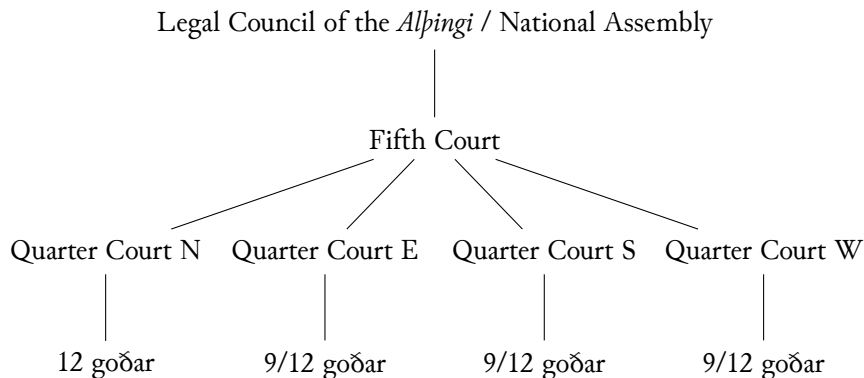


Law

# 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

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