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Violence and judicial-legislative system in Viking Age Iceland[4]

Violencia y sistema jurídico-legislativo en la Islandia vikinga

Abstract:
Iceland was colonised by the Viking culture in the IX century. With the colonisation process it was possible to create a freer and equal society than in other places in the medieval Europe. Despite of that, violence, an inner characteristic of the Viking culture, was common also in Iceland. Such violence is evident when reading the Sagas of the Icelanders (*íslendigasögur*). Nonetheless, in spite of what could seem at first sight, the special "free" social order of Iceland was maintained. This was achieved due to the control over the violence. In this article it will be shown, by combining the critical study of the written and archaeological sources, the violence and the mechanism of autocontrol and regulation that it was in Viking Iceland.
Keywords:
Viking Age Iceland; violence and society; *Alþing*.

Resumen:
Islandia fue colonizada por la cultura vikinga en el siglo IX. Con el proceso de colonización se consiguió crear una sociedad más libre e igualitaria que en otras partes de la Europa medieval. A pesar de ello, la violencia, que es una característica propia de la cultura vikinga, fue algo común también en Islandia. Dicha violencia resulta evidente al leer las Sagas de los islandeses (*íslendigasögur*). No obstante, a pesar de lo que a primera vista pueda parecer, el especial orden social "libre" de Islandia se mantuvo. Esto se logró gracias al gran control que sobre la violencia se tuvo. En este trabajo se mostrará, combinando el estudio crítico de las fuentes escritas y arqueológicas, la violencia y el mecanismo de autocontrol y regulación que hubo en la Islandia vikinga.
Palabras-clave:
Islandia de la Era Vikinga; violencia y sociedad; *Alþing*.

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1. Introduction

> "La violence, enfin, était dans les mœurs, parce que, médiocrement capables de réprimer leur premier mouvement, p.568 peu sensibles, nerveusement, au spectacle de la douleur, peu respectueux de la vie, où ils ne voyaient qu'un état transitoire avant l'Éternité, les hommes étaient, par surcroît, très portés à mettre leur point d'honneur dans le déploiement quasi animal de la force physique".
>
> (Bloch, 2005: 388)[5]

> "With law must our land be built, or with lawlessness laid waste".
>
> (Njal´s Saga, Chapter 70)[6]

To claim that the Middle Ages were a historical period in which violence was something inherent of it is nothing new. In the same way, either is new to claim that the violence was sacralised in the Viking culture[7]. In the Middle Ages -either if we refer to the christian Europe, the pagan Scandinavia[8], or to the different places under muslim control- violence was structural (Bloch, 2002: 427). In spite of that, some *statu quo* was achieved, or at least some strategies that allowed the survival of the different cultures and societies were achieved. In the medieval christian Europe it can be mentioned, for instance, the so-called *Peace and Truce of God*. This mechanism was imposed specially due to the eclesiastical lords. In the case of the Viking culture, it was achieved through several regulations in the diverse local or national laws. At the beggining, these regulations were imposed due to the power and influence of petty kings or earls (*jarlar*). Nonetheless, as resilent and centralised-character political powers were developed in homeland Scandinavia[9], these regulations were increasingly impossed by the kings (*konungar*) (Roesdahl, 1998: 68-71).

[5] "Violence, well, was in the traditions, because moderately able to restrain its first movement, not much sensitive, nervousness, to the show of pain, not much respectfull of life, where they only saw a transitorial state before Eternity, men, moreover, were much inclened to put to their honour point the display of physical strength, almost animal." Translated to English by Pablo Barruezo Vaquero.

[6] (Anonymous, 2003).

[7] Neil Price showed in his doctoral thesis, and later book, *The Viking way: religion and war in Late Iron Age Scandinavia*, the complex relationship between mentality and violence, in which both are linked.

[8] We do not consider ourselves manifestly affine to use the term "paganism" in contrast to the term "christianism". Nonetheless, traditionally it is tend to use this binomial. Along with that, there is the difficulty of define what is the Viking or norse religion, starting from the basis that such culture never used a word to give a name to such reality. Quite the contrary, it would be neccesary to say, like many scholars have already done, Viking system of believes. Consequently, in pursuit of a better understanding for the reader, we choose to write down here the word "pagan".

[9] That is: the diferent kingdoms in which were divided the lands of Norway, Sweden and Denmark; likewise the later kingdoms of Norway, Sweden and Denmark.

For the specific case of Viking Iceland[10] (*c.* 871±2-1264), in which there was no centralised power and in which a process of de-evolution occured (Byock, 2001: 2), to maintain a balance between violence and peace was a *sine qua non* condition. Such balance was maintain, precisely, without going to a strong and centralised political power that established a fierce coercion over the population, either by political-ideological way or not. This does not mean that there were not causes of such nature, that there were, as we hope to show in the following lines; but rather that the balance was maintained due to the consensus within the inner society. And this was done in a society that, it has to be rememberd, did not establish -we do not know if consciously or not, although we are inclined to think that it was consciously- almost no official hierarchies (Byock, 2001: 1). Nonetheless, nor can exagerate in excess: Viking Iceland never had an egalitariam social structure with no hierarchies; its social structure was divided into chieftains (*goðar*), free farmers (*bændr*) -divided among them between more and less rich- dependant or tenants farmers and slaves (Zori, 2016: 15; Jakobsson, 2013)[11]. It was in such context in which several feuds and blood feuds between different families were developed, creating thus complex aliances and rivialries. The violence, if it is taken into account the narratives of the Sagas of the Icelanders (*íslendigasögur*), was something common in this society. Despite of that, Viking Iceland and its society survived without going into a centralisation of the power, and with no clash of clans. Violence and its control happened in the same amount. Our brief study tries to expound how this paradox was possible.

2. Violence

Violence can be measured from a wide range of methodologies. The pourpouse of doing an interdisciplinary investigation lead us to expound how violence can be perceived from written, archaeological and anthropological perspectives. For that matter, it is neccesary to analyse the written and archaeological sources. Understanding violence is rather quite complicated, as it is a term which comprises different realities. In this study has been taken into account what is honour and how it leads to blood feuds, and what traces lets the archaeological record that can be sings of the violence in the Viking Icelandic society.

[10] From now onwards, the term "Viking" and "Viking culture" will be considered as the group of people living in Scandinavia from VIII to XII century, considering the social, political, cultural and economic context. In the same way, the substantive "Viking" will make reference to the term "old norse society", and vice verse, despite the academic controversy. About the term "Viking", see (Brinks, 2008: 6).

[11] *Cf.* Vésteinsson, 2007. For now, we do not want to stand againts or in favour about this matter. We think that more research from our part is needed before making such a stand.

2.1 Honour and blood feuds

The concept of "honour" has been one of the most important concepts throughout all History, configurating and influencing social relationships. Honour, as an abstract concept, can be understood as an ideology in itself; it determines the way people see the social reality, or at least determines how people see other people -and their selfs- and how they interacts with others. If we put that concept into the Viking world, and if we think as similar as it is possible as a Viking would think, we realise that it was much more than just a word.

Like the ancient mediterranean society, the Viking/old Norse society[12] was one in which honour marks the individuals, and it was a central value. For that reason, in order to understand the concept of honour in the old norse society, it is neccesary to understand it previously in the old mediterranean context. As Pierre Bordieu said (Bordieu, 1966: 211-212), in the ancient Mediterranean, the honour made that the identity of an individual was based in how other people saw that individual. That meant that an individual needed the rest of the society (the others) to develop his or her identity. The people judged if someone had honour or not. In case of been dishonoured, the individual did not exists anymore, neither as a social being nor as an individual being. To sume up the idea: the concepts of honour and dishonoured were fundamental values and the identity was based on how others saw a member of the society (Crossan, 1996: 86-112).

Once it has been said this, we have to move on to the Viking culture. The first thing that has to be understood is that "the old Norse culture was an even more extreme honour culture" than the ancient mediterranean culture (Andersen, online article: 1). Per Andersen also states that honour was even more important than life, and it marked reputation (Andersen, 2016: 153). Honour (*sæmd*) had a nearly sacred meaning, and it marked not only the individual honour, but of the whole family. The analysis of some terms which made a scale of social behaviour depending on the own honour also shows that the concept had a real impact in the society. Moreover, the injusticed accusation of being any term with bad social connotation had to be repair. Doing the contrary was also a sign of dishonour. Numerous actions were considered dishonourable. Normally, the people with negative honour was seen by society as not worthy people. Hence, the importance of having honour: to have social relationships which could provide ties of alliances and kinships. Indeed, the society of Viking Age Iceland was based on kin ties, the individuals depended among a group of people. The individual by his own was almost nothing, as it can be seem in the fact that repudiation from a group was a

[12] I have chosen to write down "Viking/old Norse society" because it is my purpose to emphasise the concept as one which belongs to the Viking culture, also known as old Norse culture. Nonetheless, it is possible to say "ancient scandinavian society" or "ancient Norse society". All the terms can express the same thing.

powerfull sanction (Miller, 1983a: 165). Therefore, it can be concluded that kind bounds and the pertenence of a group was fundamental, and for such a thing, honour was a must. In this context, feud or blood feud appears as the natural mechanism for arranging counterparts within political tensions.

One important point that has to be taken into account is the fact that the Scandinavian mythology reflects the importance of honour and the need of feud for reparing it and solving issues within the supernatural world. A great study of this matter was done by John Lindow (Lindow, 1995). In this article one of the most important things wrote was the idea that the mythology reflects the social importance of feuding. We are in the same line that Lindow. As happens in other "religions" or mythologies, the way on which one society express itself by the mythologisation reflects the inner fuction of that society. At the beggining of this article it has been said that Vikings had a system of beliefs. In this case, mythologising -which is a way of creating mental beliefs- honour and feud is a way of justificating feuding for honour´s sake[13].

However, it is equally true that the chieftains used all the procedures of feuding and its regulation for extracting incomes (Byock, 2001, 222; 260-261). The incomes obtained by the *goðar* were available only for them. These incomes were obtains due to some rights in the legal procedure held only by them. If that is the case, thus it is possible tos ay that they needed feuds to occured for profiting themselves (Byock, 2001; Zori, 2016). Maybe, after all, feuds were not all about honour, but to having profits by the most powerfull layer of the society based on an ideology which justified it.

For solving the accusations and for the reparation of honour, feuds or bloodfeuds[14] -which involve violence and vegence- were a normal procedure, and anyone had the rigth, that not the obligation, of doing so. The existence of disputes among individuals, and the extension in the majority of cases of that dispute to the rest of the families involved, supposed that a huge quantity of the Icelandic families were involved in feuding processes. At that point, some of the disputes could last more than one generation (Byock, 2001: 208). On that context of social violence, the ancient societies had two main options: 1. To regulate themselves -normally done by the cohercive power of the state; or 2. To perish submerged in a endless spiral of violence. The task of surviving was even more

[13] In the same way, violence was justificated to some extent in the mythology. For example, in the Prose Edda, in Gylfaginning, chapter 41, where the ideal heaven of the bravest men is the one in which they can fight (Sturluson, 2005: 49-50).

[14] According to the new tendencies, the distinction between feud and bloodfeud is no longer use. Traditionally, blood feud was a word for expressing homicides and threats between kin groups, while feud was a situation of discord. Nowadays, bloodfeud is consider an inner process of feuding. In this article, we talk much more about blood feud, as it is the most common process in the Sagas of the Icelanders (*íslendigasögur*).

difficult in Iceland because of the absence of a state. These characteristics created a situation in which the Viking Icelanders depend upon themselves for surviving in a society marked by the social violence (Lindow, 1995: 51). Clearly, we know that Icelanders succeded in that task. It is equally true that feuding not always involved blood feud, as feud could be between individuals while blood feud involves a groups of people (Byock, 2001: 208).

To sume up: it has been seen that feud and blood feud were the natural processes for reparing honour. Thus, honour marked the social violence among the Viking Icelanders. But at the same time, feuds or blood feuds did not occur. Going further, it can be said that blood feud was not really common, and that, to it maximum, what was more often were the feuds between one person and other person. It the following lines it is going to be analyse why social violence could not be maintained for long time in the specific case of Iceland. Honour had to be repaired for the reason that marked the potential social and political aliances between individuals and kingroups, as well as difined social relationships. The last thing that has to be taken into account is that the process of feuding lead to a process of settlement, on which the most powerfull people could profit themselves. Therefore, it can be claim that feuding was a socio-political strategy that could provide economical profits (Miller, 1983b: 317; Byock, 2001; Kellogg, 2001: XXXIX-XLII).

2.2 An archaeological perspective of violence

Two ways will help us to know the Viking society living in Iceland during the X to XII century: archaeology and written sources. The Sagas of Icelanders are together one of the most important sources for us in this part of the paper because, thanks to this source, we can catch a glimpse of what kind of weapons they used or how they fought their wars. However, we have to be careful when interpreting the text as the work was written by several authors and weapons are described in both literary and figurative sense (Orkisz, 2106: 179).

A huge amount of information has been released to the public in the past few decades that set out theories about the Viking way of making war. Archaeology is one of the best sources to investigate what the Viking carried to the battlefield to fight their enemies. Besides the information given by many archaeological remains, violence signs can be seen in skeletons, homicide victims: cuts, wounds or broken bones. One example of violent traumatism can be seen in Hrísbrú. A big wound in the left parietal of the skull of a victim tells that this person was murdered by an axe or a sword in excellent conditions, as the edges of the cut show (Walker et. ali, 2004: 3). Weapons were one of the most important items for the Scandinavian Society during the Viking Age, from knives (saex) to swords, and, if we believe that the

Valkyries guided the Vikings to Valhalla for fighting day after day until the Ragnarok comes, we must suggest that those weapons were very important for them. Something symbolic surrounds the swords and axes, spears and shields that make the Vikings the most ferocious warriors of the Middle Ages.

Mythology is another good source to learn more about the martial society of the Vikings. One of the most important gods for the Norse society was Odin, god of war and warriors and protector of the heroes who appear in the Sagas and march to battle. Odin has the ability to stop spears in the air with only his eyes. It is said that when he chants he does it because to assure the victory in battle. As Neil Price says in his book The Viking Way "Warfare was supported by a structure of rituals intended to produce success in battle" (Price, 2002: 4).

According to legend, Odin will lead his entire army of warriors to the fight when the Ragnarok comes, and will fight against Fenrir the Wolf. These warriors are called einherjar and they lived in Valhalla because they died in battle, with honor.

It is believed that the first settlers of Iceland didn't actually believe in Odin but instead believed in other creatures, the hidden ones, such as trolls and elves (Turville-Petre, 1972: 4). Maybe this theory has no consistency because temples can be found in Iceland, and Odin is the god that is mentioned in the Sagas more often than any other god[15].

In the Saga of Egill Skallagrimsson, he, Egil, probably worshipped Thor, Freyr and Njord, but, as he was in close relation with the Norwegian chieftains, finally Egil came to venerate Odin as well (Turville-Petre, 1972: 9).

There are no place names in Iceland containing the element "Odin", but there are a number in Norway, and more in Sweden and Denmark (Turville-Petre, 1972: 9). These elements in the name of a place are a very helpful tool for archaeologists, as this gives them indicators as to which geographical areas are worth investigating.

The situation with the warfare in Iceland took a different way from Europe. When the first settlers came to Iceland they formed a group and took advantage of the safety that the ocean gave them. It was because of this that they eliminated the hierarchy of command and most of the necessary elements for the defense of their new homeland. It is known that in Iceland there was an absence of local warlords because Viking Age Iceland was too distant to be attacked from Europe (Byock, 2002: 3) and therefore defensive elements that were normally needed on the mainland weren't required.

While, there was an absence of warlords, but this is not totally true. There were in fact chieftains and local conflicts. The victory of these conflicts could lead a community to tribute, slavery or territorial expansion (Zori, 2010: 3). Appropriate

[15] Many other Gods were venerated, like Thor, and there is an erected temple dedicated to this God, Hofsstaðir, in western Iceland. Many Icelander worshipped Thor as their patron.

infrastructures, food, supplies and other elements were necessary for the survival of the armies (Raffield, 2015: 42). An absence of these supplies can be a destabilizing force where warriors become uncontrollable, leading to resistance and rebellions (Zori, 2010: 26).

Another important element for the Vikings is their weapons, which were very valuable objects. The prevalence of weapons and armors told us the very significance that these elements had for the Viking Society, in Iceland or in other countries. We can found that weapons were buried in pre-Christian burials. The most common elements found are spears and axes, as well as knives, but the favorite weapon was the sword, but according to Davide Marco Zori "armors and helmets were probably rare, particularly in Iceland, and limited to high status individuals" (Zori, 2010: 27). The weapons of prestige were not only limited to swords but also axes and spears, too, as they were all militaristic symbols in life but also in death (Androshchuk, 2014: 20). The fact that the weapons were deposited in graves suggests that this military power was also represented in their mythology.

We have seen that Iceland had no large-scale defensive elements but warfare was very important for Norse society and played an important role in the State formation process, as we can see in the Harald Finehair textual sources. He, by force, united Norway. There is archaeological evidence of a huge fortification system in Denmark, in Trelleborg. These fortifications have only been seen on the continent but not in Iceland (Zori, 2012: 28).

The new society was the result of the colonization of Iceland and was founded on the rights of the free landowners. In despite of this new society, conflicts still occurred. These conflicts were not large-scale wars, but small-scale violence and were generated by inheritance disputes, insults to honor, or competition for the land goods, such as the wood of the forest or the beached whales. Jón Viðar Sigurðsson studied 102 cases that appear in the sagas. Only 10% were solved in the courts, 70% were solved through arbitration, 20% through direct negotiation and 10% by violent revenge and single combat (Zori, 2012: 28). In according to Davide Marco Zori "In Icelandic feud, blood vengeance, which often plays a central role in other feuding societies, was not an absolute duty, but became one of several honorable options including material compensation, arbitration, and outlawing the offender" (Zori, 2012: 28).

Byock says that the system function a bit more on legal compromise, but still holds that "the resolution of a dispute depended not only on the strength and justice of the case but also on the power and prestige of the *goði* who was presenting it" (Byock, 2002: 9).

For a long time, Vikings were synonymous of violent, unorganized people who were incapable of being talented soldiers, who had no rules and who were unable of following any leader. When we talk about Viking age war maybe we think in large groups attacking people for no reason or order.

Another way of thinking about Vikings is like so loyal to their leader that followed him to death. Certainly, that leader must have won that faith and loyalty of the group in any way. These groups of Vikings, followers of a leader in common, were called *lið*.

A *lið* is a troop of warriors at the service of a leader who is responsible for equipping and rewarding them (Raffield, 2015: 36). On the other hand, this people will fight for their leader and will protect him. Chiefs in Scandinavia during the early Viking Age were often war leaders, sometimes described as "sea-kings". Davide Marco Zori says that "the power of a ruler depended in large measure in his ability to reward his followers" (Zori, 2010: 27).

Nowadays we can recognize groups of people or sub-cultures for dressing in a certain way or because they bear specific elements which identified them, such as banners identify the different countries and the people who live in or the colors and T-shirts of our favorite sport team.

Then, we must think that something similar will happen with the Viking *lið*. Maybe a same-patterned banner or shield with similar pictures (animals, weapons, nature elements…) which helped each other to be recognized in the battlefield, to differentiate with other *lið* from nearby towns or to stand out from others because of the higher social condition (Raffield, 2015: 41). In the Snorri Sturluson's Saga of Egil Skallagrimsson, we can read that Thorgils Gjallandi joined Thorolf in the battle of Hafrsfjord, in the hosts of king Harald, and he, Thorolf, "carried his symbols" (Sturluson: 46). In this fragment, Thorgils is shown as someone strong and with a high social status, as the king gave him presents after winning the battle. Also appears in this saga Thorolf Skallagrimsson who accompanied Eirik Blodox in his travel to Permia and carried his standard. We don't know what that symbol was or what kind of standard carried Thorolf. As well as we see this elements in the sagas we can't forgot the warriors of King Knut the Great who tell them to carry gold decorated swords if they wanted to be part of his host (Androshchuk, 2014: 25).

By the other hand, we can refer to all of those symbols they carried as talismans which brought them luck in battle or in other aspects of life. Many jewelry objects had been found in graves thanks to archaeology and it can be suggested that these objects can be for ostentation of power, social condition or merely to be distinguished as a group, that means that this elements may had visual power to others when they saw them and create and ingroup identity (Raffield, 2015: 41). Many of this couldn't be practical when we talk about war because of its measures, for example. So, objects like brooches may have been used in negotiations or parliaments with other *lið*.

The oath-taking was another important part for the initiation of new members and formation of new groups. The oath-taking allows to create strong ties of obligation and loyalty among otherwise unrelated individuals. This process can be

seen in the Scandinavian rune stones erected to commemorate the death of comrades.

The cult of Odin, related with warfare, was interwoven with the identity of certain warrior groups during the Viking Age. One of these groups seems to have belonged to a class of warriors that are represented in written sources, like in Saga of Egil Skallagrimsson. Those warriors were, possibly, the berserkers. It is believed that they wore animal hide on battle and "were characterized by uncontrollable rages and exhibited animalistic traits during combat" (Raffield, 2015: 43).

Many archaeologists try to find out the real locations of the places that can be seen in the Sagas of the Icelanders, in Iceland. The Mosfell Archaeological Project is formed by a team of researchers that study the Icelandic landscape, in the Valley of the Mosfell. They are trying, since 1995, with the help of archaeology, history, anthropology, and environmental science, to have a view of the live of the valley from the first settlements and the next centuries (Byock, 2005: 195).

Information about the inhabitants, social culture, kinship relation, economy, warriors and chieftains can be seen in the written sources. In despite of this, there is a lot of work to do if we want to know more about this.

One of the most important studies is "The orientation of pagan grave in Viking Age Iceland", by Adriana Zugaiar. She writes about a very big number of Viking archaeological sites that contain graves and good graves. The study of graves is very important in archaeology because it allows us to see how the societies treated their people when they died. One of the things we try to see in the Adriana Zugaiar's paper is what kind of grave goods were found in Icelandic graves to permit us to say if warriors were buried there.

Most of the graves presented in the study have spears lying next to the body, one or two in many cases, as well as one or two axes (Pétursdótir, 2007: 33). We can see that there can be even three knives in it. But, on the other hand, only one sword is found per grave, and most of the graves have any sword (Zugaiar, 2012: 158). The results tell us that the most common weapon in Iceland was the spear and in other regions, for example in Denmark, the axe was the weapon that we can see most in the burials (Androshchuk, 2014: 2).

This leads us to realize the meaning that that weapons could have had for the Vikings. In many mythology stories there is a warrior who carries a sword or a spear and shield. But not only warriors carried swords. Odin was the god of war, related with the term "fury" and "rage", and he born a spear to fight against his enemies. Thor, and his hammer Mjolnir, were one of the most important gods for the Viking society, and many Thor's hammers had been found as a talisman, for example, the Hammer of Købelev (Denmark) and the Hammer of Steinkjer (Norway). As well as we can see these examples, in Iceland was found a very interesting Thor figure, holding his cross-shape hammer.

Jan H. Orkisz has been studying and examining the weapons, and their names, and also the armor which appear in the Saga of Icelanders and contrasting it with the archaeological remains in Iceland to make a comparison. The goal was to try to identify the real weapon that is described in the saga (Orkisz, 2016: 204). For example, the Bryntroll weapon from the Egil Saga and Laxdæla Saga cuts and is two-handed used. Thanks to the information that these sources gave to Jan H. Orkisz, he noticed that this weapon could be a large battle axe but not a spear (Orkisz, 2016: 204).

Another way to study the weapons is by examining the remains of iron furnaces so we could see the importance and symbolism of the swords and, on the other hand, the importance of the smith who created the swords. According to Timothy Carlisle "the names of weapons in the Sagas of the Icelanders are specially telling of a weapons quality, as well as the weapon's position as a venerated object" (Carlisle, 2013: 26). Few speak to the quality of design and smithing abilities as Brynbitr and Fótbitr, from the Laxdæla Saga.

It is known that in many stories and poems appear ironworkers, as in the legend of Sigurd killing the dragon Fafnir. Then we must think that the smith has the skill or ability to create objects with mystical or high qualities. The quality of the created object and the skill of the creator had to be visible physically in this object (Carlisle, 2013: 17). May be the fact why the blacksmith had a high status in the Viking society, and in many other societies, was because he had the power to create objects from fire and raw material.

According to the Snorri's Prose Edda, the Norse Gods under Odin's guidance immediately began their own society upon which human societies were later modeled. Their first three steps were to organize themselves into a governing body, build temples as their homes, and then "next they laid the hearth of a forge and made hammer and tongs and an anvil, and thenceforwards all other tools, and went onto word in metals" (Smith, 2005: 184). Thus, the metal working is seen as a gift from the gods.

To understand the production of the weapons, armors and objects that the Vikings needed for fighting in battles, large or small-scale, we need to see what evidences are all over Iceland. Háls is a very important iron production complex placed in the Borgarfjörður district which excavations began in 1988. The remains of this Early Medieval farmstead occupied from 1000 AD to 1275 AD (Smith, 2005, 187). The excavation of this archaeological site allows the investigators to see that there were two separate periods of intense production near the start and the end of the tenth century. The principal raw material used at the side was bog ore. This material is widely distributed in Iceland and is produced as water percolates through basaltic bedrocks, dissolving and transporting iron oxides.

Thanks to the data collected in the excavations at Háls it is possible to estimate the scale of production and how it fitted in the regional economic system

(Smith, 2005: 195). Experimental work by Peter Crew and Arne Espelund along with published laboratory work and limited ethnohistoric data from post-medieval Norwegian bloomer production, allows rough estimation of the amount of iron produced there, the mass of ore and charcoal consumed, and the number of smelting runs undertaken at the site (Smith, 2005: 196).

It is very difficult to find any written descriptions of the Icelandic iron industry or its technological components. Although smithies used to forge imported iron are well known from documented seventeenth century through nineteenth century structures, it's difficult to find very well preserved iron furnaces, as well as other structures related with it and the archaeological documentation also has been elusive (Smith, 2005: 196).

In the 70's of the XX century, Guðmundur Ólafsson found two small Viking Age smelting furnaces at the Grelutóttir site in north-western Iceland (Smith, 2005: 197). It was recovered only 20-50 kg of raw iron blooms, unlike the 5000 kg from Háls. A small furnace in the L'anse aux Meadows (Newfoundland, Canada) has similar characteristics. It is suggested that that kind of smelting furnaces were for home use only (Smith, 2005, 197).

Despite of the archaeological remains found in these sites, and other 120 more, the evidence for smelting and forging works is uncommon in Iceland. Only Háls has been systematically sampled to allow the scale and organization of production to be estimated.

3. Regulation: Judicial and legislative system (the *Alþing*)

It has been seen that violence was truly inserted into Viking Age Iceland. The Viking Icelandic society saw violence as something natural to their states of beings. One of the main questions of this society is that, if it was not any central politic power and the feuds are reflected in all the sagas as a main issue at that time, how the society functioned, regulated itself, and the societal order was maintained? The answer lies behind the judicial and legislative system of the Viking Icelandic culture, along with the management of violence. But it is not less true that this system masked the social violence. How could everything work at the same time?

The Althing (*Alþing*) was the Parliament of Viking Age Iceland which was established by some year around 930. The fact that it had a parliament from such early date means that Viking Age Iceland was in somewhat a proto-democratic government (Byock, 2002:1). At the same time, it means that there was a real need for regulation, arbitration and management of social conflicts, if the social order was to be achieved. The Althing was a national assambly for all Iceland, a centralised govermental institution (Zori, 2016: 16) which made deccisions for the

whole country. The Althing served as the only political institution in Viking Age Iceland, replacing a monarchy -as they were emerging in Scandinavia and in the European continent- with a parliament. The "ejecutive" or state power was far from being centralised and depended upon social relationships, but the judicial and legislative power was centralised. This situation gave a especial characteristic to that system: lords or chieftains (*goðar*) were far from controled over the country or the *Alþing* by their own. Indeed, it was constituted of freemen, and chieftains (*goðar*) were considered equall to any other member of the assambly (Byock, 2002: 4-5).

The Althing meet anually in June for two weeks, in Thingvöllr (*þingvǫllr*). All the *goðar* had the obligation to attendence; some of their followers (*þingmen*) accompained them. But all the people who wished so, was able to be there, participate and be in the deliberations and decissions that were took (Byock, 2002: 4-5). Indeed, as Jesse Byock stated, "its business was more than governance of the country. […] For two weeks the ravines and lava plains became a national capital. Friendships and political alliances were initiated, continued or broken; news was passed; promises were given; stories were told; and business was transacted" (Byock, 2002: 3). The archaeology also shed light into this interpreation. It has been identificated several booths, which have been interpretated as socio-political places (Vésteinsson, 2013).

The Althing had two functions, reason whence it was divided into two branches (Zori, 2016: 16): 1. The legislative or law council (*lögrétta*), which emits, regulate and change the law; and 2. The judicial court or tribunal, composed by judges, witnesses and litigants, that intercede in juridical issues and between feuds.

In the legislative council, only the *goðar* were allowed to vote. They normally voted about revisions on the law and changes on it, or for emiting new laws. They were advised by two advisers who were farmers, followers of one *goði*, who went in representation of other farmers who were adscrived to the same *goði*. The farmers paid the price of moving the followers (3 paying farmers per follower), and were called *þingfararkaupsbændur*. It seems that there was a huge quantity of farmers who had enough property for paying it. If that is so, them, social inequality, at least between farmers, was not huge (Jakobsson, 2013: 277). But here is where it has to be put the interdependence between the leaders and the followers, as both parts could freely change from their counterpart. The right to change leaders, or essential elements in chieftain-farmer reciprocity, point out the descentralised goverment and the higly freedoom enjoyed by the farmers (Byock, 2002: 9.10).

In physical terms, the *lögrétta* was form by three concentric circles of benches: the middle for the *goðar*, and the other two benches for their freemen advisers. Thus, the decissions took by the *goðar* were influenced by the freemen[16].

[16] *Cf.* (Jones, 1986: 56).

Another important feature was the Law Rock (*lögberg*), in which the law-speaker (*lögsögumaðr*) recited a part of the laws (a third of the law) from memory. It has been argued that at first, the *lögrétta* was in one specific place and that later it was moved to other place. If this theory is accepted, then it has to be said that the first seat of the *lögrétta* was in an island -that it is not a surprise, as many *þin* sites in Scandinavia and the North Atlantic were in islands. In the island, called Spöngin, there were two structures at that time (*c.* 930-965). These structures have been interpreted as the two circles of benches. However, the reformations done in 965, which increased the number of *goðar*, made unsuitable the space in the island, causing the movement of the place of the *lögrétta* (Bell, 2010). Moreover, it is supposed that this space was sacrilised (Bell, 2010), something which could reflect the ideological impact of the actions and decissions made in the Althing. Maybe these are the main things to take into account from an archaeological point of view:

1. The space could reflect social and political aspects. The analysis of the landscape reflects a system of making decissions; that is, it had a fundamental judicialy fuction (Vésteinsson, 2011: 105); and

2. A sacred meaning of the justice, as it was a sacred place on which, as it has been said right above, judicial actions took place.

All the *goðar* were required to attendence to the recitation of a part of the law by the *lögsögumaðr* in the *lögberg*, although they could be replaced from the advisers, in a proportion of two for one. They, and any freeman who was there, could discuss about legal issues, and give new insights to the law (Byock, 2002: 5).

The law-speaker (*lögsögumaðr*), a prestigious position among the Icelandic society, was the major national official, chairman for a term of three years of the *lögrétta*. The person in charge had the obligation of announce in public any enmendation to the law or any other law approved by the *lögrétta*; offers assitance for enquiries about legislation; or, in case of doubt, asks for assistance to other five or more men with expertise in laws and legal affairs (*lögmenn*). But in the real day praxis, no real power was held by the *lögsögumaðr*; its holder was able, as a free person and citizen, to participate into the feuds (Byock, 2002: 5-6), but it was not able to govern in the country (Zori, 2016: 16). Nonetheless, the fact that the *lögsögumaðr* had such an important reputation and importance in Iceland, made possible to believe that the laws were a key factor in Viking Age Iceland. The capacity of any free person to take part into the deccisions concerning law shows the importance of mediation/arbitration and frienship (*vinfengi* and *vinátta*) (Byock, 2001: 120-126).

Although the Althing was the main govermental system in Viking Age Iceland, there were also some local things, spring assemblies (*Várþing*). We know that Iceland was administratively divided into four quarters (Sourther, Western, Northern and Eastern Quarter), and each quarter had three *Várþing*, except for the Northern Quarter, which had four due to geographical and population characteristics. The *Várþing* were managed by three *goðar*, so each quarter had at least nine of them[17], except from the Norther Quarter, that had twelve. To maintain the *statu quo*, three new chieftancies were added to the other three quarters. That mean that Iceland had 48 chieftancies (*goðorð*) (Byock, 2002: 6-8). The managed of the *Várþing* and the naming of some *bær* to serve as judges were the only fundamental action of the *goðar* in the local courts; the rest of the actions could be done by any free Farmer (Byock, 2001: 171).

It seems that, at the very beggining, the judicial court of the Althing did not exist; rather, there were local judicial courts (Byock, 2002: 6). These courts are not the same that the local things, they were independent from the *Várþing*. But, at some point, with a conflict between two *goðar*, Thord the Bellower and Odd from the Tongue Lands, the local courts were unable to stop the violence. For solving the conflict, the Viking Icelanders decided in the Althing to make a reform in 960´s: the local courts continued, but they were centred on the Althing, where the most important feuds were regulated (Byock, 2002: 7). This reformation made that the Althing had four new courts, one for each quarter in which Iceland was divided, the four Quarter Courts (*fjódungsdómr*). These courts were for first instance cases. Because the *fjódungsdómr* were an extension of the Althing, anyone could begin a judicial action or trial in the Althing, but inside a local enviorenment with independency from the local assembly. Also, they served as appelate courts for cases stalemated in the local assemblies (Byock, 2002: 7-8). These courts were composed by judges, witnesses and litigants, who all took sacred oaths to Freyr, Njörðr and to the almigthy god on a silver ring bloody with the blood of a bull (Short, 2010: 27).

Only the slaves were excluded from this system, while the rest of the free people were able to participate intrinsically in the process. The problem of these judicial courts was that the decisions made by the judges should be reached almost in an unanimity way (from the thirty-six judges who composed a court, only six or less could dissagree if a case wanted to be ressolved), something that caused deadlocks in a great number of cases (Short, 2010: 27). For solving the problem, in some moment around the year 1005 a Fifth Court, a court of appelations, the *fimtardómr*, was created at the Althing. This court resolved cases by a simple majority (Byock, 1986: 31).

[17] It has been writen down "at least" because some scholars, e.g. Jesse Byock, say that, although it were 48 chieftancies, it could be more chieftains, because a chieftancy could be share with two or more free farmers, who would became chieftains also. See:(Byock, 2002: 4); (Byock, 1988: 58); and (Byock, 2001: 94).

All that complex system of legal mechanism, within a non-centralised political order, was fundamental for the maintenance of a society such as the one which was developed in Iceland. Iceland was a great political-descentralised community with the capacity of settle and autorregulate the internal fightings in a peaceful way by using the legal and judicial machinery (Byock, 2002: 9). And it was this system what made possible the contention and regulation of feuds and blood feuds in Viking Age Iceland. The system proved to be necesary and effective for mainteaning peace within a society with less social stratification and with a non-centralised and strong political power[18].

4. Dispute resolution

Jesse Byock (Byock, 2001: 211-232) has classified the different causes which could disminished a feud or blood feud. In this article is going to be followed the same classification:

- The nature of a descentralised territory in Iceland made impossible the confrontation between territorial parties, as very few refugge areas existed.

- Moreover, Icelanders, as it has been shown, could intercede between feuds. In the same way, without taking part into the feud, they could create pressure among different parties for cessing violence in search of peace. That is, in words of Byock, because Iceland was a great village community.

- Marriages and kinships bounds, as a result of territorial divisions, were confussed.
  Even more, blood ties were not the only ones, and not the most important. Fostering was a common practice in Viking Age Iceland, in such a extend that that practice could faded blood ties. This situation created a not clear at all line of obligations and rights between blood ties and foster ties (Miller, 1983a: 166-167).
  In the same way, ties between *goðar* and *þingmen* could change if there were no mutual agreements. These features made loyalties confusal, something that did not work well with long disputes among groups.

- Some lines it has been said that feuding was an important sources of incoming only available to *goðar*. They had the rights to interceed and put feuds into an end. In the same way, blood money was accepted in Iceland. That means that the pay of blood money was considered a restitution for damages. It is not difficult to belief that pay money was more disaderable

[18] It is seen the judicial and juridical power as political power. But it has been shown that this power was a non-centralised power at all, as there were many local courts.

than manteining a feud for a long time. Thus, this was another way that brought to and end different feuds.
The *goðar* obtained wealth, prestige and therefore honour by brokering feuds and conflcits. They were in some ways the bearers of stability in Iceland. It is not difficult to image that one of their bussiness was then to create or participate into feuds without dying and playing a key role as peace and settlement makers.

These different factors made the systems of feuds flaw. It was better to reach settlements outside courts, as it was less expensive than using the help of *goðar*. But maybe the most important thing was the fact that the rules and norms were at the middle of the society. The different local courts made easy the acces to a judicial process for those who did not want to reach a settlement out of them. Advocation between feuding parties out of the judicial courts was much reasonable than to take a stand inside the judicial system, where the issue would go from the parties to the community.

In this scene, the resolution of feuds and settlements between feuding parties was common. Thus, the inner system and its internal mechanism forced to cease the feuds and blood feuds. When the conflicts wanted to be put to an end, there were several posibilities of doing so: direct or indirect resolution, and different ways within the first option (Byock, 1984).

Direct resolution was a settlement between parties, normally outside the court, but a later legitimation of the settlement inside the court was common. Direct resolution could be violent or not.

Violent resolution could happen if the person killed was important and if powerfull people with the right of vengeance involved themselves. Normally, the person or people who did violent actions could buy their rigth to settle the conflict. However, probably they could only buy as many settlements as they could afford. Normally people could negotiate and pay their way out of the feuds. But it is at the same time that many others failed, probably due to their ambitions. In such cases, violence was used. In these cases, normally the violence showed by the ambitious person was counteracting with violence in a balancing act (Byock, 1984). Blood vengeance was another way of direct resolution with violence; while dueling in the two different ways in which existed (*hólmganga* or *eivíngi*) was not as frecuent as it could be thought (Byock, 1984: 95).

Direct resolution without violence was a way of avoiding feud between two individuals, normally because the counts were more than the adventages of starting a feud, or as kin ties avoid the feud, or as a consecuence of being in more than one feud (Byock, 1984: 95). In this case, at least in our opinion, it can be seem the

inner mechanism of feuding and the logic of this society which lead to an end the feud.

Indirect resolution was normally done by arbitration between feuding parties. This method was possible as the society had the concern of avoiding large scale feuds. At the same time it was a procedure that could produce a huge profit to those who interceded in the arbitration (normally *goðar* were the brokers). That would explain why many of them were within feuds. Arbitrators (*góðviljamenn* or *góðgjarnir menn*) had alliances between one, if not the two, feuding parties. In these actions they quest power, reputation and wealth. In short, Byock shows that this procedure was nothing more than the explicit plasmation of chieftains´ fights -something that also was used by farmers with less richness- for wealth and power, and a mechanism of gaining followers (Byock, 1984; Byock, 2001).

Normally, after all these processes, violence ended up. Byock thinks that this was possible due to the fear of a continuation of the violence. This threat leads to respect law and peace above individual quests of power, wealth or social reputation (Byock, 2003: 241). Honour, in this way, also had its role, as it was more honorable to to put to an end the disputes rather than to continuing feuding againts the social stability.

Trespassing these different ways of ending violent actions and feuds settlements was condemned with outlawry (Byock, 2001: 231-232). This punishment was the worst one individual could have, as, like it has been said before, Viking Icelanders depended on kin bounds. Being with no group was almost assuming the risk of facing violent actions, feuds or violation of oneself property by anyone with the support of a group. Thus, it can be concluded that respecting law or resolution of violence was fundamental for this society. Therefore, maintaining the *status quo*, after the logical reparation of a violent deed, was in the mind of the Viking Icelanders as a supreme idea above the individualistic thinking.

5. Some conclusions and final remarks

It is neccesary to end this article. Not everything has been said here. However, we hope to have explained quiet well that violence in Viking Age Iceland existed but with a strong regulation upon it by the society.

The *Íslendigasögr* show a scene in which violence among other individuals and among other groups was ubiquitous. As it has been seen, violence was a common rule. However, it was much more regulated than one could think at first glance.

Viking Age Iceland was not a powerfull political entity but rather a strong juridical entity.

The Viking Icelandic society had the law at its center. This shows two things: 1. There were a huge amount of processes -feuds- which would made necessary the use of the law; and 2. The regulation of conflicts was a central point in the dairy socio-politic life. Thus, as the law was in the mind of everyone, it can be said that they knew the importance of law for making possible the coexistence. The coexistence was something search for the society, and that would explain why in the sagas there are people who asks for peace. Moreover, the fact that the *Várþing* and the *Alþing* had a sacred judicial branch (*lögreta*), something which is shown by the archaeological interpretation, means that the law was almost a sacred concept. The sacralisation of the law would mean that respecting the decissions taken there was fundamental. The scrupulous respect of the law would explain in some extent, though no totally, why the feuds ended up without going too far from a killing point of view. In the same way, the existence of many courts could be interpretated as a form of making more accesible the reaching of settlements. If the society did not use as many courts as there were, they would have not created them.

Feuding and its regulation was a source of wealth of the *goðar*. If that is so, them it is possible to say that feuding was a political strategy. The *goðar* exercised violence among the rest of the society and between them, not quite for honour, but for gaining wealth. The justification of that violence was done through mentality, by mythologising feuds for defending honour. Honour played it role and allowed the ruling layer of the society to take wealth from violence and its regulation. This statement let the doors open to future questions about to what extent was more equall the society[19]. But if we take into account the thesis of Miller that defend a point of view in which feuds were the contrary to gift (Miller, 1983a), it would not matter if the societal structure was almost flat or not, as the function of violence would be the same (Barreiro, 2015: 39-40).

Violence existed and was ubiquitous in Iceland. It was done especially by the most powerfull, but not only from them. Nonetheless, this violence needed regulations for the maintainance of the system. If not, it would perish. Thus, the inner society had the concern of autoregulation, something done by following the law and by advocacy, payment or controled violence. The intrinsical formation of the society and its characteristics did not allow a continuous spiral of violence. Even if the territorial descentralisation is not taken into account - as it has been called for revision - the rest of the factors are enough for understanding the impossibility of long-term violence.

[19] The society had more freedom and equality that in many places in medieval Europe. However, the interpretation of the icelandic society is still quite enigmatic.

Violence should be seen as a socio-political strategy that society had to deal with. At the same time, the society looked for autoregulation for avoiding an endless violence. Thus, society was aware of a violence that was generated by it and put to an end by the same society. In this process, some people were benefited in a socio-political way (gaining power and followers) and in an economic way (obtaining wealth). Legitimated by ideology, the process only functioned inside some limits; if these limits were broken, those who did it where excluded of the inner system (outlawry). It was, in conclusion, a well-balanced system between violence and autoregulation.

Our article is far from being flawless. However, we hope to have shed some light on the topic. New investigations, or interpreting actual investigations in other way as the one we have done, could change the perception of some of our assumptions. More has to be done, but this is our interpretation. At least we hope so far to have contributed to the knowledge of how social violence was managed and its role in such an especial society as the Viking Icelandic was.

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