Mediality and usage of medical laws: the case of the Hälsinge Law

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In the autumn of the year 1374, the Archbishop of Uppsala in Sweden undertook a probably-rare journey to his flock in the north. We know little for certain about how often he regaled the northerly parts of his realm with inspection journeys, since we have no written accounts of these, but one assumes that he (or at least a substitute) must at times have had to pay visits to his vicars and parishioners there, in Norrland. Seldom, it seems, did men of regal or noble rank dare to venture north of the river Dalälven, which more or less cuts Sweden in half, creating a border called (by scientists) Limes Norrländicus. The probable aim of this unique northerward journey by the archbishop has in the past been seen as the settlement of a dispute which was of great importance for the archbishopric, and for the emerging country of Sweden: a dispute over the border between the Diocese of Uppsala and the Diocese of Åbo in Finland, and also over the border between Sweden and Norway. This conclusion was reached by comparing existing editions of the provincial law for this part of Sweden, the so called Hälsinge Law, in which a description of the border (an enumeration of boundary-markers) between Norway and Sweden was found as an addendum, in the Dingsmalabarker ("Section dealing with the legal process").

During this examination tour in the autumn of 1374, Archbishop Birger of Uppsala travelled with the authorized law clerk (the Vicar of Til-

linge, Olaus Nicolai) along the coast of northern Sweden. The clerk took minutes of all meetings. On the 1st of October, at the harbour of Härnö-
sand in Ångermanland, a certain Nils Petersson from Utan in the parish of Styrnäs witnessed that he had personally been present to see the 're-
novation' of boundary-markers in Uleš by the Bailiff of Hälsingland, Tor-
sten Styrbjörnsson, in 1346; he added that in the Law Book of Hälsingland (in libro legum terre Helsingonice) was written: Svæ Æri Hálsingia Raæ som
byrja i Vlo Thræski, och ledthir aþpir Ænna femplæn vikna langan ('Thus is the Hálsinge border, which starts in Vlo Thráski, and leads after Ænna fifteen 'vikor' (a rowing distance) long'). This important statement needed to be
checked, of course, and this was done at the next examination in Ragn-
holmsund, in the parish of Selänger, in the province of Medelpad, on the
7th of October. This place was obviously chosen because it was stated that
to the Church of Selänger, with iron chains, was attached the main copy
of the Hälsinge Law: a copy which took precedence over all other copies.2
The Vice-Judge of Hälsingland, Henrik Djäkn from Sund in Selänger, had
been ordered to bring the Law Book (librum legum terre Helsingie) – to-
gether with the iron chains – to Ragnholmsund for the examination. On
this occasion, it was concluded that the addendum, or the fifteenth para-
graph, of the Pingmalabalken was written with the same scribal hand as
the rest of the Law Book: Svæ skiptis landum tvæggia kununga mællum. at
Sverkes oc Norighis byriæs i Vlothræski oc ledhir at i Æmæx vikna langan, þa
a Sverikis kunungir vestan oc sunnan. en Norighis kunungir esten oc
nordanen.3 The examination continued nine days later, on the 16th of Oc-
tober, in the harbour Svartasund, in the parish of Norrala in the province of
Hälsingland. For this occasion, three copies of the Hälsinge Law had been
brought there. Where these copies were kept is not mentioned, but one
might guess that they were kept at the three royal farms (called Kungsgrän-
den) found in the province, or at their adjacent churches, in Norrala, Hög
and Jättendal: the judicial centres of the three thirds or ridings (OSw
préthungs), into which the land (Hälsingland) was divided during the

2. Axel Nelson, "Intledning till studiet av Hälsingeågden och dess texthistoria enligt
Cod. Ups. 849", Rättshistoriska studier 2 (Skrifter utgivna av Institutet för
rättshistorisk forskning, 2 Serien) (Stockholm1957), pp. 54-103, p. 74.
3. Diplomatarium Norvegicum 3:1 (Christiania 1853), p. 302 f.; cf. Axel Nelson, "In-
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Middle Ages. Again the archbishop had the addendum or the fifteenth paragraph read out, and it was found that they corresponded both with each other and with the Selängr copy. This examination revealed that the witness statement by Nils Pettersson in Härnösand could not have been correct. The Vlothorken mentioned could not be the large lake ‘Ule trask’ in northern Finland, but was rather the lake ‘Ulen’ in Sørli, Trondelag, in Norway. Axel Nelson has put forward the interesting hypothesis that the only existing manuscript we have of the Hälsinge Law (Cod. Ups. B49) could actually be one of the copies used at the examination in Svartasund.

Olof Holm has, in a thorough and excellent study, analysed this and similar descriptions, treaties and witness-letters giving information on the border. The most important finding of his analysis is that the border description in the Hälsinge Law, which was probably edited and written around 1320-40, must be looked upon as an old – obsolete – intrusion into the law, and that it probably describes a border-situation which is nearly a century older than the written Hälsinge Law; it describes the border between Norway and Sweden pre-c.1220. This fact could be used to argue that the primary aim of the visit of the archbishop was not to settle border disputes, as had been thought, but in fact to check the existing copies of the Hälsinge Law, to make sure that they were congruent with that considered to have precedence over the others: the copy (mentioned above) chained to the church at Selängr in Medelpad.

This assumption by Holm finds support in analyses by Axel Nelson of the background to the writing of the law, and its textual situation. Nelson claims that the individual who had the law edited and written, the Arch-


7. Olof Holm, "Den norsk-svenska riksgrenens ålder och hädv. En studie av rikskarransprocesser och gränser i mellersta Skandinavien".
bishops of Uppsala, Olof sapient, had an inclination to preserve old documents and to take transcriptions of them. In this case, it was an old (obviously obsolete) enumeration of boundary-markers between Norway and Sweden, which he wanted to include in the Law Book.8

This rather unique examination tour by the archbishop reveals that there were several copies of the Hälsinge Law in use in the judicial district covered by the Hälsinge Law ('Hälsingland', comprising not only the province of Hälsingland but all of the Swedish 'lands' in the north), and that there must have been some textual correspondence between them; perhaps they were even identical.9 At a guess, these copies were placed at the legal foci of the administrative and judicial districts (the land and the prästinge) which probably were – or had been – the royal farms (called Kungsgården), in Norrala, Hög, Jättendal and Selänger,10 or (later on) probably the main churches nearby.

10. As for the province of Ångermanland, the situation is more uncertain. For medieval Ångermanland, see Nils Blomkvist, "Bondetunk och utmarksdynamik. Samhällsutveckling i Medelpad och Ångermanland före 1600", Ångermanlands- Medelpad. Ångermanlands och Medelpads hembygdsförbunds årsbok (Härnösand 1986), pp. 49-103; and Leif Grundberg, Medeltid i centrum. Europasöring, historieskrivning och kulturavseend bruk i norrlandska kulturmiljöer (Kungliga Skytteföreningens samfundets handlingar 59; Studia archaeologica Universitatis Umeensis 20) (Umeå 2006).