemark und die Städte im südlichen Ostseeraum (1423–1435)*. Berlin: De Gruyter, 2018.
- Njåstad, Magne. "Grenser for makt: Konflikter og konfliktløsning mellom lokalsamfunn og øvrighet ca. 1300–1540". PhD diss., Norges teknisk-naturvitenskapelige universitet, 2003.
- NGL = *Norges gamle love*, anden række, vol. 1: Statens Lovgivning 1388–1447, edited by Absalon Taranger. Christiania: Grøndahl, 1904.
- Olesen, Jens E. "Erich von Pommerns Alleinherrschaft 1412–1439/40." In *Erich von Pommern und Christopher von Bayern. Studien zur Kalmarer Union*, edited by Jens E. Olesen, 35–66. Greifswald: Panzig, 2016.
- Olesen, Jens E. "Erik af Pommerns stærke unionskongedømme og Christoffer af Bayerns rigsrådskonstitutionalisme." In *Konge, adel og opprør. Kalmarunionen 600 år*, edited by Knut Arstad, 65–80. Oslo: Forsvarsmuseet, 1998.
- Olesen, Jens E. "hertug Adolf VIII og Danmark 1435–1459." In *Profiler i nordisk senmiddelalder og Renaissance. Festskrift til Poul Enemark*, edited by Svend E. Green-Pedersen, Jens Villiam Jensen and Knud Prange, 11–27. Aarhus: Arusia, 1983.
- Olesen, Jens E. *Rigsråd – Kongemagt – Union. Studier over det Danske rigsråd og den nordiske kongemagts politik 1434–1449. Mit deutscher Schlussfolgerung*. Aarhus: Universitetsforlag, 1980.

- Olrik, Jørgen. "Tidsrummet 1241–1459." In Vol. 2 of *Sønderjyllands Historie, fremstillet for det danske folk*, edited by Jørgen Olrik, Vilhelm la Cour and Johanne Skovgaard, 3–160. København: Reitzel, 1937–39.
- Opsahl, Erik. "Del I: 900–1537." In Vol. 1 of *Norsk innvandringshistorie*, edited by Erik Opsahl and Sølvi Sogner, 23–226. Oslo: Pax, 2003.
- Poulsen, Bjørn. "Herredømmets dannelse 700–1544." In Vol. 1 of *Sønderjyllands historie*, edited by Hans Schultz Hansen, Lars N. Henningsen and Carsten Porskrog Rasmussen, 41–186. Aabenraa: Landsarkivet for Sønderjylland, 2003.
- Privilegien der Schleswig-Holsteinischen Ritterschaft von den in der Privilegienlade befindlichen Originalen genau abgeschrieben und mit denselben verglichen*, edited by Franz Christoph Jensen and Dietrich Hermann Hegewisch. Kiel: Mohr, 1797.
- Rock, Charlotte. *Herrscherwechsel im spätmittelalterlichen Skandinavien. Handlungsmuster und Legitimationsstrategien*. Ostfildern: Thorbecke, 2016.
- Rosén, Jerker. "Slottsloven." In Vol. 16 of *Kulturhistorisk leksikon for nordisk middelalder fra vikingetid til reformasjonstid*, edited by Finn Hødnebo, cols. 224–227. Oslo: Gyldendal, 1971.
- Schreiner, Johan. *Hanseatene og Norges nedgang*. Oslo: Steenske, 1935.
- Scotichronicon = Joannis de Fordun Schotichronicon cum Supplementis ac Continuatione Walteri Boweri*, edited by Walter Goodall, vol. 2. Edinburgh: Robert Flamin, 1759.
- SD = *Shetland Documents 1195–1579*, edited by John H. Ballantyne and Brian Smith. Lerwick: Shetland Islands Council & Shetland Times, 1999.
- ST = *Sverges Traktater med främmande Magter*, vol. 3, edited by Olof Simon Rydberg. Stockholm: Norstedt, 1895.
- Smith, Brian. "When did Orkney and Shetland become part of Scotland? A contribution to the debate." *New Orkney Antiquarian Journal* 5 (2010): 1–18.
- Spieß, Karl-Heinz. "Kommunikationsformen im Hochadel und am Königshof im Spätmittelalter." In *Formen und Funktionen öffentlicher Kommunikation im Hochmittelalter*, edited by Gerd Althoff, 261–290. Stuttgart: Thorbecke, 2001.
- Spieß, Karl-Heinz. *Das Lehnswesen in Deutschland im hohen und späten Mittelalter*. Stuttgart: Steiner, 2009.
- Sollied, Henning. "Kildekritiske undersøkelser vedrørende nogen middelalderslekter: Bolt." *Norsk slektshistorisk tidsskrift* 7 (1939–40): 26–65, 261–285, 289–309.
- Storm, Gustav. "Om Amund Sigurdsson Bolt og Urolighederne i de sydlige Norge 1436–1438." *Historisk tidsskrift* 12 (1890): 101–140.
- Tägil, Svend. *Valdemar Atterdag och Europa*, Lund: Gleerup, 1962.
- Taranger, Absalon. *Tidsrummet 1319–1442*. Vol. 3.1 of *Norges Historie fremstillet for det norske folk*. Kristiania: Aschehoug, 1915.
- Thomson, William P.L. *The New History of Orkney*. Edinburgh: Birlinn, 2008.
- Tunberg, Sven. "Bååt, Erengisle Sunesson." In Vol. 7 of *Svenskt biografiskt lexicon*, 49. Stockholm: Bonnier, 1927.
- Wærdahl, Randi B. *The Incorporation and Integration of the King's Tributary Lands into the Norwegian Realm c.1195–1397*. Leiden: Brill, 2011.
- Windmann, Horst. *Schleswig als Territorium. Grundzüge der Verfassungsentwicklung im Herzogtum Schleswig von den Anfängen bis zum Aussterben des Abelschen Hauses 1375*. Neumünster: Wachholtz, 1954.