

Mirror, according to which the ruler of Norway had such a right; should he have an innocent person put to death he was guilty of murder before God, but it was beyond the powers of mortal men to punish him for the crime. *Ófeigs þáttir*, on the other hand, is about a wealthy and powerful *goði* who modelled himself on ruling monarchs by travelling every spring with a large retinue to a certain valley and expecting local farmers of modest means to offer him hospitality for many days. A single visit from this demanding chieftain could leave his host destitute. Both *Bandamanna saga* and *Ölkofra saga* satirise corrupt chieftains who gang together and bend the law in order to make immoral gains out of other people's mistakes. Such sagas appear to serve the dual purpose of evoking images of the past, whether or not they were based on fact, and also of using them as warnings to people to stay on their guard against leaders who broke the law instead of instead of protecting it.

Proof-reading should have been better. I find it hard to believe that the author deliberately wanted his readers to think that the terms *örlög*, *forlög* ['fate', 'destiny'] denoted 'faith', as is bluntly stated on p. 35, and it wouldn't surprise me if note 76 on p. 106 is going to raise an eyebrow or two: "*Bændakirkjur* (the farmers churches farms) were farms which the church on the farm only owned a part of the farm, or a part of other farms."

Hermann Pálsson

Brian Smith

Toons and Tenants: Settlement and Society in Shetland, 1299-1899

Shetland Times Ltd., Lerwick, 2000

108pp, £13.99

Brian Smith needs little introduction to readers of *Northern Studies*, well known as he is both for his encyclopaedic knowledge of Shetland records and for his ability to make sense of the often bewildering technical vocabulary to be found therein. A subject which he has particularly made his own is the complex issue of rents, taxation and land tenure in Shetland, and *Toons and Tenants* brings together Brian Smith's thoughts on the subject, from Shetland's earliest document (an account of disputes over rent on Papa Stour in 1299) to the borders of living memory.

There are four main articles, written over a period of sixteen years, together with shorter notes to explain technical terms such as 'toonmels' and 'waith'. There is also a useful appendix which presents in full a number of texts quoted more selectively in the articles. Of the articles, two ('The letter of 1299 about Papa Stour' and 'Lasts of Land') are recent work, while the others ('What is a Scattald?' and 'Rents from the Sea') are revised versions of earlier publications. 'What is a Scattald?' in particular contains major revisions in the light both of the chronology of land tenure established in Brian Smith's more recent work and of the research of others. Revisions include useful discussion of the etymology of the

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word *scattald*, which helps to clarify what it was that the word originally described. More significantly, Brian Smith now places the origins of the *scattald* firmly in the Middle Ages, rejecting his earlier suggestion that there was direct continuity from Iron-Age power centres to later *scattalds* as 'barmy'. This seems unduly self-critical: that suggestion was in keeping with archaeological thinking of the time, and is now perhaps more dated than barmy. Nevertheless, Brian Smith's revised view of the origins of the *scattald* is more plausible than the original. The first version of 'What is a *Scattald*?' was a key discussion for anyone interested in early land tenure in the Northern Isles, but the revised version promises to be even more important.

The first article in the volume attempts to make sense of the dispute over the rental value of Duke Hakon's estates in Papa Stour in 1299. That this dispute arose as a result of major changes in the method of land assessment is clear. What those changes were, and the precise points at issue, is considerably less so. Brian Smith's solution to this sees the replacement of an older system of *ouncelands* and *pennylands* with a new system of *marklands* in the latter part of the thirteenth century, following the separation of Shetland from the earldom of Orkney at the end of the twelfth century, and the creation of Hakon's ducal appanage in the late thirteenth century. This argument is based on a series of calculations about the rental value of the land under the two systems, starting with the premise that the estate at Papa Stour was originally assessed at one *ounceland*. Brian freely admits

that his explanation is highly conjectural, and repeats some of the arguments voiced against it when the paper was first presented in 1999. Nevertheless, his calculations make good sense of the figures in the 1299 letter, and the premise of an original assessment is very plausible when compared with major estates on Orkney.

Personally, I would have liked to see more discussion of *ouncelands* and *pennylands*, to set the shift to *marklands* in context. This is an understandable omission, since traces of *ouncelands* and *pennylands* are so rare in Shetland, but the suggestion of a major change of assessment in the thirteenth century is closely linked with the removal of Shetland from the control of the earls of Orkney, and a clear picture of the Orcadian assessment system would have been useful. This is particularly important because of the suggestion in passing that *ouncelands* and *pennylands* were originally introduced for the purposes of rent rather than taxation. This represents a fundamental change from previous work on the subject. Having discussed this point with Brian Smith, I know that this suggestion was not made without reason, but it is a bold statement to make without more detailed explanation. My other (minor) criticism of this article is that there could have been more discussion of the separation of Orkney and Shetland in 1195. If this separation resulted in administrative change, as seems likely, then one might expect such changes to have occurred somewhat earlier than the late thirteenth century, and Brian Smith might have strengthened his

case for the later date by discussing this point in more detail. Despite these criticisms, however, this is a masterly discussion of a highly complicated topic. While conjectural, it is convincing enough that the burden rests on anyone who disagrees to come up with a more plausible explanation of the 1299 dispute.

One of the key factors in making sense of the 1299 letter is the necessity of coming to grips with a variety of means of assessing comparative values. The question of nominal monetary values is discussed in a short but clear introductory note on 'Shetland's coinless currency, 1300-1700', which I wish had been available to me as an undergraduate. The more complicated issue of land assessment is dealt with in 'Lasts of Land'. The *last* was a widespread measurement, either of weight or quantity, but unusually in Shetland it was also used as 'a tool for dividing land, and neatly accommodating the shares of tenants and landlords', with each last of land originally paying rent to the value of 12 nominal shillings, or 144 pennies or one 'Shetland mark'. Assessment in lasts is a key component in Brian's interpretation of the 1299 dispute, but 'Lasts of Land' traces the use of lasts from their first appearance in Shetland records at the turn of the sixteenth century to their survival as a hazy folk memory in the twentieth. The division of land into lasts, or 'planks', was a local innovation in Shetland, designed as an alternative to holding land in runrig. The cited accounts of 'planking' the land into such divisions suggest that the division of townships into lasts proved an

effective and reasonably uncontentious half-way house between full proprietorship and full runrig. As a consensual solution to a potentially acrimonious problem, this discussion of lasts provides a valuable insight into both the social and the economic history of Shetland.

The final article, 'Rents from the Sea', concerns a less benign local solution to wider problems of land tenure. The trend towards the expropriation and exploitation of traditional tenurial rights which was manifest elsewhere in the Highland clearances led in Shetland to the development of 'fishing tenure'. This system, under which landlords extracted rents in fish while at the same time controlling prices, forced tenants into debt and effectively tied them to the land. 'Rents from the Sea' charts the development and survival of this quasi-feudal system until the late nineteenth century, when it was finally swept aside not so much by moral arguments (the injustice of the system was clearly widely recognised) as by the fact that the development of large-scale fishing fleets provided Shetland fishermen with a viable alternative. Like the other articles in this volume, 'Rents from the Sea' comments as much on Shetland's society as on the economy.

By their nature, the articles on the Papa Stour letter and parts of 'Lasts of Land' are highly technical, which may be offputting to anyone other than specialists in the field, but they are certainly essential reading for anyone with a serious interest in the subject, and the insights they provide justify the effort of struggling

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through the technicalities. 'What is a Scattald?' and 'Rents from the Sea' are more immediately accessible, and the short notes explain problematic terminology clearly and succinctly. Furthermore, although the contents of this book originated as discrete articles, they are sensibly arranged so that the book works well as a whole, rather than simply a collection of parts, and the theme of Shetland's unique local responses to widespread economic problems runs clearly throughout the book. All in all, I would highly recommend *Toons and Tenants* to anyone with an interest in the history of Shetland's distinctive economy and society.

Gareth Williams

Ian A. Fraser

The Place-Names of Arran

The Arran Society of Glasgow.
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Hastings Square, Darvel,
Ayrshire, 1999

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Ian Fraser is well known to members of the Scottish Society for Northern Studies, both as a former President of the Society and as someone who has shared his knowledge of the place-names of Scotland at many annual and day conferences of the Society. Those who have heard Ian speak at conferences will recognise the same easy mastery of his subject in this book, the style of which echoes his relaxed oral delivery, while the content shows his understanding of the Arran people and the place-names which they use daily.

The author's long-standing interest in Arran place-names and in the wider Scottish place-name scene comes to fruition very effectively in this book, which is well organised and user-friendly. Part I of the book is an interesting introduction where the history of language in Arran and its use in the creation of a variety of Arran place-names is thoroughly explored. Following the introduction is Part II which is divided into three sections where the individual place-names are listed alphabetically under the headings: Settlement Names; Topographic Names; Field Names and Other Minor Names. Six-figure map references locate the names precisely and an indication of the pronunciation of individual