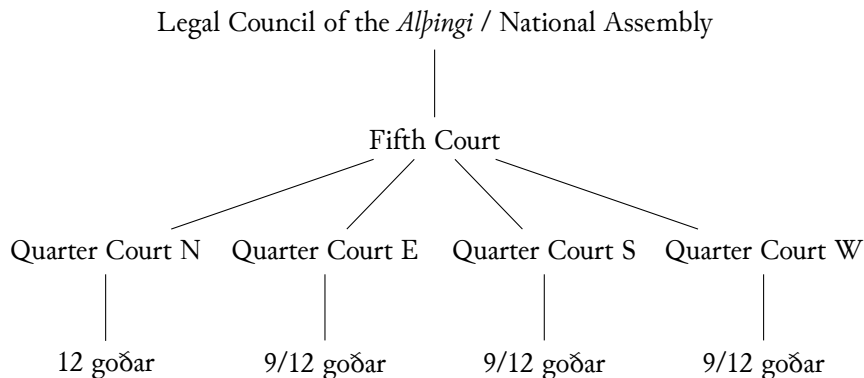


Law

The Nature of Punishment

- ▶ System reflects rural nature of early Germanic dispute settlement
 - ▶ Based in kinship
 - ▶ Compensation or retribution
 - ▶ Cf. urban/Roman/current philosophy: incapacitation, deterrence, rehabilitation, retribution
- ▶ Plaintiff in charge of enforcement → material for sagas

The Judicial Organization of Medieval Iceland



- ▶ Legislative and judicial branch in one; no executive branch
- ▶ Each free man could choose what regional goði to support
- ▶ All free men were expected to attend the National Assembly
- ▶ Numbers of chieftains vary by source and period
- ▶ 9/12: the additional seats existed in the Alþingi's Law Council only

Outlawry

The condition of being systematically denied legal protection.

- ▶ **Full outlawry** (*skóggangr*), i.e. for life. The toughest ruling in medieval Icelandic law.
- ▶ **Lesser outlawry** (*ffjörbaugsgarðr*), for three years.

Both forms of outlawry entailed the forfeiture of all property.

Oral Law

- ▶ The lawspeaker (*logsögumaðr*) was charged with reciting / reading out the land's laws at the annual *Alþingi*, one third per session
- ▶ Laws reportedly first written down in 1117–1118; the office of *logsögumaðr* would have gradually lost some of its urgency thereafter

Bibliography

- Dennis, Andrew, Peter Foote, and Richard Perkins, trans. *Laws of Early Iceland*. 2 vols. Winnipeg: University of Manitoba Press, 1980–2000.
- Miller, William Ian. *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland*. Chicago: University of Chicago Press, 1990.
- Sandvik, Gudmund, and Jón Viðar Sigurðsson. “Laws.” In *A Companion to Old Norse–Icelandic Literature and Culture*, edited by Rory McTurk, 223–244. Malden, MA: Blackwell, 2007.