

# THE STATUS OF DANISH ESTONIA: A COLONY OR PART OF DENMARK?

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When I first visited Estonia in 1992, I was astonished to see a multitude of Danish flags all over Tallinn. What I then did not know was that Tallinn's coat of arms has the same colours as the Danish flag. It is reasonable to assume that the use of this symbol dates from the Danish period, thus from before 1346.

The Danish conquest of Estonia began in 1219, but the revolt of 1223 weakened Danish rule considerably.<sup>1</sup> For the next fifteen years, Estonia was the apple of discord between Danish, German, and pontifical interests.<sup>2</sup> It was not until 1238, when the Teutonic Order had merged with the Order of the Brethren of the Sword, that an agreement was reached between Denmark and the Teutonic Order. The provinces of Harria and Wironia were to be ruled by Denmark; Gerwia was to belong to the diocese of Reval, but its secular administration was to be undertaken by the Teutonic Order.<sup>3</sup>

The question remains whether or not the territories conquered over the course of two generations of Danish expansion, roughly between 1160 and 1220, were incorporated into Denmark. If not, what kind of relations did they have with Denmark proper?

Kristian Erslev found that Estonia was considered the king's private property rather than a province belonging to Denmark.<sup>4</sup> Hal Koch recognised that Holstein had been incorporated into Denmark in 1214, but that after the restitution of Danish rule in Estonia in 1238, the province of Estonia was a remote colony.<sup>5</sup> Erik Kjersgaard noticed that in the view of the Estonian vassals, Estonia was a duchy under the Danish crown.<sup>6</sup> This

<sup>1</sup> Thomas Riis, *Das mittelalterliche Dänische Ostseeimperium*. Studien zur Geschichte des Ostseeraumes IV (Odense: University Press of Southern Denmark, 2003), 67–73.

<sup>2</sup> *Ibid.*, 79–80.

<sup>3</sup> *Diplomatarium Danicum* (henceforth DD) I:7, ed. by Niels Skyum-Nielsen og Herluf Nielsen (Copenhagen: C.A.Reitzel, 1990), no. 9: 7 June 1238.

<sup>4</sup> Kristian Erslev, *Den senere Middelalder*. Danmarks Riges Historie II (Copenhagen: Nordiske Forlag, E. Bojesen, 1898–1905), 293.

<sup>5</sup> Hal Koch, *Kongemagt og kirke 1060–1241*. Danmarks Historie III (Copenhagen: Politiken, 1969), 452, 479.

<sup>6</sup> Erik Kjersgaard, *Borgerkrig og Kalmarunion 1241–1448*. Danmarks Historie IV (Copenhagen: Politiken, 1970), 268.

was also the opinion of Knud Fabricius, who distinguished between the *regnum*, i.e. Denmark proper (Jutland north of the Eider, the islands, and the Scanian provinces), and the *corona*, the transpersonal concept of the monarchy, to which both the *regnum* and all other Danish possessions belonged.<sup>7</sup> Niels Skyum-Nielsen found that Danish Estonia was a crown colony, and that the vassals wanted to remain under the Danish crown with no duke between them and the king. Moreover, in Estonia the king was considered the sole owner of land,<sup>8</sup> a situation similar to that which was established in England after the Norman conquest in 1066.

## II

Medieval Denmark was no centralised monarchy in the modern sense. Each of its three major regions – Jutland with Funen, the islands between the Great Belt and the Sound, and the Scanian provinces to the east of the Sound – had its own legal system. The Danish parliament adopted a legal code in 1241 that was probably intended for the entire country. However, Denmark’s weaker governments of the following decades were not strong enough to impose the implementation of that legal code throughout Denmark, and by the end of the century it came to be considered a statute only for the legal region of Jutland and Funen.<sup>9</sup>

The conquest of Fehmarn was probably the earliest one. Its date is not known, but the fact that the island belonged to the Diocese of Odense could mean that it had been conquered before the creation of the Bishopric of Oldenburg in Holstein, which was transferred to Lübeck in 1160.<sup>10</sup> Like those of Rügen, the revenues from Fehmarn belonged to the office of the king and not to his private possessions, but otherwise Fehmarn enjoyed substantial autonomy.

The probable date of Rügen’s conquest is 1169; it was incorporated into the Diocese of Roskilde<sup>11</sup> and remained there until the Reformation. Its native rulers were baptised and left in office as vassals of the King of Denmark. In the thirteenth century, the Prince of Rügen regularly attended

<sup>7</sup> Knud Fabricius, “Kr. Erslevs Tolkning af den saakaldte Constitutio Valdemariana”, (Danish) *Historisk Tidsskrift* 11 (1960–1962), 250–258.

<sup>8</sup> Niels Skyum-Nielsen, *Fruer og Vildmænd I*. Dansk Middelalderhistorie 1250–1340 (Copenhagen: Akademisk forlag, 1994), 70, 201, 204.

<sup>9</sup> Thomas Riis, *Kongen og hans Mænd. Danmarks politiske Rigsinstitutioner ca. 1100–1332* (Copenhagen: Historika/Gads Forlag, 2018), 72–74, 327–328.

<sup>10</sup> Riis, *Das mittelalterliche Dänische Ostseeimperium*, 53.

<sup>11</sup> *Ibid.*, 28 and DD I:2, ed. by Lauritz Weibull, Niels Skyum-Nielsen (Copenhagen: Munksgaard, 1963), no. 189: 4 November [1169].

the Danish parliaments, and in this his status was like that of the other feudal princes from the Danish provinces of Halland or Schleswig. An assembly of Danish magnates was already convoked in 1184 to deal with a conflict involving the Prince of Rügen.<sup>12</sup> The assembly thus acted as the supreme feudal court.

In 1185, the Duke of Pomerania was forced to recognise Danish suzerainty, which was maintained until the second quarter of the thirteenth century.<sup>13</sup> Relations between the duke and the Danish king appear to have been exclusively feudal; in 1216, however, a *curia regis Dacie* was held at Grobe in Pomerania.<sup>14</sup> We may thus infer that the king claimed the supreme jurisdiction of Pomerania.

In the mid-1180s, the princes of Mecklenburg had to accept Danish suzerainty, again on a feudal basis as in the case of Pomerania.<sup>15</sup> We know that the meeting between King Valdemar II and the Count of Schwerin in 1223 (which led to the king's captivity) was arranged to discuss current political affairs. The topics chosen were not only local ones concerning Mecklenburg. There were other topics of general interest to the monarchy, like the crusade to Livonia, the dispatch of a pontifical legate accredited to the provinces under Danish jurisdiction, or the establishment of the first Dominican convents in Denmark.<sup>16</sup> Consequently, the Count of Schwerin must have been considered a feudal prince of the monarchy, with whom important matters ought to be discussed.

Since the subjugation of the princes of Mecklenburg and of Pomerania, Holstein and the westernmost part of Mecklenburg were the only territories between the Polish frontier and Denmark that remained free. It could only be a question of time before Denmark would try to gain control of the remaining coastal provinces.

This took place between 1194 and 1203. The surrender of Lauenburg in the latter year meant the end of the conquest. In 1201, Lübeck had recognised the Danish king as suzerain. The princes of Mecklenburg were recognised as the lords of Western Mecklenburg as well, whereas Holstein was

<sup>12</sup> Saxo Grammaticus, *Gesta Danorum*. Danmarkshistorien, ed. by Karsten Friis-Jensen and Peter Zeeberg II (Copenhagen: Det Danske Sprog- og Litteraturselskab & Gads Forlag, 2005), 520–521.

<sup>13</sup> Riis, *Das mittelalterliche Dänische Ostseeimperium*, 48.

<sup>14</sup> DD I:5, ed. by Niels Skyum-Nielsen (Copenhagen: Munksgaard, 1957), no. 71: 7 April 1216.

<sup>15</sup> Riis, *Das mittelalterliche Dänische Ostseeimperium*, 54–55.

<sup>16</sup> Kurt Villads Jensen, *Korstog ved verdens yderste rand* (Odense: Syddansk Universitetsforlag, 2011), chapter 9 and Martin Rheinheimer and Thomas Riis, “Korstog ved verdens yderste rand”, (Danish) *Historisk Tidsskrift* 112:1 (2012), 289–291.

ruled by a governor directly under the King of Denmark. The conquests were reflected in the King's titles. Initially, he had only been *rex Danorum* (King of the Danes), but after his recognition as suzerain over Slavonic territories, he added *Scлаuorumque* (and of the Wends).<sup>17</sup>

King Valdemar II (1202–1241), who finished the conquest of Holstein, also assumed the title of *dominus Nordalbingiae* (Lord of Northalbingia) and added that of *dux Jutie* (Duke of Schleswig). Some sources indicate that the duchy was created in the 1190s.

In his conflict with Emperor Otto IV (1198–1218), Frederick II of Hohenstaufen, the son of Emperor Henry VI (1190–1197), would neutralise Denmark as a possible supporter of Otto IV. Frederick II recognised the Danish conquests in the Holy Roman Empire, i.e. Holstein, and the region north of the Elbe and the Elde, which must refer to Mecklenburg. This took place at the turn of the year 1214/1215, and accordingly Valdemar II changed his titles. After 1215 he called himself only *Danorum Scлаuorumque rex* (King of the Danes and the Wends). This must mean that Schleswig was no longer considered a separate entity and that Northalbingia had been incorporated into Denmark.<sup>18</sup> Consequently, its bishops were considered suffragans under the Archbishop of Lund. Still, in 1224 this prelate intervened in a matter regarding the Diocese of Lübeck,<sup>19</sup> and twenty years earlier the governor of Holstein had decided the election of the Bishop of Ratzeburg as the representative of the King of Denmark.<sup>20</sup> Recently, Oliver Auge found that in spite of ceding Holstein and the other northern provinces conquered by the Danish king to Valdemar II in 1214, Frederick II still maintained that these territories formed part of the Empire. The sources quoted in favour of this hypothesis all belong to the 1220s.<sup>21</sup> Interestingly enough, the Pope had in 1220 allowed the King of Hungary not to respect cessions of land *in preiudicium regni*. This principle was adopted by the Liber Extra in 1234.<sup>22</sup> Thus, Frederick II probably did in fact cede the territories to Valdemar II, but must have become aware of the papal decision and accordingly changed his mind in the early 1220s, maintaining that they had legally been parts of the Empire, also after 1214.

<sup>17</sup> Riis, *Das mittelalterliche Dänische Ostseeimperium*, 56–58.

<sup>18</sup> DD I:5, no. 48; Riis, *Das mittelalterliche Dänische Ostseeimperium*, 59–60.

<sup>19</sup> DD I:6, ed. by Niels Skyum-Nielsen (Copenhagen: C.A.Reitzel, 1979), no. 11: [March 1224 – 1 May 1225].

<sup>20</sup> Riis, *Das mittelalterliche Dänische Ostseeimperium*, 59 with note 82.

<sup>21</sup> Oliver Auge, “Traktaten i Metz 1214 og den kejserlige opfattelse af Nordalbingiens statsretlige tilhørsforhold indtil 1225”, (Danish) *Historisk Tidsskrift* 120:1 (2020), 1–12.

<sup>22</sup> See Liber Extra II:24: De iureiurando, c. 33.

### III

Danish expansion south of the Baltic had initially been undertaken in self-defence, in order to prevent Wendic incursions into Southern Denmark. Danish interest in Estonia probably had the aim of participating in trade with Russia. A bridgehead in Livonia would provide access to Russia by way of Smolensk, and Pskov and even Novgorod could be reached by way of Estonia.

The first Danish campaign against Estonia took place probably in 1197. Its aim appears to have been pillage. Pirates from Saaremaa ravaged the eastern province of Lister (between Scania and Blekinge) in 1203. The Danish answer came just three years later in the shape of an attack against Saaremaa.<sup>23</sup> In the meantime, the Pope had authorised the Archbishop of Lund to consecrate a bishop in a town converted from paganism.<sup>24</sup> At the end of the campaign, King Valdemar II sailed back to Denmark with the army, but the Archbishop of Lund and the Bishop of Schleswig continued to Riga with their retinue. They remained there for the winter, teaching courses in divinity to the local clergy. In this way, they taught the principles of the Faith, thus laying the groundwork for converting the native pagans.

The Danish activities in Livonia were seen as a threat to the German mission. At the same time, the Estonians had sought and obtained Russian aid against the Bishop of Riga, the Order of the Brethren of the Sword, and the subjugated local peoples, the Latvians and the Livs. In 1216, the Bishop of Riga campaigned in Estonia, which caused the king's nephew Albrecht of Orlamünde to take up the cross and to fight in Estonia with a certain degree of success. In 1218, he returned to Denmark in the company of the Bishops of Riga, Estonia, and Semigallen to solicit Danish aid to protect the Livonian church. Valdemar II promised to launch a campaign against Estonia in 1219.<sup>25</sup> In anticipation of its success, the Pope allowed King Valdemar II to place any conquered territory in Estonia under Danish rule. This was considered acceptable as far as the Church was concerned.<sup>26</sup>

The Danish forces could establish themselves in Estonia, but had to fight the Estonians and their Rus' allies while the relations of Danes with the Germans of Riga oscillated from co-operation against the heathens to

<sup>23</sup> Riis, *Das mittelalterliche Dänische Ostseeimperium*, 62–63.

<sup>24</sup> DD I:4, ed. by Niels Skyum-Nielsen (Copenhagen: Munksgaard, 1958), no. 109: 13 January [1206].

<sup>25</sup> Riis, *Das mittelalterliche dänische Ostseeimperium*, 65–66.

<sup>26</sup> DD I:5, no. 145: 9 October 1218.

outright warfare between the two crusading parties.<sup>27</sup> However, in spite of the revolt of the Estonians in 1223–24, Danish rule in Estonia had not been annihilated. The ensuing fifteen years were troubled and it was not until 1238 that Danish rule was fully recognised through the agreement between Denmark and the Teutonic Order.

The Bishop of Reval was an *ex officio* member of the Danish parliament like the other bishops who belonged to the ecclesiastical province of Lund. Consequently, we see him regularly attending parliamentary sessions. In this respect, Estonia was a normal Danish province. We have seen that Denmark had jurisdictional diversity. The fact that Estonia's legal system differed from that of the monarchy's other possessions does not necessarily mean that Estonia's status in relation to the central government differed from that of the other provinces.

#### IV

According to the late Knud Fabricius, the *regnum* consisted of the provinces of Denmark proper, whereas the *corona* meant the transpersonal concept of the monarchy within, as well as outside, the *regnum*. Fabricius argued that the conquered provinces belonged to the *corona*, not to the *regnum*. However, the change in the royal title after the cession of Northern Germany speaks against this hypothesis.<sup>28</sup>

When the ecclesiastical province of Lund was placed under interdict around the year 1300, this also applied to the Diocese of Reval. In 1329, King Christopher II recognised that Estonia could never be alienated from the Danish crown nor from the realm of Denmark.<sup>29</sup> Here Estonia was clearly considered to be a part of Denmark. In 1301, a papal bull stated that Estonia was far from Denmark's original territory. This must mean that some time before 1301, Denmark had been enlarged by the incorporation of Estonia.<sup>30</sup>

The treaty of alliance from 1304 between the royal Estonian vassals and the Teutonic Order declared that the king could not legally separate the vassals from the crown. There were two reasons for this: both the king and the vassals were bound by the agnatic rule of succession and secondly,

<sup>27</sup> Riis, *Das mittelalterliche dänische Ostseeimperium*, 67–72.

<sup>28</sup> Knud Fabricius, "Kr. Erslevs Tolkning af den såkaldte Constitutio Valdemariana", 245–268.

<sup>29</sup> DD II:10, ed. by Franz Blatt, C. A. Christensen, Gustav Hermansen, Adam Afzelius, Kåre Olsen (Copenhagen: Munksgaard, 1948), no. 152: 21 September 1329.

<sup>30</sup> DD II:5, ed. by Franz Blatt, C. A. Christensen, Gustav Hermansen, Adam Afzelius, Kåre Olsen (Copenhagen: Munksgaard, 1943), no. 159: 7 December 1301.

the vassals' original status connected them to the crown since the days of paganism.<sup>31</sup> This must mean that after the conquest, Estonia had been incorporated into the Danish realm, and that the royal vassals as a group date from this time. This explanation is confirmed by the above-mentioned circumstance that the conquered parts of Northern Germany were incorporated into Denmark after their cession by Frederick II to Valdemar II.

KEYWORDS: Estonia; Denmark; monarchy; crown; vassals

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*KOKKUVÕTE: Taani valduses oleva Eestimaa staatus: koloonia või Taani kuningriigi osa?*

Selleks, et vastata pealkirjas esitatud küsimusele, arutletakse artiklis erinevate Taani vallutatud alade (Fehmarn, Rügen, Pommeri, Mecklenburg, Holstein ja Lauenburg) staatuse üle. Aastal 1200 ei olnud Taani tsentraliseeritud riik ja selle olulisemates osades kehtisid eri õigussüsteemid. Rügeni, Pommeri ja Mecklenburgi vürste peeti sarnaselt Schleswigi hertsogile Taani vasallideks. Kui Friedrich II tunnistas Holsteini ja Mecklenburgi vallutamist Taani poolt, liitis Taani kuningas Holsteini Taani riigiga, ja on põhjust oletada, et sama kehtis Mecklenburgi puhul. Taani vallutatud alasid väljaspool Taanit peeti Taani riigi osadeks ning Eestit puudutavad allikad lubavad arvata, et see kehtis ka Eesti kohta.

MÄRKSONAD: Eesti; Taani; monarhia; riigivõim; vasallid

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<sup>31</sup> DD II:5, no. 298: 25 February 1304.

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*Figure 1.* Delegation gifting the Danebrog at the Tallinn Town Hall in 1920. Author: Wannas. Tallinn City Archives, TLA.1465.1.6404