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**Essays in Honour of Ingvild Øye on her 70th Birthday**

Irene Baug, Janicke Larsen and Sigrid Samset Mygland (Eds.)



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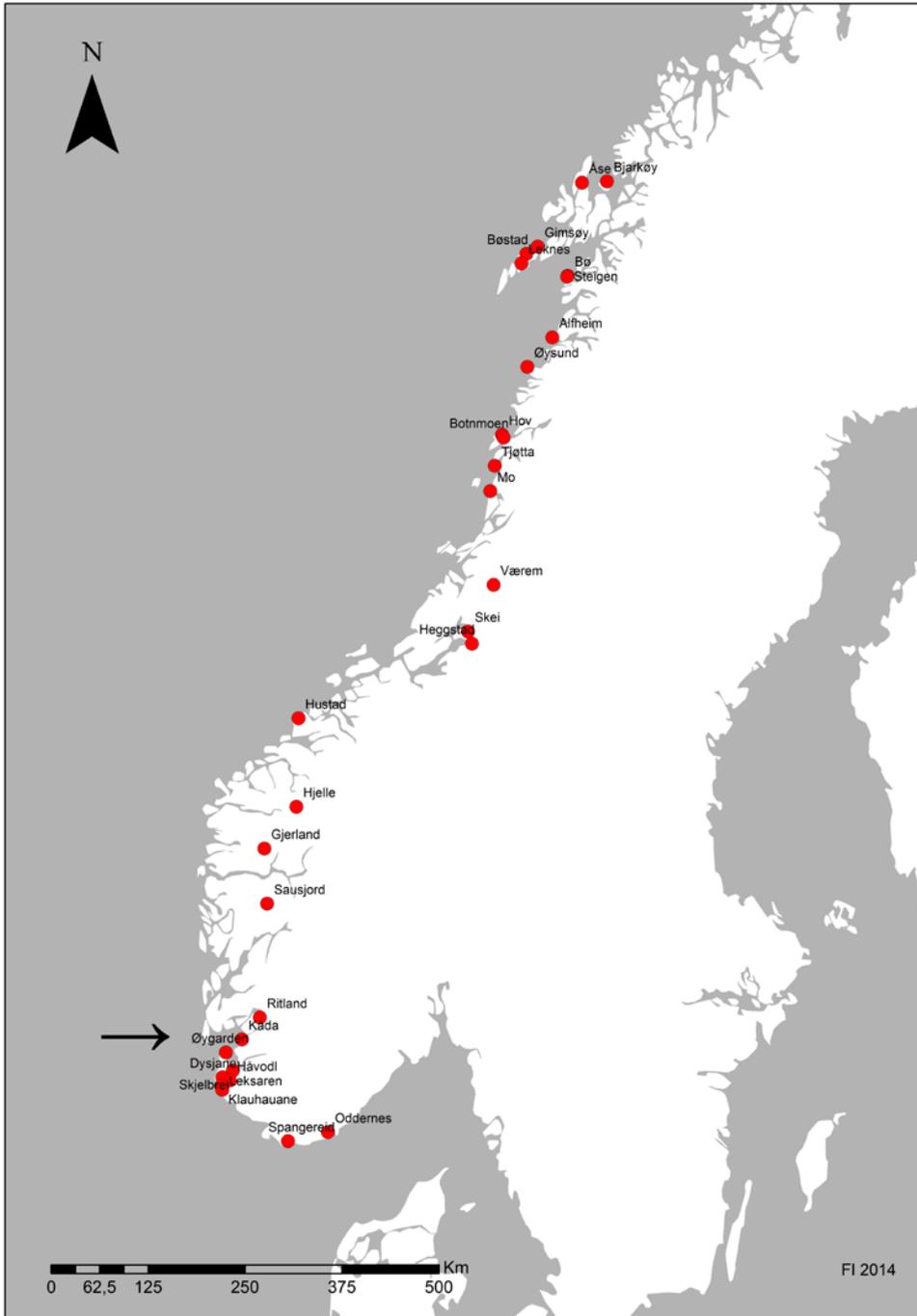
# Houses of Commons, Houses of Lords? The Thing on the Threshold of Statehood in Rogaland, Western Norway in the Merovingian and Viking Ages

In a Northern European context, little knowledge exists about the representational *things* prior to the establishment of statehood. During these legal assemblies, the delegates acted as representatives of their communities. In the county of Rogaland, Norway, both archaeological and historical sources can shed new light on the representational *thing* at the threshold of statehood during the Merovingian Period and Viking Age (c. AD 600-1000). How did the emergence of a stronger royal power influence the thing-system, and was the assembly itself an active participant in initiating these processes?

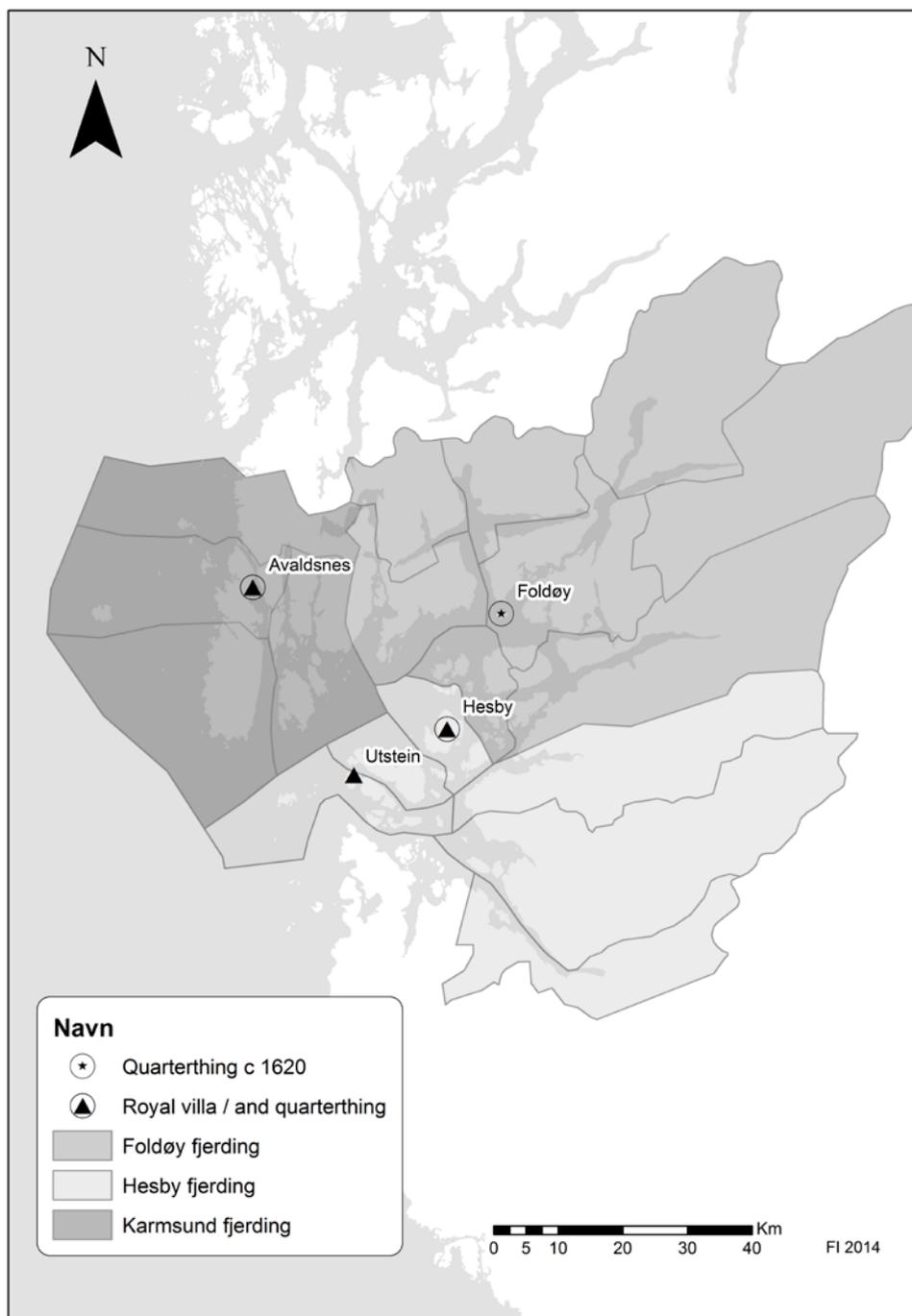
In Norway, approximately 30 courtyard sites are known, of which eight are located in Rogaland (Iversen 2014). Essentially, a courtyard site is a collection of house-plots or booths situated around an oval semi-circular open space (yard) (Johansen and Søbstad 1978, 55). More recently, courtyard sites have been interpreted as thing-sites. While the status of several of the courtyard sites in Agder, Trøndelag and Northern Norway is uncertain, the sites in Rogaland are relatively convincing (Fig. 1).

In the latter half of the 1900s, the 'chiefdom-interpretation' was dominant. Initially suggested by the archaeologist Harald Egenæs Lund, the sites of Northern Norway were regarded as gathering places for minor kings and their followers (Lund 1955; 1959; 1965). This hypothesis was investigated in several studies (Johansen and Søbstad 1978; Magnus and Myhre 1986; Lillehammer 1994; Berglund 1995; Løken 2001; Solberg 2002). The 21st century has seen the revival of the 'thing-interpretation', followed by the discovery of two or three additional sites at Voss (Sausjord) in Hordaland and Stryn in Sogn (Hjelle and the more uncertain site Bø) (Olsen 2005; 2013; 2014). Additional support for this interpretation is provided by new analyses of the sites at Jæren and Hålogaland (Storli 2000; 2006; 2010; Olsen 2003). I agree with the recent suggested interpretations (Iversen 2014; 2015). However, several issues remain unsolved: if they are thing-sites, on what level did they function as such? Could the courtyard sites be evidence of representational *things*?

In my view, the site of Øygarden at Åmøy in Ryfylke has particular potential to shed light on these questions. First, the site has the longest duration of usage – spanning from the Roman



**Figure 1.** The 30 courtyard sites known in Norway, of which eight are in Rogaland. More recently, these have been interpreted as thing-sites. Several of the courtyard sites in Agder, Trøndelag and in Northern Norway are uncertain (Alfheim, Øysund, Heggstad, Hustad, Spangereid and Oddernes). This study focuses on the Øygarden site in Ryfylke, Rogaland. © Frode Iversen.



**Figure 2.** The quarters of Ryfylke (fjerding) c. 1500, quarter-things c. 1620 and royal villas c. 1100.

period to the AD 700s. Second, the site can be linked to a historically known legislative region (this point will be further clarified). Third, several of the most important royal villas of Rogaland are found in this area: Avaldsnes, Utstein and Hesby, which were all strongholds in the early kingdom of Norway (Fig. 2). In addition, Ryfylke is the only area in Norway where there are written records of the representational *thing* prior to AD 1623 in *Thing Books*, which may reflect a far older tradition (Imsen 1990, 13). The basic conditions are thus conducive for an in-depth analysis of Øy garden and the thing-system of Ryfylke, investigating the role of the site in the development of early statehood.

The 12th century provincial law of the Gulathing – the leading thing of Western Norway – refers to three types of representational *things*: *lögrett* (law-thing), *fylkisþing* (shire-thing) and *ffórðungsþing* (quarter-thing). The latter functioned as a *thing* for the quarter of a shire. However, what is the connection between the courtyard sites of the Iron Age, the royal villas and the representational assemblies of the medieval period into modern times?

A hypothesis of this study is that the courtyard sites predate the processes linked to the formation of the state, and belong to an era when military jurisdiction was still in the hands of ‘communal elites’. The emergence of the weapon-thing may have been closely connected to a development where kings established a monopoly of violence in a given region. All free male adults were obliged to attend the weapon-things, which were not representational *things* such as the quarter-thing. The men were obliged to participate in the defence system, if called upon, and the purpose was to regularly ensure that their weapons were in accord with the stipulations of the law. According to the Gulathing law, royal officials were required to announce in the fall the weapon-things to be held in the spring (G 309). In 1189, a prohibition against bearing arms at *things* and in churches emerged (NgL I, 409; RN I 198). The weapon thing was transformed to a taxation thing. Nevertheless, the kings’ acquisition of the military judicial functions may have been an important motive for the abandonment of courtyard sites. Let us examine this prospect more closely.

## **Past perspectives and terminology: Reinterpreting representative things**

The ON term *þing* refers to a case, a matter, and an object, in addition to a legal assembly, which is the main subject of this article (Bjorvand and Lindeman 2007, 1151-1152). The thing was first described by Cornelius Tacitus in AD 98 in *Germania*. This source gives an impression of the thing as having a cultic, as well as a legal and military, function (Taranger 1898; Iversen 2013). Tacitus describes a form of annual ‘delegate-based’ assembly amongst the Semnones as early as the AD 1st century (Tacitus 98, ch 39) and is thus in accordance with much later sources describing Saxony and Scandinavia.

In old ‘Germanistic’ research, one is often faced with the notion that originally the representational thing was an Allthing attended by all free men of the Germanic tribe. This is an ideological viewpoint, which has little to no substance upon review of the available sources. However, local things were allthings. According to the Gulathing law, all farmers, both landowners and tenants, were obliged to attend local things and would receive penalties for disregarding it. Attendance was voluntary for disabled farmers and widows with landed property (G 131). This most likely reflects that originally the local things were closely connected to a stratum of landowners (Iversen 2007, 172). In contrast, the representational principal on

higher level was well established by the time written sources appear (Taranger 1898, 36-42). For example, the Marklo-thing in Saxony is described in the early 10th century as a representational thing during the time of the missionary Lebiun, prior to AD 775 (Hucbaldus 1934, 792; Iversen 2013, 11). In light of the information provided by Tacitus, there is no reason to believe that the representation principle reflects a new tradition.

The Gulathing law specifies the exact number of delegates attending the Gulathing and the areas they represented. Additionally, it records a stepwise reduction in the number of attendees during the 1000s, 1100s, and 1200s (G 3; Helle 2001; Iversen 2015). The delegates who attended the shire-things (*fylkisþing*) seem to have been called 'fylkismenn' -men of the shire (G 10, 71, 266). Little knowledge exists about the shire-thing, except that it was associated with the Old Norse (ON) *sýsla*, a county approximately half the size of a shire. In regards to Rogaland, I use the term *shire-thing* to refer to an assembly of the entire shire, and county-thing to refer to a half-shire, a *sýsla*. Tangible information about the quarter-things, beyond their mention in the law, is first recorded in the thing-books from the 1600s.

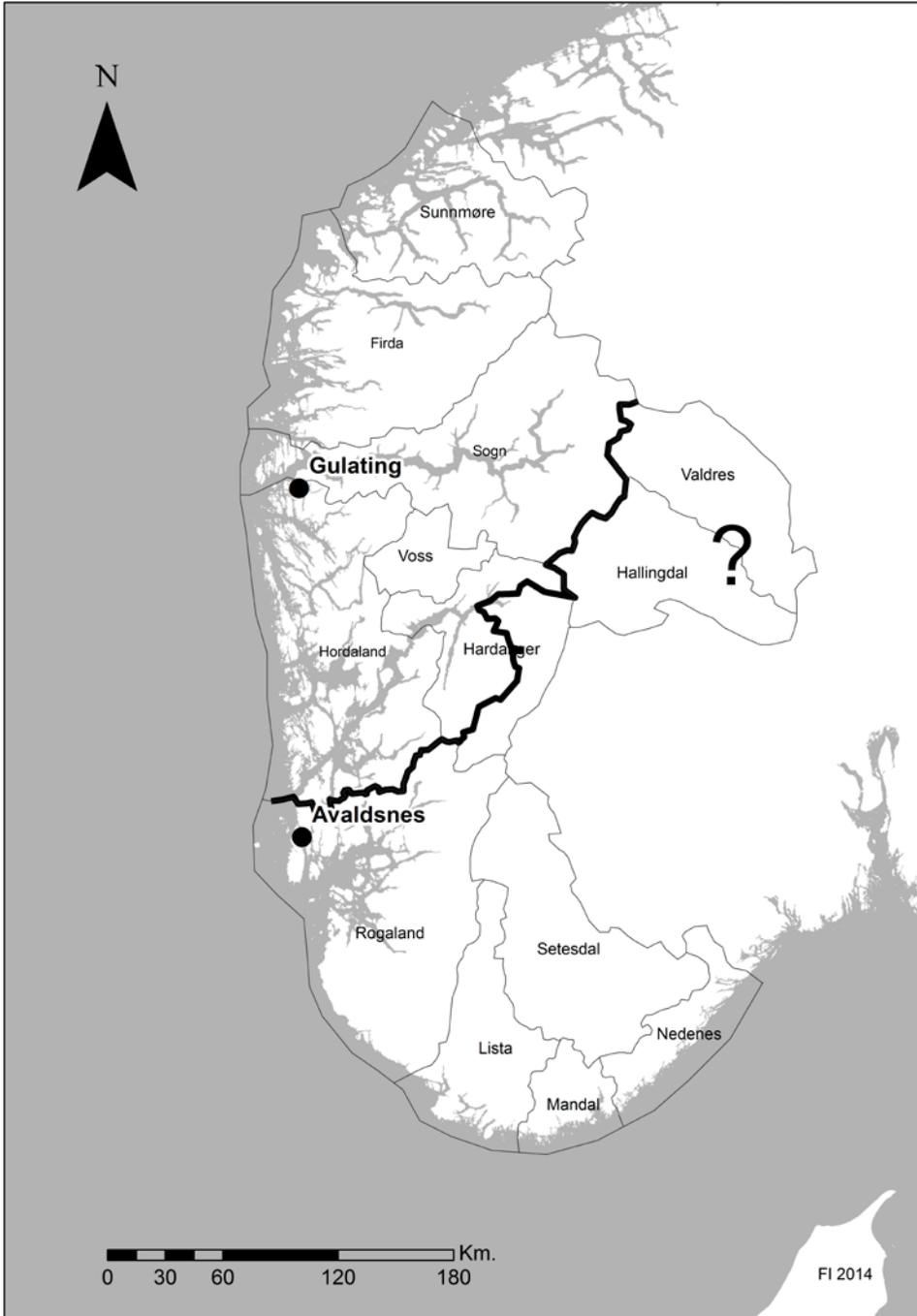
However, the proficiency of the various representational things during the Middle Ages is unclear. The Gulathing law states that if the quarter-thing did not agree, the case should be transferred to a shire-thing, and in the case of continued disagreement, to the Gulathing (G 35) or a *logretto* (law-court) (G 266). By the new act of 1274, the issuing of laws became a royal prerogative and approval of lawthings was no longer needed. However, the ON term *logþing* continued to be used for centuries. During this period, the *logmaðr* (law-speaker) evolved from being an adviser for the law-court to becoming a royal official and the highest judge of the court, that is, a magistrate.

In order to obtain a better understanding of this practice, I have studied 104 representational things held in Rogaland and Agder during the period AD 1613 to 1667 in the earliest existing source material available. This may reflect older practice with relevance for the Middle Ages. The results of a study of Ryfylke are presented in more detail below.

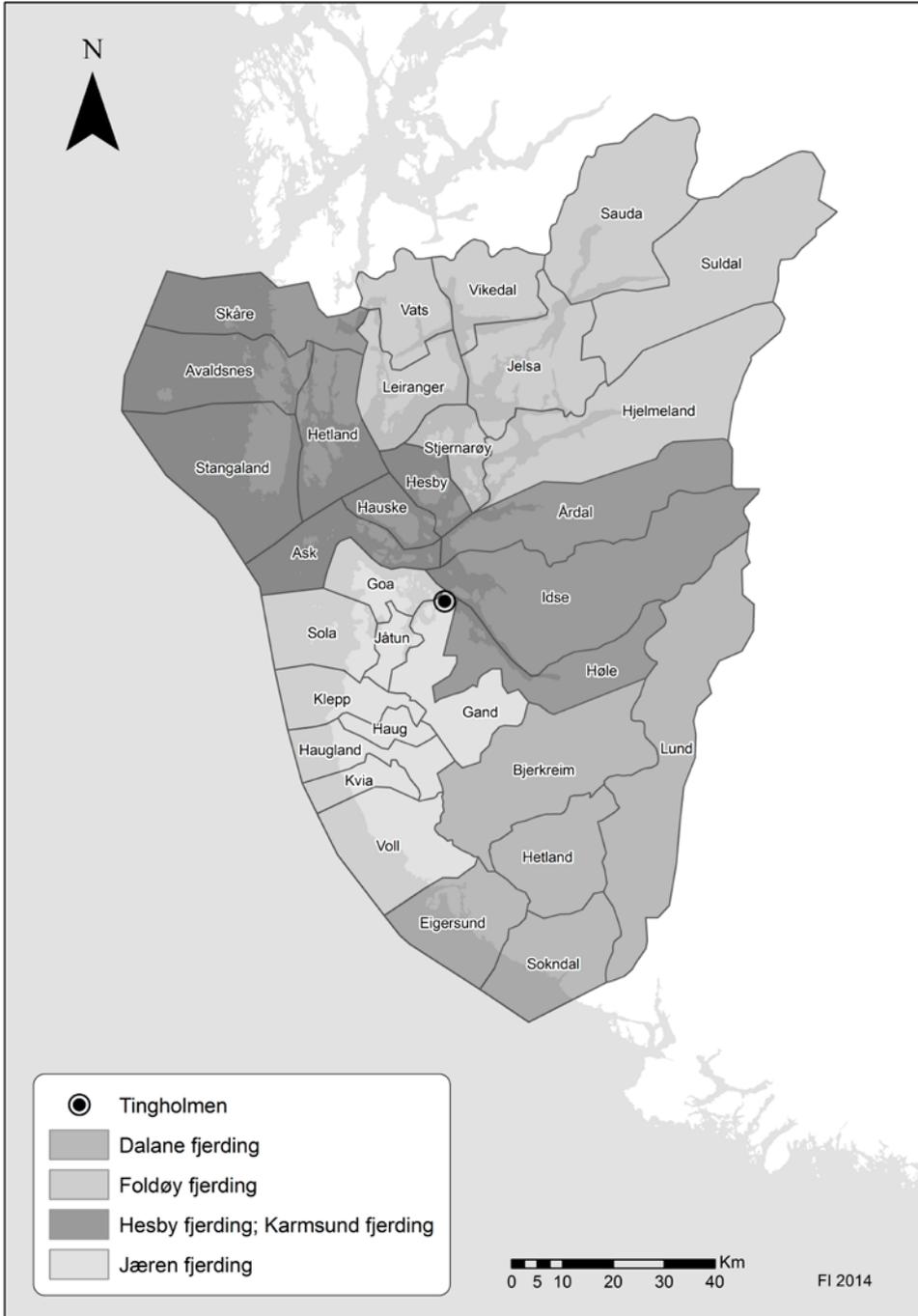
## **Methods and materials: The scheme of the study**

This paper presents an examination of three elements: a) the administrative landscape of Rogaland, b) the historic practice concerning representational meetings in Ryfylke, and c) the role of the Øygarden site, which will shed some light on the main subject of this article: the royal impact on representational things during the emergence of statehood.

During the 1200s and 1300s, the Gulathing law-area was organised in two divisions with a separate law-thing and law-speakers (Fig. 3). Details from a political meeting in 1223 refer to two simultaneous law-speakers in the law-area (Helle 1972, 135; HH 85-98). Similar evidence of such a division is provided in the record of a legislative thing (ON *logþing*) held at Avaldsnes in 1322 (DN I 168). Thus, there were two rural law-things within the law-area (Gulathing and Avaldsnes). I believe that this division reflects an earlier organisation. Additionally, information obtained from the *Egil Saga* of the 1200s indicates that several law-speakers were simultaneously in attendance at the Gulathing, allegedly during the 900s (Egs 57). In the 14th century, both of the law-things were relocated to the urban centres of Bergen and Stavanger, where they eventually merged with the urban lawthings in the sense that there was a shared law-speaker for both the urban and the rural thing.



**Figure 3.** The two legislative hinges of the law province of Gulathing, 13th century, Avaldsnes and Gulathing. In 1223, Åmund Remba was *løgmaðr* in the southern part (Ryfylke) and Dagfinn Bonde in the northern part (Björgvin). The extent of the Avaldsnes jurisdiction is somewhat unclear. If the valleys of Valdres and Hallingdal are included, Avaldsnes becomes a more central location in the jurisdiction. © Frode Iversen.



**Figure 4.** Ship-districts and the quarter division of Rogaland, 11-13th centuries. © Frode Iversen.

Ryfylke consisted of 18 *skipreiða* (ship-districts), each with a local thing, and enveloped the northern half of Rogaland. During the Middle Ages, Ryfylke had its own count (*sysseimaðr*) who was succeeded by the *fogd* (Utne 1973). The thing books of Ryfylke from early 17th century provide detailed insight into the practices of the local *skipreiðaping* (ship-district-thing), quarter-things and county-things. We can thus distinguish between three levels of things in Ryfylke. The uppermost levels were representational things. This material has been somewhat neglected in the discussion regarding the organisation of the thing in the Middle Ages. In the 1620s, during the reign of Christian IV (1588-1648), quarters as fixed geographical units disappeared. Thus, the thing-books of Rogaland document a tradition just before it was discontinued.

I have disregarded a mathematical structure of the quarter-division in Rogaland with eight ship-districts in each quarter as suggested by the historian Asgaut Steinnes (Steinnes 1933, 133). His suggestion contrasts with the thing-books and the *amtmann* (civil governor) Bendix Christian de Fine, which places the local units of Høle and Idse in the quarter of Hesby and Ryfylke in the north (Fig. 4). Moreover, the parish of Høle sogn was located in Hesby *len* in 1559 (NRR I, 270).

It is not clear whether the ship-district of Sæbø was part of the quarter of Hesby or Hebnæs during the Middle Ages (Steinnes 1974, 68). In 1619 and later, Sæbø was part of the quarter of Hesby (Fig. 7; Utne 1973, 70; Steinnes 1974, 93). However, Sæbø is listed by de Fine under the quarter of Hebnæs (de Fine 1952, 94). De Fine had access to sources which are now lost, including protocols from the court of Stavanger and proceedings from the 1500s. Although he does not reference his source in this particular case, I have, with some doubt, chosen to follow his lead, as it may reflect an older tradition. There is a reasonably good correlation between the thing-books and the information supplied by de Fine.

In the thing-books, the names of the delegates, which ship-district they represented and which farmsteads they came from are listed. The sources are thus very detailed. I have systematised the records of 104 representational things in Rogaland and Lista by reviewing the records of Ryfylke (1616-1623), Jæren and Dalane (1613-1625 and 1641-1654), and Lista (1662-1667). I will here present the details for Ryfylke. In 1623, the *fogd* (bailiff) began to summon the delegates from only a few of the ship-districts to assemble the quarter-thing. Despite this, the use of the term quarter-thing continues to be used throughout the thing-books. For Ryfylke, the term refers in reality to two separate levels: county-thing and ordinary quarter-things. I have chosen to distinguish between these.

For four of the 13 courtyard sites in Hålogaland, I have recently noted a correspondence between the number of house-plots and the number of local jurisdictions in given historic regions. I hypothesise that the largest courtyard sites within these regions succeeded each other chronologically. New local communities were included in the expanding jurisdiction, which led to a relocation of the thing. The disuse and abandonment during the 10th century was most likely caused by the establishment of a superior law-thing in Steigen for the emerging law-province of Hålogaland (Iversen 2014).

In Rogaland, the tradition of courtyard sites ceased during the Merovingian Period, approximately 200 years earlier than in Hålogaland (Grimm and Stylegar 2004; Grimm 2010). Compared to Hålogaland, there is a larger time-gap between the sites and the documented

administrative landscape of the Middle Ages. However, the medieval administrative landscape of Rogaland can be more accurately reconstructed than that of Hålogaland.

The Øygarden site was discovered in 1925 and was excavated by Jan Petersen and his team in 1940. It consisted of 10 house-plots, each measuring c. 30 m<sup>2</sup>. The house-plots were of an equal size, with small variations of 7 to 8.5 m in length and 3.2 to 4.4 m in width. They were arranged in two juxtaposed rows, divided by a passageway. There were four house-plots in the northern row. The southwestern row was divided by a small indentation in the middle, with three houses on each side of it. The yard measured c. 400 m<sup>2</sup>, and was open towards the east. The exterior dimensions of the courtyard were 44 x 27 m (Petersen 1952, 95; Grimm 2010, 144). There were two mounds at Øygarden. In one of the mounds, a Merovingian-type knife (type R 407) was discovered, as well as tooth-fragments of a cow or a horse, in addition to a bead. Because of this, Petersen interpreted the mound as a possible sacrificial mound (Petersen 1952, 101; Grimm 2010, 185). How does the site relate to the administrative landscape?

## Results

### ***The administrative landscape***

At the law-thing of Avaldsnes in AD 1322, the clergy from Søndeled (today part of the county of East-Agder) and Hamre and Leiknes (today part of West-Agder county) attended. The jurisdiction thus included both Rogaland and Agder (Steinnes 1974, 116-119). The valleys of Valdres and Hallingdal were under the law of the Gulathing during the 1160s (Ekrem and Mortensen 2006, 58), and thus part of the diocese of Stavanger, which was established between c. 1104 and 1120. Hypothetically, the diocese could have been superimposed on an already established secular judicial district.

However, there are certain indications that Hallingdal was associated with the magistrate of Bergen in AD 1310 and not with Avaldsnes, as we might have expected (DN 2 103; Steinnes 1930, 133). Thus, the jurisdiction of the court of Avaldsnes clearly included Rogaland and Agder in AD 1322, although the status of Valdres and Hallingdal is less certain. Later, the regions of Valdres and Hallingdal fell under the jurisdiction of Oslo between AD 1355 and 1365 (RN 6, 1066, 1067; Steinnes 1930, 134; Indrebø 1936, 507).

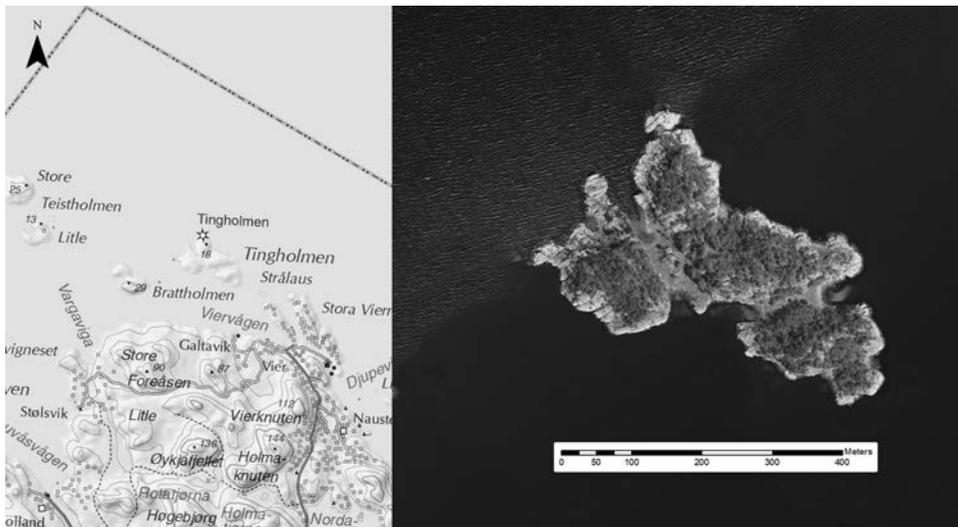
The shire of Rogaland was divided into two counties (*sysla*) in the 13th century (Utne 1973, 54). Unclear records of Notarius Jordanes indicate that this partition can be traced as far back as the mid-6th century. In AD 551, Jordanes mentions two groups, the *Eunixi* and the *Tatel Rugi*, in between which traditionally have been understood as the people of Agder (*augandzi*) and the *Hordas* from Hordaland (*arochi*) (Mommson 1882, 60, Getica 3). Historian Geir Atle Erslund has suggested that *Tatel Rugi* may refer to a main group of *Ryger*, the people of Rogaland, living in Jæren, and the *Eunixi* in Ryfylke (Erslund and Holm 2000, 22). However, the situation is ambiguous, and the partition of Rogaland becomes more accurately supported by the rural law of Magnus 'the Lawmender' in 1274 (Utne 1973, 55).

The *Historia Norvegie* assumes that Rogaland is one of six 'provinces' in the Gulathing law-area (Ekrem and Mortensen 2006; Storm 1880). Legal historian Knut Robberstad has interpreted the 'provinces' as being shires that held their own things (Robberstad 1951, 187-191). According to Snorri, King Olav Tryggvasson held several shire-things in conjunction with Christianisation. In the Gulathing law area, the King initially held shire-things with the

farmers of Agder, then Rogaland and Gulathing in regards to Hordaland. Last, he held a four-shire-thing at Dragseid near Stadt, which included the shires of Sogn, Firda, Sunnmøre and Romsdal (Hkr, Olav Tryggvasson saga 54-59; Nesvåg 2011, 30-34).

This indicates that a shire-thing existed in Rogaland during the 1000-1100s. However, the location is unclear. It is tempting to suggest *Tingholmen* by Vier in Gand, central to Rogaland, as a possible candidate (Figs. 4 and 5) (NG X, 203; Særheim 1985, 71). This small island is optimally situated in regards to the quarter division and minimises the travel-distance for delegates from the shire, in addition to having four to six inlets suitable as dockyards for ships. However, there are no known historic records of things held at *Tingholmen* and the name itself is later.

The Magnus text of the Gulathing Law specifies that 15 men from each quarter of Rogaland should attend the Gulathing, for a total of 60 men (G3). Magnus refers to King Magnus Erlingsson, regnant 1163-1183. Clearly, there were four quarters in Rogaland during the 1160s-1170s. The quarter division was still known in 1743 by de Fine (1952, 94). During the 1600s, there were five, not four, quarters in Rogaland: Karmsund, Hesby, Hebnes, Egersund and Jæren. One of the old quarters had been partitioned, most likely Ryfylke, where there was 'one' quarter too many when compared to the southern part of the shire, which had two. The quarters of Karmsund and Hesby were the smallest in the northern half of the shire, as assessed by the number of men in 1743, medieval churches and local thing-units (ship-districts). They most likely accounted for the partitioned quarter. If so, it is likely that the former quarter was divided at the Boknafjord. The new Hesby quarter south of the fjord included six or seven ship-districts. To the north of the fjord, the Karmsund quarter encompassed four ship-districts (Fig. 5).



**Figure 5.** Tingholmen – the old shire-thing of Rogaland? This little island is optimally situated in relation to the quarter divisions of Rogaland (Figure 4), in addition to having four to six inlets suitable as dockyards for ships.

## **The meetings**

There is evidence of 11 county-things representing 18 ship-districts in Ryfylke prior to 1623 (Fig. 6). The fixed thing-site was located at Hesby, which was a royal chiefdom from at least the 1230s. Hesby was returned to the Crown under the reign of Queen Margaret in 1409 and became a *fogdegård* (bailiff-farm) (DN I 619; Bjørkvik 1960, 228; Utne 1973, 59). The estate included 18 to 20 minor farms surrounding the manor-farm, which were all crown land (Bjørkvik 1958, 106). The county-thing in Ryfylke was thus located at an important royal residence. Up to 117 delegates attended the county-things in Ryfylke. Normally, three or six delegates, in addition to a *lensmann* (sheriff), from each ship-district attended. The county-thing was held during summertime, between the 9th of March and 23rd of September, and usually lasted for one day. In two cases and for reasons unknown, delegates from Karmsund quarter did not attend the assembly (3rd of December 1618 and 14th of February 1620).

Prior to AD 1623, twelve quarter-things are known for Ryfylke, of which four were for the Hesby quarter, five for Hebnes (Foldøy) and three for Karmsund (Avaldsnes). Eight out of twelve quarter-things were held during March, which was the regular month of assemblies (Fig. 7). The county-thing, however, was held during May/June (three times) and in August/September (five times).

Hesby had thus a double function: both as a thing-site for the county-thing of Ryfylke and for the quarter-thing of Hesby. During the quarter-things, three delegates and a sheriff attended from each of the seven ship-districts, including Sæbø. The quarter-things of Karmsund were similar to those of Hesby. Three delegates and a sheriff came from each of the four ship-districts, totalling 15 to 19 delegates. The meetings are referred to as the *Avaldsnes* quarter-thing, and the thing-site was likely to have been located at the old Royal Manor at Avaldsnes.

The pattern is the same for the Hebnes quarter (Foldøy), which comprised seven ship-districts. The quarter is alternately referred to as Hebnes and Foldøy. On one occasion, the delegates from Suldal failed to attend due to ice on the fjord. On a separate occasion, delegates from Høle and Idse from another quarter (Hesby) attended, due to the nature of the matters to be discussed. Between 18 and 24 delegates attended the meetings. The thing was held at the small island of Foldøy close to the Hebnes farm, centrally situated in the quarter and the fjords. The name *Tjuvholmen* (Thief Island) at Foldøy may indicate an execution site. A coin-hoard dated to c. AD 1000 was found at Foldøy, which contained 776 minted coins and silver bullion. If this hoard was connected to the function of the thing, it could indicate a relatively old thing-function of the place. The island Foldøy belonged to the Diocese of Stavanger in 1270, when it was passed to the house of the poor of St Peters church in Stavanger (DN X no 4).

To summarise, the information supplied by the thing-books of Ryfylke prior to 1623 offers valuable information to the *modi operandi* of the representational thing in Norway. Regular quarter-things were often held in March. The principal of geographic representation is striking. Delegations of an equal size, consisting of three or six men from each local community, in addition to the sheriff, attended the thing.

Let us now consider the courtyard site of Øygarden, which was situated centrally to the partitioned quarter. A powerful royal presence resided here during the Viking Age and the Middle Ages. Avaldsnes was located in the north of the partitioned quarter and Utstein in the west. Both places have been referred to as the royal villas of Harald Fairhair (Iversen 2008). Hesby is situated to the east.

County-things	No of sheriffs attending	No of ship-districts represented	Name of ship-district and number of delegates (I = sheriff)	No of Delegates including sheriffs
Hesby fjerding, 14-05-1616	17	18	Vikedal 5 I, Sauda og Suldal 7 I, Leiranger 6 I, Hauske 6 I, Jelsa 6 I, Høle 5 I, Sæbø 7 I, Skåre 7 I, Hjelmeland 7 I, Vats 6 I, Hetland 7 I, Stangaland 4 I, Årdal 6 I, Hauske 7 I, Hesby 7 I, Idse 6 I, Ask 7 I	109
Hesby fjerding, 08-08-1616	17	18	Vikedal 7 I, Sauda og Suldal 6 I, Hjelmeland 7 I, Leiranger 7 I, Sæbø 7 I, Hesby 7 I, Jelsa 7 I, Årdal 6 I, Høle 7 I, Hauske 7 I, Skåre 7 I, Ask 7 I, Avaldsnes 7 I, Vats 7 I, Stangaland 7 I, Idse 7 I, Hetland 7 I	117
Hesby fjerding, 07/08-04-1617	14	18	Vikedal 4 I, Hjelmeland 4 I, Sæbø 4 I, Sauda og Suldal 4 I, Høle 4 I, Vats 3, Hesby 3, Jelsa 4 I, Hetland 4 I, Avaldsnes 4 I, Skåre 4 I, Idse 4 I, Stangaland 4 I, Ask 4 I, Leiranger 4 I, Hauske 4 I, Årdal 3	65 (dag 2: 22)
Hesby fjerding, 09/10-03-1618	7	15	Leiranger 3 I, Sæbø 7 I, Hjelmeland 4 I, Skåre 1 I, Hauske 4, Høle 4, Jelsa 4, Stangaland 3 I, Avaldsnes 1, Ask 4, Hesby 4, Hetland 4, Suldal 3, Årdal 3 I, Vikedal 1	50 (dag 2: 10)
Hesby fjerding, 18-05-1618	11	18	Sauda og Suldal 6 I, Leiranger 7 I, Årdal 6 I, Høle 4 I, Hauske 7 I, Hjelmeland 3 I, Vats 6 I, Hesby 7 I, Jelsa 7 I, Hetland 6, Avaldsnes 7, Skåre 7 I, Idse 6 I, Ask 6, Vikedal 6, Sæbø 7, Stangaland 4	102
Hesby fjerding, 07-09-1618	15	16	Sæbø 4 I, Hjelmeland 4 I, Årdal 4 I, Vats 4 I, Hauske 4 I, Høle 3 I, Idse 4 I, Skåre 4 I, Hesby 4 I, Avaldsnes 4 I, Leiranger 4 I, Stangaland 4 I, Hetland 4 I, Ask 4 I, Sauda og Suldal 4 I	59
Hesby fjerding, 23-09-1618	7	18	Vikedal 4 I, Leiranger 4 I, Skåre 4 I, Hjelmeland 4 I, Sæbø 4 I, Stangaland 3, Avaldsnes 4, Hetland 2, Vats 3, Sauda og Suldal 3, Høle 3, Hauske 3 I, Ask 3, Jelsa 3, Hesby 4, Idse 1 I, Årdal 3	50
Hesby fjerding, 07-06-1619		15	Leiranger 2, Sæbø 3, Hjelmeland 3, Høle 3, Årdal 3, Vats 3, Skåre 3, Jelsa 3, Hauske 3, Ask 3, Vikedal 3, Hetland 1, Stangaland 2, Avaldsnes 3, Hesby 3	41
Hesby fjerding, 20-09-1619	11	17	Vikedal 4 I, Hjelmeland 4 I, Årdal 4 I, Sæbø 3, Hesby 3 I, Stangaland 3 I, Skåre 3 I, Hetland 3 I, Leiranger 3 I, Jelsa 3 I, Vats 4 I, Hauske 3 I, Aske 2 I, Sauda og Suldal 2 I, Idse 3 I, Avaldsnes 3 I	50
Hesby fjerding, 16-07-1621		At least 14	Hesby, Årdal, Idse, Høle, Ask, Sauda, Suldal, Vats, Vikedal, Jelsa, Stangaland, Hetland, Skåre, (Stjernarøy)	48
Hesby fjerding, 17-08-1622		15	Vikedal 4, Sæbø 4, Hjelmeland 3, Leiranger 3, Hauske 3, Vats 4, Årdal 3, Jelsa 4, Stangaland 4, Skåre 5, Hetland 3, Ask 3, Hesby 3, Sauda 3, Suldal 1	50

**Figure 6.** County-things for Ryfylke, 1616-1622.

Quarter-things	Sheriff	No of ship-districts	No of delegates from the ship-districts (1 = sheriff)	No of law-right men
Hesby fjerding, 20-03-1619		7	Sæbø 4, Hesby 4, Idse 4, Årdal 4, Hauske 4, Ask 4, Høle 4	28
Hesby fjerding, 16-07-1619	4	5	Hesby 4 I, Sæbø 2 I, Årdal 4 I, Idse 5 I, Hauske 4	19
Hesby fjerding, 20/21-03-1620		7 (4)	Hesby 1 (5), Hauske 3 (2), Ask 3 (3), Idse 4, Høle 4, Årdal 5, Sæbø 5 (5)	25 (day 2: 15)
Hesby fjerding, 26/27-03-1622	6	7	Sæbø 3 I, Hauske 3 I, Årdal 3 I, Ask 3 I, Hesby 6 I, Idse 6 I, Høle 4	28 (day 2: 10)
Avaldsnes fjerding, 13/14-03-1620	3 (4)		Avaldsnes (4 I), Hetland (4 I), Skåre (4 I), Stangaland (3 I)	19 (day 2: 15)
Avaldsnes fjerding, 28-05-1621	3	4	Hetland 4 I, Skåre 4, Stangaland 4 I, Avaldsnes 3 I	15
Avaldsnes fjerding, 18/19-03-1622	4	4	Skåre 4 I (1), Avaldsnes 4 I (2), Hetland 3 I (2), Stangaland 4 I (2)	15 (day 2: 8 dag)
Folderøy fjerding, 13-03-1619		7	Vikedal 4, Leiranger 4, Vats 4, Sauda og Suldal 4, Hjelmeland 4, Jelsa 4	24
Folderøy fjerding, 16/17-03-1620	5	6	Leiranger 2 I, Vats 3 I, Suldal 4 I, Hjelmeland 4 I, Sauda 1, Jelsa 4 I	18 (day 2: 12)
Hembnes fjerding, 08-04-1620		8	Vikedal 3, Sauda 3, Jelsa 3, Hjelmeland 3, Vats 3, Leiranger 3, Høle 3, Idse 3	24
Folderøy fjerding, 30-05-1621	5	7	Hjelmeland 1 I, Jelsa 3 I, Vikedal 1, Suldal 3 I, Vats 5 I, Sauda 3 I, Leiranger 4	20
Hembnes fjerding, 21/22-03-1622		6	Vikedal 3, Leidanger 4, Vats 3, Hjelmeland 4, Suldal 3, Jelsa 3	20 (day 2: 12)

**Figure 7.** Quarter-things of Hesby, Karmsund (Avaldsnes) and Hebnes (Folderøy), 1619-1622.

### **The courtyard site at Øygarden**

The site of Øygarden is located at the farm Hegreberg in Vestre Åmøy – a part of the Ask ship-district in the Hesby quarter. The ship-district is referred to as *Bro* in 1436 (DN VI no 463) and to *Ask* in 1554 (DN VI 782; Bull 1920, 131). A likely cause for the name change could be that the local thing-site was relocated from Bro to Ask. From Øygarden, there is a clear overview towards Ask at Mosterøy in the north. Bro is situated 1.7 km to the west.

Archaeologist Jan Petersen argued that there were two main phases at Øygarden, the Roman Period and the Merovingian Period. Archaeologist Oliver Grimm (2010), however, believes that the final phase is twofold. He also argues that there is a third stratigraphic phase underlying the stone walls, which has yet to be dated. Phase 2 (A and B) relates to the layout of the site, which is characterised by well-defined house-plots consisting of stone walls, roof-bearing posts and central hearths. Fragments of carbonised wood were found in the layers, which Petersen suggested might indicate a previous phase of destruction by burning (Petersen 1952, 101). However, house-plots 2 and 7 are placed directly upon the sterile subsoil, thus providing no indication of a previous phase. Almost 90 fragments of pottery were found, of which almost

half came from house-plot 9. Fragments of bucket-shaped pottery in the bottom of phase 2 of house-plot 9 have been typologically dated to AD 300-400, which might indicate the time at which the site commenced its entire layout.

All of the house-plots, except house-plot 7, had traces of a central hearth. A few of the house-plots even contained traces of hearths from previous phases (Petersen 1952, 98). The central hearths were quite large, up to 4.5 m in length (house-plots 3, 4 and 9). House-plots 4, 5, 8 and 9 contained only one central hearth. Additionally, house-plots 6 and 7 had two or three potentially simultaneous hearths in phase 2. House-plot 10 stands out, having had four hearths during phase 1 and five hearths during phase 2.

Few objects have been discovered at the site. Typologically dated objects have been recovered from five house-plots (1, 3, 8, 9, and 10), of which three are of a Late Iron Age type, including a fragment of a drinking-horn of 'sea-green-blue' glass from the Merovingian Period (house 10) (Petersen 1952, 100).

C14-analysis of the central hearth in house-plot 10 has provided dates of AD 590-645 (1 Sigma) (1451 ±31, Ua 47190, S6775k). An additional sample taken at a depth of 54cm from a cultural layer in house 6 has provided the same results: AD 595-645 (1 Sigma) (1443 ± 30, Ua-47194, S6779g). The earliest date suggests an activity phase during the Early Roman period (house 2, 7 and 8) and the Migration Period (house 3 and 4); thus, possibly confirming the early phase suggested by Grimm. Taken together, it is reasonable to assume a main activity phase between AD 100-150 and 600-700 (Fig. 8).

House no.	Sample no	Sigma 1	Sigma 2	Lab-no/C14 years	Period
2	(1) S6771 e	130-260 / 290-320	130-340	Ua-47186 1790 ± 30	Roman
3	(2) S6772 f	400-440 / 480-540	380-540	Ua-47187 1615 ± 30	Migration
4	(3) S6773 f	430-470 / 480-540	410-550	Ua-47188 1581 ± 30	Migration
5	(4) S6774 e	20-40 / 50-130	0-220	Ua-47189 1917 ± 40	Early roman
6	(5) S6775 k	590-645	555-655	Ua-47 190 1451 ± 31	Merovingian
7	(6) S6776 g	125-220	80-240	Ua-47191 1851 ± 30	Early roman
8	(7) S6777 h	80-170 / 190-210	70-230	Ua-47192 1869 ± 30	Early roman
8	(8) S6777 h	135-225	80-110 / 120-260	Ua-47193 1828 ± 30	Early roman
10	(9) S6779 g	595-645	560-655	Ua-47194 1443 ± 30	Merovingian

**Figure 8.** New C-14-dates from the Øygarden site.

## Discussion – from communal to royal representational things?

Let us return to the questions set out above: How did the emergence of a stronger royal power influence the thing-system? The Øygarden site may shed light on this question. In what way did Øygarden function as a thing-site? Does the site reflect a local thing or was it an assembly place of the partitioned quarter, possibly for the entire shire?

Øygarden is centrally located with regard to the various levels. In 1647, the ship-district of Ask covered the region of Kvitsøy in the west to Hidle in the east, thus including 8-9 larger islands with a total of 23 farms. Such a large facility for local use was most likely unnecessary. Even if Åmøy is located centrally in Rogaland, it is unlikely that Øygarden functioned as a thing-site for the entire shire. Far larger sites are located at Jæren, which would serve this purpose much better. Ten relatively small houses seem to be too slight to function as a thing-site for a shire that possibly consisted of four quarters and 32 local thing districts.

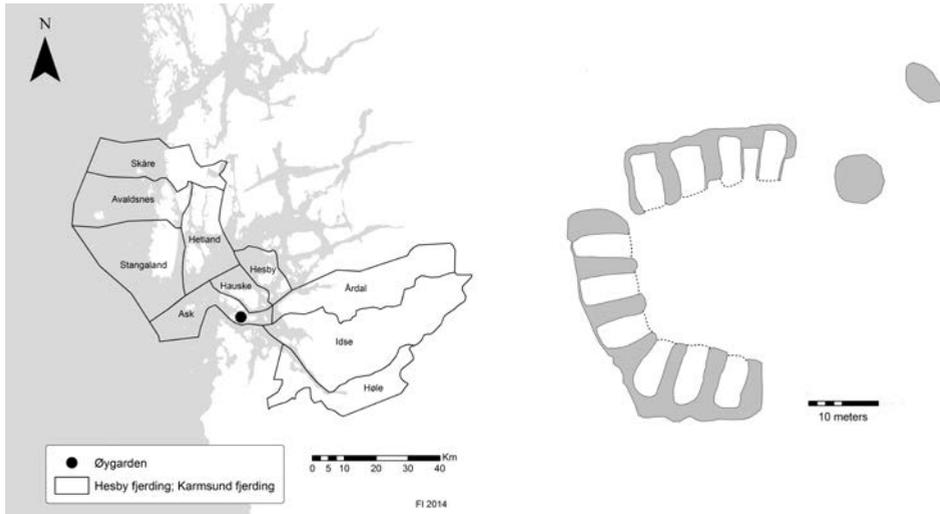
However, Øygarden is centrally located regarding the partitioned quarter. By sea, it is approximately 65 km from Lysebotn in the southeast and 65 km from Ryvarden in the northwest. These distances suggest a requirement for accommodations. Furthermore, there is a striking similarity between the layout of the courtyard site and the arrangement of the administrative topography of the quarter. The quarter consisted of 10 ship-districts, possibly 11 when including Sæbø. Øygarden contained ten house-plots, which is hardly coincidental. The northernmost row consisted of four house-plots and the southern contained six house-plots. There were four ship-districts in the north of Boknafjord (Skåre, Avaldsnes, Hetland and Stangeland) and six south of the fjord (Ask, Hauske, Hesby, Høle, Idse and Årdal). As previously mentioned, the southern row was divided into two parts. This could reflect the distinction between the 'isle-ship-districts' of Ask Hauske and Hesby in the middle, and the 'mainland-ship-districts' of Høle, Idse and Årdal in the southeast. I have previously argued for a similar spatial organisation in Hålogaland (Iversen 2014; 2015).

In 1743, 616 farms and a population of 1,347 men resided in the partitioned quarter (de Fine 1952, 94). I suggest that Øygarden, approximately 1,000 years earlier, was a representational thing-site for a similar, if somewhat smaller unit, of approximately 500 farms and 1000 men. At the quarter-thing during the 1600s, four to seven delegates from each ship-district, including the local sheriffs, attended on a regular basis. In the partitioned quarter, this would correspond to approximately 40 and 70 delegates, appropriate for 10 houses, each of c. 30m<sup>2</sup>.

These results can be interpreted further (Fig. 9). The physical layout of the sites may reflect the geography of the quarter at a fairly specific level. When there are as many house-plots as thing districts, there is reason to believe in a structured system. One interpretation is that the use of the buildings was assigned in such a way that it reflected the geographical organisation of the quarter. The house-plots in the northern row belonged to the northern districts and the house-plots in the south belonged to the southern districts. The uniform layout of each house-plot may have reflected the equality of the various districts.

I believe that the ten local communities of Skåre, Avaldsnes, Stangeland and Hetland in the northwest, and Ask, Hauske and Hesby in the middle, in addition to Årdal, Idse and Høle in the southeast, had their own thing-house at Øygarden. This changed when the military functions of the quarter-thing were transferred to the king. Separate weapon-things and representation-things were established and relocated closer to the royal villas in the region. This is clear in the case of the lawthing at Avaldsnes in 1322 and the county-thing at Hesby. In addition, the king also owned a part of Hebnes in 1647, were the quarter-thing was held.

On the other hand, the quarter-thing of the partitioned quarter may have been located at another place during the time between the partition and the abandonment of Øygarden. The royal villa at Utstein is a possible candidate, as it was situated centrally in the partitioned



**Figure 9.** Left: Local thing districts in the divided quarter prior to c 13th century. Right: Simplified plan of the house-plots at Øygarden. © Frode Iversen.

quarter. I suggest that the quarter assembly was held at Utstein until the establishment of Utstein Abbey. When the abbey was founded in 1260s, or possibly earlier (Haug 2005, 104, 106), the quarter became partitioned, leading to a relocation of the thing. In this context, it is striking that later, both Hesby and Avaldsnes seem to have had a dual function as a thing-site. Avaldsnes had a mutual function as a lawthing and a quarter-thing and Hesby as a county-thing and quarter-thing. The dual function may have resulted from the division of the quarter.

Despite the uncertainty, there is an indication of the existence of a royal system, with the establishment of a lawthing at Avaldsnes, a county-thing at Hesby and, less certainly, a quarter-thing at Utstein and Hebnes/Foldøy. These succeeded an older communal system with a shire-thing at *Tingholmen* and court-yard sites in the quarters. The exact timeframe of this change is unclear, but Øygarden seem to have been abandoned during the Merovingian Period. It is likely that the process went hand in hand with an emerging royal monopoly of violence, where the military and judicial functions came under direct royal control. Perhaps the courtyard site of Øygarden and others was abandoned as a result of this change.

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## References

- Berglund, B. 1995. *Tjøtta-riket – en arkeologisk undersøkelse av maktforhold og sentrumsdannelser på Helgelandskysten fra Kr. f. til 1700 e. Kr.* UNIT, Vitenskapsmuseet, Fakultet for arkeologi og kulturhistorie, Arkeologisk avdeling, Trondheim.
- Bjorvand, H., and F. O. Lindeman. 2007. *Våre arveord: Etymologisk ordbok.* Instituttet for sammenlignende kulturforskning, Serie B, Skrifter 105. Novus, Oslo, Norway.

- Bjørkvik, H. 1958. *Jord-eige og jord-leige i Ryfylke i eldre tid – fordelinga av jordeigedomen på Vestlandet og Agdesida i 1661 og i seinkatolsk tid*. Stavanger.
- Bjørkvik, H. 1960. Det norske krongodset i mellomalderen. Ei skisse. Foredrag på møte i historiske klubb i Oslo 27/9 1959. *Historisk tidsskrift* 40, 201-231. Oslo.
- Bull, E. 1920. *Leding. Militær- og finansforfatning I Norge i eldre tid*. Steenske forlag, Kristiania og København.
- de Fine, B. C. 1952. *Stavanger Amptes udførlige beskrivelse: med eit tillegg* (Thorson, P., Ed.). Rogaland historie- og ættesogelag. Stavanger.
- DN = *Diplomatarium Norvegicum*, eds. C. C. A. Lange, C. R. Unger *et al.* 1847-1990. P. T. Mallings Forlagshandel, Christiania / Oslo.
- Egs = Egilsoga translated by Leiv Heggstad, 1950. Norrøne bokverk 15. Oslo.
- Ekrem I. and Mortensen L. B. (Eds.) 2006. *Historia Norwegie*. Museum Tusulanum Press, University of Copenhagen.
- Ersland, G.A. and Holm, T. H. 2000. *Krigsmakt og kongemakt 900-1814*. Norsk forsvarshistorie vol 1. Eide forlag, Bergen.
- G = Gulathinglaw. Eithun, B., Rindal, M., Ulset, T. 1994. *Den eldre Gulatingsloven*. Riksarkivet, Oslo.
- Grimm, O. 2010. *Roman period court sites in South-Western Norway: a social organisation in an international perspective*. AmS-skrifter 22. Arkeologisk Museum, Universitetet i Stavanger.
- Grimm, O. and Stylegar, F. A. 2004. Court sites in southwest Norway. Reflection of a Roman Period political organisation? *Norwegian Archaeological Review* 37 2:111-133.
- Haug, E. (Ed.) 2005. *Utstein kloster: og Klosterøys historie*. Stiftelsen Utstein kloster
- Helle, K. 1972. *Konge og gode menn i norsk riksstyring ca. 1150–1319*. Universitetsforlaget. Bergen.
- Helle, K. 2001. *Gulatinget og Gulatingslova*. Skald, Leikanger, Norway.
- HH = Hákonar saga Hákonarsonar, utgave Hákon Hákonssons saga; Magnus Lagabøtes saga, translated by Finn Hødnebo (1979), Norges kongesagaer 4. Oslo.
- Hkr = Heimskringla, utgave Kongesagaer / Snorre Sturluson, translated by Anne Holtmark and Didrik Arup Seip (1979), Norges kongesagaer 1-2. Oslo.
- Hucbaldus. 1934. *Vita Lebuini antiqua*. In Hofmeister, A. (Ed.) *Monumenta Germaniae Historica* 30.2, 789-795. Hahn, Hannoverae, Germany.
- Imsen, S. 1990. *Norsk bondekommunalisme – fra Magnus Lagabøte til Kristian Kvart 1, Middelalderen*. Tapir. Trondheim.
- Indrebø, G. 1936. Spreidde merknader um dei norske logmannsebæti i millomalderen. *Historisk Tidsskrift* 30, 489-526.
- Iversen, F. 2008. *Eiendom, makt og statsdannelse: Kongsgårder og gods i Hordaland i yngre jernalder og middelalder*. UBAS, Universitetet i Bergen Arkeologiske Skrifter, Nordisk, 6. University of Bergen, Bergen.
- Iversen, F. 2013. Concilium and Pagus—Revisiting the Early Germanic Thing System of Northern Europe. *Journal of the North Atlantic, Special Volume* 5,5-17.
- Iversen, F. 2014. Om aritmetikk og rettferdighet. Tinget i randen av Europa i jernalderen. In Gullbekk, S. (Ed.) *Ja, vi elsker frihet. Frihet. En antologi*, 246-256. Dreyer. Oslo
- Iversen, F. 2015. Community and Society – the Thing at the Edge of Europe. *Journal of the North Atlantic, Special Volume* 8, 5-21.
- Iversen, T. 2007. Die frühe norwegische Dingordnung zwischen Herrschaft und Genossenschaft. In Iversen, T. Myking, J.R. and Thoma, G. (Eds.) *Bauern zwischen Herrschaft und Genossenschaft*, 167-186. Tapir Academic Press, Trondheim.
- Johansen, O. S. and Søbstad, T. 1978. De nordnorske tunanleggene fra jernalderen. *Viking* 1977 41, 9-56.
- Lillehammer. A. 1994. *Fra jeger til bonde: inntil 800 e.Kr.* Aschehougs norgeshistorie 1. Aschehoug, Oslo, Norway.
- Lund, H. E. 1955. Håløyske høvdingeseter fra jernalderen. *Stavanger Museums Årbok*, 101-107.
- Lund, H. E. 1959. Håløyske høvdingeseter og tunanlegg fra eldre og yngre jernalder. *Håløysminne* 10, 244-249.
- Lund, H. E. 1965. Håløyske høvdingegårder og tunanlegg av Steigen-typen fra eldre og yngre jernalder. 'Valhall med de mange dører.' *Norsk Tidsskrift for sprogvitenskap* 20, 287-325.

- Løken, T. 2001. Jæren eller Karmøy – hvor var makta i Rogaland i eldre jernalder? Var Avaldsnes et maktsenter omkring 200 e. Kr.? *Frå Haug ok heidni* 2, 13-14.
- Magnus, B. and Myhre B. 1986. *Forhistorien: fra jegergruper til høvdingsamfunn. Norges historie 1*. Bokklubben nye bøker, Stabekk.
- Mommsen, T. 1882. *Romana et Getica. Monumenta Germaniae historica 5:1*. Weidmannos. Berolini.
- Nesvåg, K. 2011. Tingordningen under kristningsprosessen. Unpublished master thesis. University of Stavanger.
- NG = *Norske Gaardnavne oplysninger samlede til brug ved matrikelens revision*, vol 1-29.
- NgL = *Norges gamle Love indtil 1387*, vol 1-5, Storm, G. and Hertzberg, E., (Eds.) Christiania.
- NRR = *Norske Rigs-Registratorer – tildeels i Uddrag* (1861-1891). Christiania.
- Olsen, A. B. 2005. Et vikingtids tunanlegg på Hjelle i Stryn. En konservativ institusjon i et konservativt samfunn. In Bergsvik, K.A. and Engevik, A. (Eds.) *Frå funn til samfunn. Jernaldersstudier tilegnet Bergljot Solberg på 70-årsdagen*. UBAS, Universitetet i Bergen Arkeologiske Skrifter. Nordisk 1. University of Bergen.
- Olsen, A. B. 2013. Undersøkelse av et eldre jernalders tunanlegg på Sausjord, Voss, Hordaland – et nytt bidrag til kunnskapen om jernaldersamfunnets sosiale og politiske organisasjon. *Viking 2013* 76, 87-112.
- Olsen, A. B. 2014. Courtyard sites in western Norway. Central assembly places and judicial institutions in the late Iron Age. In Eriksen, M.H. Pedersen, U. Rundberget, B. Axelsen, I. (Eds.). *Viking Worlds. Things, Spaces and Movement*, 43-55. Oxbow. Oxford.
- Olsen, M. 2003. Den sosio-politiske organiseringen av Jæren i eldre jernalder. Et tolkningsforsøk med utgangspunkt i skriftlige kilder og tunanleggene. Unpublished master's thesis, University of Tromsø.
- Petersen 1952. Øygarden på vestre Åmøy. In Kivikoski, E. (Ed.) *Corolla Archaeologica in Honorem C.A. Nordman*, 90-103. Sumonen muinaismuistoyhdistys, Helsinki.
- RN = Regesta Norvegica: kronologisk Fortegnelse over Dokumenter vedkommende Norge, Nordmænd og den norske Kirkeprovins.
- Robberstad, K. 1951. Ordet patria i Historia Norvegiæ. *Historisk Tidsskrift* vol. 35, 187-191. Oslo
- Solberg, B. 2002. Courtyard sites north of the polar circle. Reflections of power in the Late Roman and Migration Period. In Hårdh, B. and Larsson, L. (Eds) *Central Places in the Migration and Merovingian Periods. Papers from the 52<sup>nd</sup> Sachsensymposium*. 219-229. Almqvist and Wiksell, Stockholm.
- Steinnes, A. 1930. *Gamal skatteskipnad i Noreg. Fyrste luten. Avhandlinger. Det Norske Videnskaps-akademi i Oslo, 1*. Oslo.
- Steinnes, A. 1933. *Gamal skatteskipnad i Noreg. Andre luten. Avhandlinger. Det Norske Videnskaps-akademi i Oslo, 3*. Oslo.
- Steinnes, A. 1974. *Styrings- og rettskipnad i Sørvest-Noreg i mellomalderen*. Det norske samlaget, Oslo.
- Storli, I. 2000. Barbarians' of the north. Reflections on the establishment of courtyard sites in North Norway. *Norwegian Archaeological Review* 33 2, 81-103.
- Storli, I. 2006. *Hälögaland før rikssamlingen. Politiske prosesser i perioden 200–900 e. Kr. Instituttet for sammenlignende kulturforskning*. Novus forlag, Oslo.
- Storli, I. 2010. Court Sites of Arctic Norway: Remains of Thing Sites and Representations of Political Consolidation Processes in the Northern Germanic World during the First Millennium AD? *Norwegian Archaeological Review* 43 2, 128-44.
- Storm, G. 1880. *Monumenta Historia Norvegiæ. Latinske kildeskrifter til Norges historie i middelalderen utgivne efter offentlig foranstaltning*. Kristiania.
- Særheim, I. 1985. *Stadnamn fortel historie: om namngjeving, namnebruk og opplysningar i stadnamn*. Universitetsforlaget. Stavanger.
- Tacitus, C. 98. *Agricola; Germania: Lateinisch und deutsch*. Latin text translated to German by Alfons Städele (Ed.). Sammlung Tusculum, 1991. Wissenschaftliche Buchgesellschaft, Darmstadt.
- Taranger, A. 1898. *Udsigt over den norske rets historie : forelæsninger I*. Kart- & Litograferingskontoret. Kristiania.
- Utne B. S. 1973. Rogaland – fra syster til fogderier. *Stavanger Museum Årbok* 83, 51-81.