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*Anarchist Visions of the Medieval Icelandic Non-State Socio-Political Order – an Outline of a Critique**

Abstract

Between the late 9th and the middle of the 13th century, Iceland was a pre-state society with a political system based on “private” creation, adjudication and enforcement of law. The functioning of this society has been a subject of numerous studies conducted within various disciplines, including legal history, political anthropology and institutional economics. In recent decades, medieval Iceland has also become an object of interest to the various branches of the modern anarchist movement, whose members are prone to looking for historical examples of societies which lack a coercive government. The aim of this article is to critique the anarchist reconstructions of the medieval Icelandic mode of governance. In particular, I try to demonstrate that the anarchist visions of the non-state Icelandic socio-political order are anachronistic and substantially differ from the accounts found in the Old Icelandic narrative sources, as well as in the private collections of the medieval local law, known as *Grágás*.

Keywords: Medieval Iceland, the Icelandic Commonwealth, the *Grágás* laws, “private” ordering, analytical anarchism, anarcho-capitalism, social anarchism

I.

For many centuries educated Europeans saw medieval Iceland with its Greenland colony as a small society on the western rim of the civilized world.¹ In spite of its small size and relative isolation from the rest of the world, the medieval Icelanders have left behind a cultural legacy which keeps attracting researchers from many branches of history and social sciences, including, legal history and political anthropology.² In fact, in the last

* Polish text: *Anarchistyczne wizje bezpaństwowego ładu społeczno-politycznego średniowiecznej Islandii – zarys krytyki*, “Cracow Studies of Constitutional and Legal History” 2017, vol. 10, issue 2, pp. 241–261; DOI 10.4467/20844131KS.17.012.7556. Author’s ORCID: 0000-0002-0931-7413.

¹ Cf. P. Urbańczyk, *Zdobywcy północnego Atlantyku* [*Conquerors of the North Atlantic*], Toruń 2012.

² See *A Companion to Old-Norse-Icelandic Literature and Culture*, ed. R. McTurk, Oxford 2007, for a handy survey of the main issues and areas of study to do with medieval Iceland.

decades some of the most interesting contributions came from disciplines outside the field of history proper, and in particular from followers of the institutional approach.³ Their analyses of the political and legal system of medieval Iceland are part of a broader area of studies concerned with private ordering, i.e. the mechanisms of regulation, enforcement and dispute resolution by private actors. This new research field, sometimes dubbed “analytical anarchism”, emerged at the intersection of institutional economy, economic analysis of law and legal anthropology.⁴ In spite of its associations with anarchism, this approach is neither prescriptive nor political. It works within the normal descriptive-explanatory-predictive paradigm to build up a model of society falling back on endogenous forms of cooperation to offset what is now termed “government failure”.⁵ The analytical anarchists’ interest in medieval Iceland comes as no surprise to anybody with a modicum of knowledge about the island’s unique institutions and political history. From the time of Iceland’s colonization by Nordic settlers (c. 870) until 1264, when the Icelanders accepted the rule of the king of Norway, the Icelandic Commonwealth (Þjóðveldið) was a stateless society which relied entirely on private mechanisms of creation, adjudication and enforcement of law.⁶ In that period the Icelanders had no king and the sole public official on the island, the Lawspeaker (*lögsögumaðr*), had no executive powers. The legislative mandate was private in so far as the seats in the law-making assembly could be bought and sold like any marketable commodity. While most disputes were solved through private mediation and arbitration, the enforcement was left to the successful litigant who could make arrangements with or hire (i.e. pay) a third party to execute the verdict of the thing court.⁷ While medieval Iceland is not the only stateless society known to political anthropologists, it certainly belongs to the ones that are best documented.⁸ The availability of a wide range of Old Icelandic narrative sources⁹

³ See Þ. Eggertsson, *Economic Behavior and Institutions*, Cambridge 1990, pp. 304–311; B.Þ. Runólfsson, *Ordered Anarchy: Evolution of the Decentralized Legal Order in the Icelandic Commonwealth*, “Journal des Economistes et des Etudes Humaines” 1992, vol. 3, issue 2/3, pp. 331–351; C.B. Kerekes, C.R. Williamson, *Discovering Law: Hayekian Competition in Medieval Iceland*, “Griffith Law Review” 2012, vol. 21, issue 2, pp. 432–447; and G.K. Hadfield, B.R. Weingast, *Law without the State: Legal Attributes and the Coordination of Decentralized Collective Punishment*, “Journal of Law and Courts” 2013, vol. 1, issue 1, pp. 3–34.

⁴ W. Gogłoza, *Analityczny anarchizm – cele, przedmiot i metody badań empirycznych nad stanami natury* [*Analytical Anarchism: Objectives, Subject Matter and Methods of Empirical Studies of Natural State Cases*] [in:] *Myslenie o polityce i prawie – przedmiot, metoda, perspektywa* [*Thinking about Politics and Law: The Subject Matter, Method and Perspective*], ed. I. Barwicka-Tylek, A. Czarnicka, M. Jaskólski, J. Malczewski, Warszawa 2015, pp. 209–232.

⁵ See esp. A.K. Dixit, *Lawlessness and Economics: Alternative Modes of Governance*, Princeton 2007; P.T. Leeson, *Anarchy Unbound: Why Self-Governance Works Better Than You Think*, Cambridge 2014; and E.P. Stringham, *Private Governance: Creating Order in Economic and Social Life*, Oxford 2015.

⁶ J. Byock, *Governmental Order in Early Medieval Iceland*, “Viator: Medieval and Renaissance Studies” 1986, vol. 17, issue 1, pp. 19–34; and *idem*, *State and Statelessness in Early Iceland* [in:] *Samtíðarsögur: The Contemporary Sagas*, vol. 1, ed. S. Tómasson, Akureyri 1994, pp. 155–169.

⁷ G. Karlsson, *Social Institutions* [in:] *A Companion...*, pp. 503–517.

⁸ See for example P. Clastres, *Society Against State: Essays in Political Anthropology*, New York 2007.

⁹ See esp. J. Kristjánsson, *Eddas and Sagas: Iceland’s Medieval Literature*, Reykjavík 1988; and *Sagi Islandzkie. Zarys dziejów literatury staronordyckiej* [*Icelandic Sagas: An Outline of Old Nordic Literature*], eds. J. Morawiec, Ł. Neubauer, Warszawa 2016. For a discussion of the historical reliability of those sources, see W. Gogłoza, *Spór o historyczność sag Islandczyków w perspektywie antropologii prawa* [*The Controversy about the Historical Reliability of the Icelandic Sagas*] [in:] *Księga życia i twórczości. Księga pamiątkowa dedykowana Profesorowi Romanowi A. Tokarczykowi* [*A Book of Life and Work: A Festschrift in Honour*

as well as numerous 13th-century collections of local law (*Grágás*; henceforth referred to as *G I* and *G II*, as in the two-volume standard edition)¹⁰ make the task of an accurate reconstruction the Icelandic legal system, the *var lög*, a realistic proposition.¹¹ The reliability of such a reconstruction is further enhanced by the involvement of legal anthropology and economic analysis of law with their findings about societies at a comparable level of development.¹² For all those reasons the Icelandic Commonwealth (Þjóðveldið) has become a magnet to analytical anarchists interested in the study of mechanisms of cooperation in the absence of the state. What is more, though, the stateless society of the medieval Icelanders has been adopted by the doctrinal anarchists as empirical proof of their key claim that peaceful human cooperation can thrive without an apparatus of coercion and compulsion. However, just as there are many varieties of anarchism, there is no single anarchist understanding of the Icelandic *var lög*. That being said, the anarchist interpretations fall into two types, depending on their approach. Whereas one is founded on the premises of social anarchism, the other (also known as anarcho-capitalism) committed to a free market model of society.¹³ The two approaches hold radically different premises and lead to widely different conclusions. Yet, as I will try to demonstrate in this article, they are both equally problematic in one respect, i.e. they represent an anachronistic projection of certain characteristics essential for their theory onto a historic society which simply did not possess them.

II.

Although some references to the Þjóðveldið can be found in the writings of 19th-century anarchist classics,¹⁴ modern proponents of anarchism did not discover the value of medieval Iceland for their theories until the 1980s, thanks to the pioneering work of David Friedman, economist, legal scholar, and one of the founders of the law-and-economics analysis.¹⁵ In fact, his trailblazing essay on Iceland, published in 1979, is a historical case study rather than an argument in political theory. In it Friedman analyzes the functioning of the Icelandic political and legal system in the context of debates about the feasibility

of Professor Roman A. Tokarczyk], vol V: *Prawo [The Law]*, eds. Z. Władek, J. Stelmasiak, W. Gogłóza, K. Kukuryk, Lublin 2013, pp. 64–89.

¹⁰ *Laws of Early Iceland. Grágás: The Codex Regius of Grágás with Material from Other Manuscripts*, vol. I–II, eds. A. Dennis, P. Foote, R. Perkins, Winnipeg 1980.

¹¹ W.I. Miller, *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland*, Chicago 1997; J. Byock, *Feud in the Icelandic Saga*, Berkeley 1982; and S. Lindal, *Law and Legislation in the Icelandic Commonwealth*, “Scandinavian Studies in Law” 1993, vol. 37, pp. 55–92.

¹² R.A. Posner, *The Economics of Justice*, 2nd ed., Cambridge 1983, pp. 146–206.

¹³ For a review of various types of contemporary anarchism, see R.T. Long, *Anarchism [in:] The Routledge Companion to Social and Political Philosophy*, eds. G. Gaus, F. D’Agostino, New York 2013, pp. 217–230.

¹⁴ P. Kropotkin, *Mutual Aid: A Factor of Evolution*, London 2009, *passim*; *Anarchy, Geography, Modernity: Selected Writings of Elisée Reclus*, eds. J.P. Clark, C. Martin, New York 2004, *passim*.

¹⁵ See especially R.D. Cooter, T. Ulen, *Ekonomiczna analiza prawa*, transl. J. Beldowski et al., Warszawa 2009 [Polish edition of *Law and Economics*, New York 1999].

of private enforcement of criminal law.¹⁶ The objectives of his study entitled *Private Creation and Enforcement of Law: A Historical Case* can be summed up in three points: a reconstruction of the *var lög* using the basic tools of the economic analysis of law, an assessment of the effectiveness of the Icelandic legal system and an examination of factors which ensured its long-term stability.¹⁷

The story of the polycentric legal system of medieval Iceland reached a broader circle of anarcho-capitalists ten years later when an abridged and re-edited version of Friedman's article was included in the second edition (1989) of his seminal *The Machinery of Freedom: Guide to a Radical Capitalism*.¹⁸ This book, one of the canonic texts of anarcho-capitalist philosophy, advocates the complete privatization of the essential functions of the state and formulates a theory of a polycentric constitutional order that would supplant the traditional public institutions in their role of creating, enforcing and implementing legal norms.¹⁹ In that context the *var lög* appears as a closest approximation of Friedman's ideal political order and a concrete, well documented case-in-point showing that such a system did exist and work in the past. Without expressly calling the Þjóðveldið constitution anarcho-capitalist Friedman uses it as hard evidence to dismiss the objection that the dismantling of the state apparatus is totally unrealistic and at the same time to back his claim that legal polycentrism can work.

Thanks to Friedman's study the case of medieval Iceland has acquired a key role in the argument of proponents of libertarianism. They believe the Icelandic system demonstrates that law and justice need not be monopolized by the state nor depend on it. Moreover, contrary to the generally accepted view, the law can be made to operate under the free market principle, efficiently and to the benefit of all.²⁰

The problem with the libertarian approach is that it produces a highly reductionist and anachronistic view of the Þjóðveldið. Meanwhile, some of its institutions, especially those that the libertarians hold dear, like private property rights, contracts and competition, are given disproportionate scope and weight. In effect, the diehard free-market anarchists paint a picture of medieval Iceland as a stateless society of free property-owning farmers (*bændr*, sing. *bóndi*) without institutionalized coercion or levies.²¹ The rights of

¹⁶ G. Becker, G. Stigler, *Law Enforcement, Malfeasance, and Compensation of Enforcers*, "Journal of Legal Studies" 1974, vol. 3, issue 1, pp. 1–18; W.M. Landes, R.A. Posner, *The Private Enforcement of Law*, "Journal of Legal Studies" 1975, vol. 4, issue 1, pp. 1–46; and D. Friedman, *Efficient Institutions for the Private Enforcement of Law*, "Journal of Legal Studies" 1984, vol. 13, issue 2, pp. 376–397.

¹⁷ D. Friedman, *Private Creation and Enforcement of Law: A Historical Case*, "Journal of Legal Studies" 1979, vol. 8, issue 2, pp. 399–415.

¹⁸ D. Friedman, *The Machinery of Freedom: Guide to a Radical Capitalism*, New York 2014 (3rd ed.), pp. 197–204.

¹⁹ See W. Gogłoza, *Policentryczny porządek konstytucyjny – zarys historii idei [An Outline History of the Idea of a Polycentric Constitutional Order]* [in:] *Tendencje rozwojowe myśli politycznej i prawnej [Political and Legal Thought: Historical Trends]*, eds. M. Maciejewski, M. Marszał, M. Sadowski, Wrocław 2014, pp. 345–361.

²⁰ See for example A. Morriss, *Anarcho-Capitalism* [in:] *The Encyclopedia of Libertarianism*, ed. R. Hamowy, Los Angeles 2008, pp. 13–14; G. Casey, *Reflections on Legal Polycentrism*, "Journal of Libertarian Studies" 2010, vol. 22, issue 1, pp. 22–34; R.T. Long, *Market Anarchism as Constitutionalism* [in:] *Anarchism/Minarchism: Is a Government Part of a Free Country?*, eds. R.T. Long, T.R. Machan, Burlington 2008, pp. 133–150.

²¹ T. Whiston, *Medieval Iceland and the Absence of Government*, <https://mises.org/library/medieval-iceland-and-absence-government> (access: 3 January 2017).

individual farmers were guaranteed by the institution of contractual bond which they entered into with local chieftains called *goðar* (sing. *goði*). The *goðar* – acting as private individuals – were obliged to offer support and protection to their men and ensure the enforcement of judgements handed down by courts administered by the *goðar*. The relationship between a free farmer and his *goði* was contractual (voluntary) and reciprocal. To enter the alliance (or, “to be in the thing”) both parties had to make solemn public declarations. In a similar procedure conducted at a set time and in the presence of witnesses each party was able to break off the relationship.²² For the anarcho-capitalists the latter provision enabling the farmer to switch his allegiance is absolutely crucial in their positive appraisals of the Icelandic system. This legal guarantee “creates secession down the level of the individual, making all governance structures formed [in early medieval Iceland] truly voluntary”.²³

A key role in that system was played by the *goðar*, viewed by radical libertarians as a class of entrepreneurs (originally leaders of groups of colonists at the time of settlement).²⁴ The *goðar* were men of authority who, were also owners of a package of rights called *goðorð*, i.e. the right to vote in the legislative council (*lögrétta*) and the right to appoint judges in thing courts within the system of *var lög*. The *goðorð* was regarded as private property and like any marketable commodity could be purchased, offered as a gift, or inherited (cf. for example *Vatnsdæla Saga*, Ch. 16, 37, and 41 respectively). The freedom to choose a *goði* and the commodity status of the *goðorð* are cited by the anarcho-capitalists as clear proof of the fundamentally free-market character of the Icelandic legal system.²⁵

The possession of *goðorð* did not guarantee its holder a position of authority. To act as an effective leader he had to show up a good number of men willing to join him “in the thing”. Without such demonstrable backing no *goði* would be able to carry out his duties, i.e. appoint judges to thing courts, assist members of his alliance in obtaining their rights in court or supervise the enforcement of verdicts. In consequence, each *goði* sought to maximize the number of his *bændr* followers, or “friends” (cf. *vinsæli*, a complimentary epithet meaning “rich in friends”).²⁶ Those who failed to consolidate and expand their

²² However, it should be noted that according to the *Grágás* the farmer’s freedom of choice was subject to some territorial restrictions. Under a system of laws introduced c. 965 Iceland was divided into four administrative regions called quarters (*ffjórðungar*, sing. *ffjórðungur*). The major territorial restriction was that a farmer could not choose a chieftain outside of his quarter. A *bóndi* and a *goði* from different quarters were able to form an alliance (to be in the thing) on condition the latter obtained an individual permission to do so from the *lögrétta* at the *Alþingi* (*G I 83*₁₃₆). This and all subsequent references to the *Grágás* pertain to the standard English translation published as *Laws of Early Iceland Grágás: The Codex Regius of Grágás with Material from Other Manuscripts*, vol. 1–2, eds. A. Dennis, P. Foote, R. Perkins (see note no. 10). To make the process of finding the citations as easy as possible for the reader I use the following code: Roman numerals indicate the volume of the *Grágás*, Arabic numerals refer to paragraphs, and Arabic subscript numerals to page numbers. For example, *G I 83*₁₃₆ refers to § 83 on page 136 of the first volume of the *Grágás*.

²³ T. Whiston, *Medieval...*

²⁴ D. Friedman, *The Machinery...*, p. 198.

²⁵ R.T. Long, *Privatization, Viking Style: Model or Misfortune?*, <http://archive.lewrockwell.com/orig3/long1.html> (access: 3 January 2017).

²⁶ By means of lavish gift-giving, invitation to feasts, forging family alliances, offering friendship, but most of all by promises of effective help to a party involved in a conflict. See J.L. Byock, *Viking Age Iceland*, London 2001, pp. 118–132.

retinue saw their prestige decline and even had to give up/sell their *goðorð* (cf. *Laxdæla Saga*, Ch. 67, and *Njáls Saga*, Ch. 107).²⁷ The competition between the *goðar* – so runs the anarcho-capitalist argument – functioned as a foolproof safeguard of the interests of the free farmers.

In a stateless society, men are selected according to their ability. Status, money, power, and greed, everything that the advocates for a strong central government stand for are not prerequisites for leaders. The worst are not selected to get on top. [The leaders] chosen in [such societies]... are chosen because they are entrepreneurs, and those entrepreneurs who best satisfy consumer demands will be the ones whose [protection] agencies grow. In a stateless society, the only person who is “King” is the consumer.²⁸

While this generalized, institutional account is by no means an inaccurate summary of the socio-political mechanisms from the *Grágás*, it is also extremely reductive and misleading in so far as it leaves out completely the social contexts of the Icelandic institutions. First of all, it ignores the fact that the free farmers, who absorb all the attention of the anarcho-capitalist research, made up only a small portion of the Icelandic society. To qualify as a *bóndi* one had to own or rent a farm; tenants were eligible if they had a dairy herd of their own (*GI* 81₁₃₂). Only farmers who met those conditions were able to enter into an alliance with a *goði*. Moreover, to enjoy all the political rights – participate in assemblies and panels of neighbours, and be admitted into the local association of householders (*hreppr*, pl. *hreppar*; more in the following section) – the *bóndi* had to own at least one unencumbered milch cow and fishing boat, or another chose in possession of equivalent value for each member of his household, and “all the things which the household may [not] be without” (*GI* 89₁₅₀).

According to the medieval chronicle *Íslendingabók*, one of the most reliable sources from the period of the *Þjóðveldið*,²⁹ at the beginning of the 12th the number of *bændr*, farmers who enjoyed the full rights of freemen, stood at 4,560.³⁰ The size of Iceland’s population at that time is estimated at c. 60,000.³¹ The great majority of the medieval inhabitants of Iceland were household members (*gríðmenn*, or fem. *gríðkonur*), i.e. labourers and all kinds of dependants of the head a household in which they were domiciled (everybody had to have a fixed abode). Under Icelandic law every adult person (men over the age of sixteen and unmarried women over twenty) who neither owned or rented landed property was required to attach himself (herself) to a landowning or tenant farmer who was prepared to take that person in (*GI* 78₁₂₅). The time for making or renewing domicile contracts was limited in any year to four days after the Thursday that fell between 21st and 27th May. During that period (called *fardagar*, or moving days) the parties made arrangements about their obligations for the following twelve months, especially

²⁷ B.P. Runólfsson, *Institutional Evolution in the Icelandic Commonwealth*, “Constitutional Political Economy” 1993, vol. 4, issue 1, p. 113. For a general account of the relationship between free farmers and chieftains, see J.V. Sigurðsson, *Chieftains and Power in the Icelandic Commonwealth*, Odense 1999, *passim*.

²⁸ T. Whiston, *Medieval*...

²⁹ On the reliability of *Íslendingabók* as a historical source, cf. J. Kristjánsson, *Eddas*..., pp. 121–123; and S. Grønlie, *Ari’s Íslendingabók [in:] Íslendingabók and Kristnisaga*, ed. S. Grønlie, London 2006 (Viking Society for Northern Research, *Text Series*, vol. XVIII), pp. ix–xxviii.

³⁰ *Íslendingabók and Kristnisaga*..., p. 12.

³¹ J. Byock, *Viking Age Iceland*..., p. 54–55.

those owed by the household member. Most of the *gríðmenn*' work was carried out in exchange for food and accommodation provided by the *húsbóndi* (master of the house). They could ask for payment for their work, but only in circumstances that were specified rather narrowly by the law (*G I* 78₁₂₆₋₁₂₇).

Griðmenn attached to a household were not free to choose their *goði* (they counted as a body of followers of the chieftain with whom their master was "in the thing", *G I* 81₁₃₂). Although as a rule they were not allowed to take part in assemblies, panels of neighbours, etc., a *bóndi* could authorize one of his household members to act as his proxy (if only on an *ad hoc* basis, *G I* 55₁₀₀ and 59₁₀₇). In a much worse situation were free men without a fixed abode. Anybody who was able to work but remained unattached could be declared a full outlaw and expelled from society for the rest of his life. Even if the legal procedures were not gone through, the outlaw found himself "outside the law". He could be chased away from a neighbourhood in a most brutal manner, castrated and even killed, while those who did it incurred no legal liability (*G I* 82₁₃₅; and *G II* 235₁₉₃, *G II* 254₂₁₉).

Slaves were at the bottom of the Icelandic social ladder. There are no reliable data concerning their proportion of the island's population, but analyses of both written and archaeological sources from the Age of Settlement and the time right after it suggest that their number was by no means insignificant.³² Old Icelandic law distinguished two categories of slaves, thralls (*þrælar*, fem. *ambáttir*) and debt slaves (*skuldarmann*). Thralls were captives brought to Iceland from raids abroad or bought from slave traders, while the other group comprised debtors unable to meet their obligations, persons unable to support their relatives (members of the household; more on that in the following section) and persons convicted to servitude by a court verdict. The main difference between full slavery and bondage (or penal servitude) consisted in the fact that thralldom (*þrældóm*) was lifelong and heritable (though there were two ways of escaping that condition, i.e. by the slave buying himself out of bondage or by his owner's manumission), while debt slavery (*skuldaprældóm*) was in principle temporary and would come to an end when the time was up or the debt was paid off/worked off. It was lawful to buy and sell both thralls and debt slaves, though there was a prohibition against selling the latter to "heathen lands". Otherwise, the slave owners had absolute power over their slaves. Whereas the extreme forms of slavery declined and most probably disappeared by the mid-11th century (i.e. the end of the Iceland's Viking Age), bond slavery was in existence throughout the period of the Þjóðveldið. It should be added that Icelandic law treated bondslaves better than other comparable systems of law. So for example they had the right to own property, the right to compensation for harm (within limits) and, in case a bondslave's wife was killed, the right to lawful retaliation. That being said, the Icelandic bondslave was denied even a modicum of political rights.

To conclude, the historic Icelandic society of the Viking Age was far more diverse and complex than its anarcho-capitalist representation and, what's more, the political rights that are key to constructs of this kind were in reality privileges of a narrow elite. Furthermore, even the relatively small group of free farmers exhibited inequalities that could not but affect the scope of rights enjoyed by the individual *bændr*. In theory all householders, regardless of the value of their property and its legal status (ownership

³² R.M. Karras, *Slavery and Society in Medieval Scandinavia*, New Haven 1988, pp. 50–145.

or tenancy), enjoyed the same rights, but in reality their freedom to exercise them was surely conditioned by their wealth. We know from some recent research that a tenant was under strong economic pressure to keep up his attachment to the *goði* owner of his farm, especially if the renting contract included not only the homestead but also the livestock.³³

Although we cannot be sure when the institution of land lease took root in Iceland, the majority of modern researches agree that it became fairly widespread by the end of the 11th century at the latest (more about this problem in the following section).³⁴ According to Orri Vésteinsson, historian *cum* archeologist and a leading authority on the Þjóðveldið, in the 12th century the number of farm leases rose to 2,500, and the lessees were reduced to such extreme dependence (on their landlords) that they were “not politically free in anything but the most technical sense”.³⁵ This conclusion has not gained general acceptance,³⁶ but even those authors who believe that the Icelandic *bændr* were a fairly egalitarian class admit that it contained farmers with more than average wealth and authority. The size of that elite is estimated at c. 10% of all the *bændr*, yet the *goðar* would certainly have found the support of the members of the elite more important than the loyalty of the “common people” (*alþýðu bónda*). Analyses of the references concerning the value of property (individual farms) in the Old Icelandic narrative sources indicate that the authors of the sagas were interested primarily in “the larger farmers” (*hinum stærnum bóndum*).³⁷ That should alert us to the dubious nature of the claim that all of the Icelandic free farmers exercised the same rights. This thesis is so well entrenched – even though specialists in Old Icelandic studies remain skeptical – because it appears to rest on hard evidence and solid research. However, the error of this approach lies in a reductive interpretation of sources, and in particular fallacious generalizing based on what I have just tried to demonstrate is a loaded sample.

III.

The anarcho-capitalist vision of medieval Iceland is firmly rejected by the social (communitarian) anarchists. They have debated the issue for over two decades in their best known and most vocal publication *An Anarchist FAQ* (or AFAQ), a website run by

³³ See for example O. Vésteinsson, *A Divided Society: Peasants and the Aristocracy in Medieval Iceland*, “Viking and Medieval Scandinavia” 2007, issue 3, pp. 117–137; and R. Samson, *Goðar. Democrats or Despots?* [in:] *From Sagas to Society: Comparative Approaches to Early Iceland*, ed. G. Pálsson, Enfield Lock 1992, pp. 167–188.

³⁴ J. Jóhannesson, *Íslendinga Saga: A History of the Old Icelandic Commonwealth*, Winnipeg 2006, p. 345.

³⁵ O. Vésteinsson, *Archeology of Economy and Society* [in:] *A Companion...*, p. 19.

³⁶ Jón Viðar Sigurðsson, another authority in the field of Old Icelandic studies, claims that as late as the 13th century the proportion of tenant farmers to *bændr* who owned their farms did not exceed 25%. He also believes that they were relatively independent. See J.V. Sigurðsson, *Chieftains...*, pp. 116–117. More generally on the problems of leasing land and animals in Iceland see J. Byock, *Viking Age Iceland...*, pp. 268–271.

³⁷ S. Jakobsson, *From Reciprocity to Manorialism: On the Peasant Mode of Production in Medieval Iceland*, “Scandinavian Journal of History” 2013, vol. 38, issue 3, pp. 273–295.

a group of activists and collaborators headed by Iain McKay.³⁸ The AFAQ has the format of frequently asked questions and answers on anarchism. Its aim is both expository (presenting the tenets of social anarchism) and polemical (denouncing anarcho-capitalism as a doctrine that has nothing in common with “true” anarchism). Consistent with AFAQ’s rejection of the free-market anarcho-capitalism is their repudiation of the libertarian vision of Viking Iceland. They oppose to it their own approach inspired by the work of one of the fathers of social anarchism and renowned 19th-century ethnographer Peter Kropotkin. Although none of Kropotkin’s works deals directly with Iceland, he was deeply interested in the political and economic system of the Old Norse and Germanic societies.³⁹ He combined his extensive reading of Scandinavian narrative sources and his ethnological research to formulate the claim, presented in his 1902 treatise *Mutual Aid*, that pre-state societies were made up of a network of self-governing villages founded by the first settlers. The characteristic features of this form of social organization was communal farming, the absence of private ownership of land (the settlers “possessed” rather than owned their land), egalitarianism and grass-root democracy (the village commune was ruled by an assembly (þing) consisting of all free men).⁴⁰

Although Kropotkin does not make an explicit link between his model of the functioning of pre-state rural communes and the historic *Þjóðveldið*, the authors of the AFAQ are convinced that his argument reflects closely the realities of Viking Iceland. It is only reasonable to assume, they say, that Iceland’s first settlers who had been brought up in a communal environment recreated its institutional framework in their new homeland.⁴¹ This reasoning is plain common sense, yet admitting it confronts us, by necessity, with some strikingly unorthodox answers to questions about the basic socio-political unit of the Icelandic society and the character of its economy during the Age of Settlement.

The social anarchists took up the challenge head-on and constructed the following narrative. In their account, initially, after the arrival of first settlers, the dominant feature of the Icelandic economy were large-scale family farms. Gradually, as the land was divided up, the big manorial farms were displaced by relatively small farms (“individual possessions”) often with a more distinctive profile, for example animal husbandry or artisan production.

Two centuries later, at the turn of the 11th century the old egalitarian system was undermined by the spread of tenant farming and hired labour. This process represented an institutional transition from possession to individual private property. With the new concept of ownership came the erosion of the traditional social and economic order. To sum up, in the words of the AFAQ webpage, before the advent of the “capitalist social relations based on private property and hired labour the *Þjóðveldið* was a communal, [and] not an individualistic society [as the anarcho-capitalists would have us believe], based on artisan production, with extensive communal institutions as well as individual

³⁸ Cf. <http://www.infoshop.org/anarchist-faq>. All references in this article pertain to this website, especially to Section F9 dedicated to medieval Iceland (access: 3 January 2017). A paperback edition of the online materials was published in two volumes by AK Press, Oakland/Edinburgh: *An Anarchist FAQ*, ed. I. McKay, vol. 1 (2008) and vol. 2 (2012).

³⁹ Cf. especially P. Kropotkin, *Mutual Aid...*, pp. 95–125.

⁴⁰ *Ibidem*, s. 99–104.

⁴¹ *AFAQ: F.9. Is Medieval Iceland an Example of „Anarcho“-Capitalism Working in Practice?*, <http://www.infoshop.org/AnarchistFAQSectionF9> (access: 3 January 2017).

«ownership» (i.e. use) and a form of social self-administration, the *thing* – both local and Iceland-wide – which can be considered a «primitive» form of the anarchist communal assembly”.⁴²

When, at the end of the 19th century, Kropotkin formulated his concept of the pre-state community and drew the picture of the early medieval Nordic societies as communitarian associations of relatively equal free property-holders, he drew on various narrative sources and the findings of contemporary anthropologists who had studied the political organization of primitive societies (*Naturvölker*). His research and expertise undoubtedly met the academic standards of his day and age, and have been treated with due respect both then and now.⁴³

Kropotkin was a great proponent of the idea of the “village community” (or in its German mutation, the *Markgenossenschaft*) which, however, has since fallen into disrepute. Many scholars find it highly speculative; others downright false.⁴⁴ It certainly finds no confirmation in Old Icelandic sources nor in the findings of archeological research.⁴⁵ The fact that the AFAQ authors still find it sacrosanct suggests that they prefer doctrinal dogma to science. The specialists in the field have meanwhile come to a full agreement: the *Þjóðveldið*, from its inception, was a society with marked social hierarchies (although the inequalities were not as glaring as in the feudal societies).⁴⁶

A great deal of evidence concerning the levels of social stratification in early medieval Iceland has been amassed by the archeologists. Icelandic longhouses of the Viking period are far from uniform: they vary in floor space, the size of the hall and the number of prestigious objects found on site. Typical longhouses had the floor space of between c. 40 to 80 m², but there was a fair share of larger ones, over the 100 m² and much more. The largest house on record had the floor space of 276 m² (*Hofstaðir í Mývatnssveit*).⁴⁷ Apart from their size, these constructions differ also in the attractiveness of their location and access to some natural resources. We may assume that the largest and best situated houses had owners of an appropriately high rank, or in the language of archeology, the elite. Old Icelandic narrative sources usually speak of them as chieftains. The economic foundation of their prestigious position were large, well-situated manorial farms that depended, right from the early days of the Settlement Age, on various forms of tenancy.⁴⁸

Contrary to the claims of the AFAQ authors, those farms had individual owners and could change hands relatively easily. Whereas in early medieval Norway, the home of most of the Icelandic settlers, land was held in allodial tenure (*óðal*), i.e. it belonged to

⁴² *Ibidem*.

⁴³ S.J. Gould, *Kropotkin Was No Crackpot*, “Natural History” 1997, vol. 106, issue 1, pp. 12–21.

⁴⁴ B. Magnus, *Dwellings and Settlements: Structure and Characteristics* [in:] *The Scandinavians from the Vendel Period to the Tenth Century*, ed. J. Jesch, Woodbridge 2002, pp. 24–25.

⁴⁵ O. Vésteinsson, *The Archeology of Landnám: Early Settlement in Iceland* [in:] *Vikings: The North Atlantic Saga*, eds. W.W. Fitzhugh, E.I. Ward, Washington 2000, pp. 171–174.

⁴⁶ O. Vésteinsson, *A Divided Society: Peasants and the Aristocracy in Medieval Iceland*, “Viking and Medieval Scandinavia” 2007, vol. 3, pp. 117–137.

⁴⁷ These structures are listed in D.M. Zori, *From Viking Chieftoms to Medieval State in Iceland: The Evolution of Social Power Structures in the Mosfell Valley* (2010) PhD dissertation (unpublished), University of California, p. 430 (courtesy of the author).

⁴⁸ O. Vésteinsson, *Patterns of Settlement in Iceland: A Study in Pre-History*, “Saga Book” 1998, vol. 25, issue 1, pp. 1–29.

families (kin groups) who administered it on behalf of past and future generations (*ætt*), in Iceland it was the property of individual persons. If he was of age and met some legal requirements as to the form of the contract (*G II* 174₁₀₁₋₁₀₄), the owner of a farm could freely dispose of it, even sell it outside the family network, without having to ask the potential heirs. In Icelandic narrative sources such property transfers are mentioned fairly often, usually without any additional comments, which may be an indication that the practice was not uncommon (cf. for example *Gísla saga Súrssonar*, Ch. 20; *Króka-Refs saga*, Ch. 7; or *Hrafnkels saga Freysgoða*, Ch. 11).⁴⁹

For the AFAQ authors one of the most attractive features of the *Þjóðveldið* was the nexus of possession and work (production). In the quotation above (cf. Note 42) *possession* is defined as quasi-ownership (“ownership”) and equated with actual use. The problem with this intriguing distinction is that it hangs in the air. The extant collections of Old Icelandic laws contain no single provision that would make or assume a *iunctim* between ownership of land and the owner’s obligation to farm it or to use it to breed livestock. What the law (*Grágás*) does actually say is that land can be leased out by its owner as a tenancy, that the tenant (or tenants) holds the land in possession, and that he is obliged to use it productively (*G II* 183₁₁₂, and *G II* 219–220₁₅₀₋₁₅₄).

There is plenty of evidence that from the 12th century at the latest the wealthiest Icelanders owned of several farms scattered all over the country. Their owners ran only some of them in person and leased out the rest for profit (cf. especially *Sturlunga Saga*, and for the earlier period *Gísla saga Súrssonar*, Ch. 3).⁵⁰ The concept of alienated property, known to Icelandic law, acquired some prominence in the social practice of that time. This development has been seized on by the anarcho-socialists who treat it as a sign of the transition to capitalist economy (cf. AFAQ, Section B3). What still remains unclear is the history of the institution the land lease. The research of the last few decades suggests that this practice may have been as old as the early phase of settlement (c. 870–930).⁵¹ This is corroborated primarily by archeologists who study the structure of the earliest Icelandic homesteads. Excavations at sites dating back to the *landnám* (land grab) have brought to light two types of farms, a relatively small number of self-sufficient manors with easy access to natural resources and a large number of small farms, practically of the same size and arranged in regular patterns. The latter were, almost certainly, not able to function as independent economic units.⁵²

In an attempt to profile the *Þjóðveldið* as a collectivist society, the AFAQ authors make much of the role played in it by “extensive communal institutions”, chief among them the grass-root associations called *hreppar*. For the social anarchists the *hreppar*, or “village communities”, rather than individual homesteads constituted the basic units of Iceland’s socio-political order. The AFAQ authors see the *hreppar* as an Icelandic equivalent of the rural communities that, according to Kropotkin, existed in the pre-state period among the Germanic and Scandinavian peoples. Their main function was to organize

⁴⁹ More in L.A. Taylor, *The Representation of Land and Landownership in Medieval Icelandic Texts* (2006), PhD dissertation (unpublished), University of Oxford, pp. 204–211 (courtesy of the author).

⁵⁰ O. Jóhannesson, *Íslendinga Saga...*, pp. 345–346.

⁵¹ J. Benediktsson, *Some Problems in the History of the Settlement of Iceland* [in:] *The Vikings*, eds. T. Andersson, K.I. Sandred, Stockholm 1978, pp. 161–165.

⁵² O. Vésteinsson, *Patterns...*, pp. 17–27.

mutual aid and poor relief, provide compensation for fire damage or loss of livestock caused by disease, and administer communal pastures. The *hreppar* created a “network of solidarity” which, if the social anarchists are to be believed, was the principal safeguard of the freedom of the citizens of the Icelandic Commonwealth until the rise of “of private property (and so inequality) ... led to the destruction of communal forms of self-management (with participation by all male members of the community as in Iceland), which are replaced by the rule of the rich [*goðar*]”.⁵³

Although references to the *hreppar* in narrative sources are relatively rare (with the exception of *Sturlunga saga*), they could well have played a greater role in the everyday life of the average Icelander than any other institution of the *Þjóðveldið*.⁵⁴ That being said, it should be made clear that the historic *hreppar* hardly match their visionary portrayal on the AFAQ website. First of all, Kropotkin’s village community was a close-knit neighbourhood whose inhabitants interacted directly on a daily basis. Villages of this kind did exist in Iceland before the 19th century, but there were so few of them that they are regarded an anomaly.⁵⁵ The overwhelming majority of the medieval Icelanders lived in dispersed homesteads. The average distance between the farms was about one kilometer, though longer distances of up to four kilometers were no exception. Such distances would not have led to the isolation of individual homesteads, and yet they were long enough to reduce the number of social contacts (especially unplanned, informal visits) and considerably obstruct neighbourly curiosity and surveillance.⁵⁶ The fact that the relationships between Icelandic neighbours were not as close as those between the villagers on the continent should alert us to the possibility that the shape and functioning of the local community in medieval Iceland could be quite different from what it was like elsewhere. We should exercise no less caution when Kropotkin’s conjectural communes are matched with the historically attested Icelandic *hreppr*. In fact, the latter stands in stark contrast to the anarcho-socialist egalitarian arcadia. First of all, it did not encompass “all male members of the community”, as the social anarchism allege, but was run by a body of farmers, known as the *hreppsmenn*. According to Old Icelandic law, the *hreppr* was constituted by at least twenty *bændr*, each with enough property to qualify for a special assembly attendance dues (*þingfararkaup*). While both heads of households and tenants could become members of the *hreppr*, as a rule only the former were eligible for its elected offices. All members met regularly three times a year, but if necessary additional meetings could be convened *ad hoc* (*G II 234*₁₈₅). In its capacity as an institution of self-government the *hreppr* could pass regulations that were binding on its territory. However, only the *bændr* had the right to vote. A household member could vote in lieu of the householder only exceptionally, if the latter was prevented from attending. The *hreppr* was also vested with some judicial powers. Those who infringed the regulations adopted in assembly could be prosecuted and then tried by a special community court (*hreppadómr*) in which the jury seats were reserved for the *bændr* (*G II 234*₁₈₅₋₁₉₃).

⁵³ AFAQ, F.9, *Is Medieval...*

⁵⁴ G. Karlsson, *Social...*, pp. 505–506.

⁵⁵ O. Vésteinsson, *Communities of Dispersed Settlements: Social Organization at the Ground Level in Tenth to Thirteenth-century Iceland* [in:] *People and Space in the Middle Ages, 300–1300*, eds. W. Davies, G. Halsall, A. Reynolds, Turnhout 2006, pp. 87–113.

⁵⁶ *Ibidem*, pp. 101–102.

To sum up, the *hreppr* can be described as democratic, though with the caveat that full membership in it was restricted to a narrow circle of relatively wealthy farmers (*baendr*).

The anarchists extoll the *hreppr* not only for its egalitarianism but also for its virtuous character embodied in its comprehensive welfare system (“mutual-help”), and again get it wrong. According to the law set down in the *Grágás* the obligation to take care of the destitute and those unable to earn their livelihood with the work of their hands (*ómagar*, sing. *ómagi*) because of old age, state of health or disability rested primarily on the next of kin (*G II* 128₂₉₋₃₀). This legal requirement could have dramatic consequences, above all for persons in direct consanguinity. An adult child who did not possess the means to support his invalid parents (mother taking precedence) had the duty to sell himself/herself as a bonds slave to the nearest relative able to provide for the needy parents. Conversely, if the parents were too poor to provide for their child/children, they had a choice either to enter into bondslavery themselves or to hand over the children to somebody else. Only when the person in need (and unable to earn his/her living with the work of his/her hands) had no surviving kin the duty of care was taken over by the community. The administration of the relief and the care work was in the hands of a small team of officials called *sóknarmenn* (“prosecutors”) elected at the autumn meeting of the *hreppr*. They assigned and moved the *ómagar* among householders who owned unencumbered property worth more than a certain minimum specified by law (*G II* 234₁₈₅₋₁₈₆).

The obligation to provide board and lodging for the various categories of indigents was a heavy burden for the poorer households and could even precipitate their fall with all the bad social consequences like more vagrancy and thieving. The problem did not go unnoticed and when the universal Tithe Law was introduced in c. 1097 a quarter of the revenue was diverted to help the poorest of the *baendr*. Eligible for this form of public support were farmers whose property was worth less than the level at which payment of the tithe was mandatory or who were obliged by law to maintain more dependants than they could afford (*purfamenn*). The new tax was paid by all adult Icelanders no matter whether they owned a farm or not if their property was worth more than the minimum prescribed by law. A peculiarity of the Icelandic tithe was its regressive character – the higher the value of one’s property, the lower the tax rate (*G II* 255₂₂₁₋₂₂₅).

This system was far from humane, as Orri Vésteinsson rightly observes:

It divided society into two, those who could provide for themselves and those who could not. The latter were defined as a burden and the aim of the law is to apportion their maintenance as fairly as possible. Those who did not qualify for maintenance [i.e. able-bodied adults who chose not to find a domicile and work] had no rights whatsoever; aiding vagabonds was punishable and flogging or castrating them was recommended. It is clear maintenance of incapable persons was not seen in terms of charity. [...] The thought behind the *Ómagabálkr* [system of poor relief on the level of *hreppr*] seems to be that the poor and destitute are dangerous to society, either directly because they might steal or kill to get food, or indirectly [...] because their maintenance might become too much of a burden for some households, which would then potentially be dissolved and become even more of a burden for someone else.⁵⁷

⁵⁷ O. Vésteinsson, *The Christianization of Iceland: Priests, Power, and Social Change 1000–1300*, Oxford 2000, pp. 81–82.

The *hreppar* poor relief was hardly a system designed on the principle of mutualism. Where the mutualist spirit was indeed present was the insurance element of the *hreppar* communal aid system. It operated like a mutual insurance scheme and provided compensation for loss of livestock to disease or damage by fire. Information about this aid system can be found in just a single extant copy of the *Grágás*. As there is no reference to it anywhere else (it is certainly not mentioned in any Old Icelandic narrative source) we cannot be sure if this institution of mutual protection against fortuitous events did actually function on the ground. Gunnar Karlsson for one goes so far in his skepticism as to suggest that the passage may be an interpolation by a scribe familiar with the functioning of Scandinavian guilds.⁵⁸

To demonstrate that the Icelandic economy was organized along communal lines, the AFAQ authors put much emphasis on the role of “communal resources”, “communal labour” and “communal administrative units” [i.e. *hreppar*].⁵⁹ However, the explanations of what each of those terms means are more visionary than descriptive. Old Icelandic law distinguished two types of natural resources regarded as common, common pastures (*afréttir*, sing. *afréttur*) and common land (*almennigr*). The latter included all tracts of land in common use; the former, despite their name, were private property.⁶⁰ The *Grágás* define them explicitly as pastures which “two men or more own jointly” (*G II 205*₁₃₈). Their productive use was restricted to those with the appropriate legal title; those who did not have that title and tried, without permission from the owners, to graze their animals in an *afréttur* were liable to a fine (*G II 201*₁₃₁). As the co-owners of *afrétt* were usually farmers from the same *hreppr*, the movement of cattle and sheep would have been agreed upon and carried out jointly. To describe those pastures as land under “communal administration” or used freely by “communal labour” as the social anarchists do is incorrect.

The description “held in common, but not under »communal administration« or exploited by »communal labour«” used indiscriminately by the social anarchists is in fact applicable solely to the other type of natural resource, the *almennigr* (*G II 240*₂₀₁). The term refers to mountain pastures, stretches of coast difficult to access (unless they have individual private owners) and the open sea, i.e. further off than the distance at which one can still see the fish being hauled onboard of a boat (*er sjá má fisk af borði*, *G II 211*₁₄₂). The residents of each of the four Quarters of Iceland had the right to use their *almennigr* for a period of seven months, beginning with the last month of winter. They could graze their cattle or sheep, hunt, collect driftwood or scavenge stranded or dead whales. These activities, however, were not carried out jointly (collectively). Those who engaged in them were competing with one another and the competition could turn into violent and even bloody disputes, the likes of which are a favourite subject of the sagas (cf. for example *Grettis Saga*, Ch. 25). We can only guess how large the commons were or what was the origin of their peculiar legal status. Nevertheless, in all cases where the history of individual *almennigr* could be traced, the conclusion was that initially they were

⁵⁸ G. Karlsson, *Social...*, p. 506.

⁵⁹ I. McKay, *An Anarchist FAQ*, David Friedman and Medieval Iceland, <http://fl.ag.blackened.net/revolt/anarchism/writers/anarcho/anarchism/iceland.html> (access: 3 January 2017).

⁶⁰ J. Jóhannesson, *Íslendinga Saga...*, p. 85.

private property.⁶¹ The uninhibited use of the commons no doubt mattered a lot to the people involved, but it was hardly a significant factor from a more general perspective.⁶²

Another claim made by the AFAQ authors to justify their argument about the communal nature of the socio-economic order of the early Þjóðveldið concerns the artisan economy. They regard artisan production as one of the pillars of the Icelandic economy (they find it more important than animal husbandry) and claim that artisan-made goods were the staple of the local markets. But, what is more important, they point out that buying and selling in the local marketplaces did not follow market rules. In Iceland, they insist, prices were fixed by common vote in popular assemblies called *skuldabing* (the AFAQ authors translate term as “payment-thing”; however, an accurate translation is “debt assembly”, as *skuld* means just “debt”). The “communal price setting system”, the social anarchists conclude, made “the early Icelandic commonwealth [...] more similar to Guild Socialism (which was based upon guild’s negotiating ‘just prices’ for goods and services) than capitalism”.⁶³

It is true that artisan production played an important role in the life of medieval Iceland, yet its character was rather different from the one attributed to it by the AFAQ authors.⁶⁴ But of greater importance were spinning and weaving as well as dairy production – activities directly linked with animal husbandry (breeding of sheep and milch cows) which was the chief occupation of the majority of the island’s inhabitants. These cottage industries functioned in all Icelandic farms: both cloth-making and churning were regarded as customary household tasks. In Iceland some products had a special role apart from being marketable commodities. They functioned as lawful currencies that could be used in business transactions as well as the payment of land rents and debts. In particular, homespun (*vaðmál*, woolen cloth for clothing, sails, tents, etc. handwoven on a loom) was both a legal tender and one of Iceland’s main exports for which there was strong demand abroad.⁶⁵

Other ancient industries like iron smelting, boat building, and some more employed a relatively small number of people, usually estimated at a minuscule percentage of the total population of the island. It is impossible to say whether the artisans in such minority trades were in any way organized. Admittedly, Old Icelandic narrative sources do mention some sort of “guild” meetings which apparently took place in the 12th century, but all that can be said about those occasions is that they were feasts, attended on one occasion for the most part by the clergy.⁶⁶ It is therefore highly improbable that professional associations of artisans (guilds) could be found in medieval Iceland. Moreover, Old Icelandic law took a dim view of persons making a living from anything but agriculture. In effect, the social status of artisans must have been low and neither would they have been able – had they tried to band together – to impose their conditions on others nor “negotiate »just prices« for goods and services”.

⁶¹ *Ibidem*, s. 31.

⁶² J. Byock, *Viking Age Iceland*..., pp. 48–54.

⁶³ *AFAQ F.9, Is Medieval*...

⁶⁴ J. Jóhannesson, *Íslendinga Saga*..., pp. 300–303.

⁶⁵ G. Karlsson, *The History of Iceland*, Minneapolis 2000, pp. 50–51.

⁶⁶ B.E. Gelsing, *The Icelandic Enterprise: Commerce and Economy in the Middle Ages*, Columbia 1981, pp. 32–33.

Also the question of alleged social control of prices is more complex than the AFAQ authors would have it. The *skuldabing* at which – if the social anarchists are to be believed, an assembly of men set local prices “subject to popular judgement” – was held annually in May as one of two sessions of the spring assembly (*várþing*). Its name “debt assembly” is due to the fact it marked the customary deadline for settling outstanding debts or land dues. Initially they were paid in silver (*G II 245*₂₀₆), but as its supply fell short of the demand, the Icelanders began using other locally available commodities as currency, e.g. legally standardized cloth (homespun, *vaðmál*), cattle, furs and hides, grain, dairy products and stockfish. A situation in which multiple currencies were in circulation created the problem of their exchangeability. It was dealt with at the *skuldabing* where the rates of exchange were officially fixed (so for example the equivalent of one milch cow was to be a pair of two two-year old oxen, or three pannierfuls of butter, cheese or tallow, etc.).⁶⁷ The sources are silent about the manner in which the valuation was done and by whom. According to Old Icelandic law a spring assembly were to be attended by three *goðar* with their followers, e. i. farmers “in the thing” or their proxies), but it is very unlikely that the decision-making had a “communal” character, as the AFAQ authors contend.⁶⁸ More importantly, no mention of rates of exchange (equivalence of value) in extant narrative sources carries with it further reference to tariffs adopted at a local assembly. In fact, in the sagas questions of the value of the locally traded articles was agreed upon by the parties concerned.⁶⁹ It would seem therefore that the standard rates authorized by the *skuldabing* were intended to facilitate the payment of debts or land dues in a commodity currency other than the one in the contract.

Price controls are mentioned in a number of Old Icelandic sources, but only with respect of goods brought to the island from abroad. Yet, it needs to be stressed, the price-setting did not involve communal procedure nor the general interest. The right to determine the price of imported merchandise was claimed by the *goðar* who tried to impose their terms on the traders and get hold of the most attractive luxury goods ahead of other customers (see for example *Vápnfirðinga saga*, *Hænsa-Bóris saga*, and *Ljósvetninga saga*). But, as Jesse Byock notes, in negotiations between Icelandic chieftains and foreign merchants the latter usually had the upper hand. For if they were pressed too hard to lower their prices by the local *goði*, they could move on to the another bay/harbour and try to get better terms from one of his competitors (so far it has been possible to identify twenty-three landing sites from the time prior to c. 1180, and eleven that were functioning in the 13th century). As one can easily imagine, a chieftain who got a reputation for being heavy-handed could expect to be shunned by the traders and thus cut off from goods that were markers of high social status.⁷⁰ For the *goðar* the distribution of

⁶⁷ *Ibidem*, pp. 34–36.

⁶⁸ The *Grágás* provide also for the eventuality of both parties wish to settle their accounts in goods the value of which was not fixed at a pertinent assembly. Then the value assessment may be done by two persons, appointed by either party, and if the two fail to agree, lots should be drawn to determine which of them is to make the decision. In this procedure the final assessment was done under oath (*G II 246*₂₀₉).

⁶⁹ B.E. Gelsinger, *The Icelandic...*, p. 38.

⁷⁰ J. Byock, *Viking...*, p. 256.

such goods was a well-nigh indispensable means of consolidating old and making new alliances with the *bændr*.⁷¹

IV.

This critical analysis of the socio-political model of early medieval Iceland in the doctrine of modern anarchism is by no means exhaustive. For reasons of space I have not discussed the appropriateness of projecting concepts developed in a prosperous modern industrial society (eg. capitalism, socialism, free market, etc.) onto a peripheral, sparsely populated and relatively poor country in the shadow of Europe's Dark Ages. Moreover, this discussion does not address the key problem of comparability of two very different socio-political systems, one functioning in the early Middle Ages, the other in the modern epoch.⁷² Yet it was a more or less radical examination of latter that have shaped the doctrine of anarchism with its multiple currents and countercurrents. I have dealt briefly with the Iceland's peasant economics, but bracketed out completely problems of resource accumulation, distribution, or the functioning of the price mechanism in pre-capitalist societies. Taking these issues into consideration is, however, absolutely necessary in any in-depth study of the economic system of a society like the Icelandic Commonwealth.⁷³

The purpose of this critical review of the anarchist approach, in both its communitarian and free-market version, is to demonstrate that their idea of the institutional order of medieval Iceland depends more on a projection of their own doctrine than a close reading of all kinds of sources from the time of the *Þjóðveldið* and a level-headed evaluation of the vast literature of the subject.

While some amateur historians of the libertarian persuasion regard medieval Iceland as an epitome of an anarcho-capitalist society, their opponents the social anarchists see in it an association of self-governing village communes. Either is a misapprehension. The historic Icelandic Commonwealth was neither a free-market showpiece nor a collectivist dream come true. It cannot be treated as a case in point lending credence to claims that pre-state societies could do without private property or that law-making and

⁷¹ J.V. Sigurðsson, *Chieftains...*, *passim*. In the last phase of the history of the *Þjóðveldið*, as we may gather from the *Grágás*, the control over prices of imported good in at least some regions of Iceland was taken over from the *goðar* by officials called *forráðsmenn* (overseers). We do not know who they were or how they got their job. The penalty for disobeying their decisions was a drastically heavy fine (12 marks, i.e. the fourfold of the standard fine in Old Icelandic law). Only the buyer was liable; the seller would go scot-free regardless of the price he charged (*G II* 167_{92,93}). A 14th-century manuscript known as *Belgsdalsbók* (AM 347 fol) contains a price list passed by the General Assembly (*Alþingi*) at the turn of the 12th century for the whole of Iceland. The price control law was to remain in force for one year and was binding on all buyers and sellers, including local traders. It was, for all we know, a one-off emergency measure designed to cope with the effects of a catastrophic famine and climate change. Cf. J. Jóhannesson, *Íslendinga Saga...*, pp. 320–321.

⁷² Cf. P. Urbańczyk, *Władza i polityka we wczesnym średniowieczu* [*Power and Politics in the Early Middle Ages*], Wrocław 2000.

⁷³ Cf. C. Wickham, *Framing the Early Middle Ages: Europe and the Mediterranean, 400–800*, Oxford 2006.

law-enforcement could be “privately provided, without violating anybody’s rights”.⁷⁴ A society which tolerated slavery, in which women’s rights were curtailed,⁷⁵ and slights of honour triggered off a chain of blood feuds,⁷⁶ could hardly teach us “how we might create a more just and efficient society today”.⁷⁷ It should be taken for what it is – a fascinating example of a relatively well-documented pre-state society, which, when carefully researched, provides insights into an endogenous social order, extrajudicial dispute resolution, private law enforcement, the chieftain system and early state formation mechanisms.⁷⁸

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⁷⁴ T. Whiston, *Medieval...*

⁷⁵ W. Gogłoza, *The Social Status of Women in the Old Icelandic Laws* [in:] *Grettir’s Little Sword: Constructing Masculinity in Old Norse Society*, eds. R. Gogosz, T. Zielińska, Włodzisław Śląski, in print.

⁷⁶ J. Byock, *Feud...*, *passim*; W.I. Miller, *Blood...*, pp. 179–220.

⁷⁷ T. Whiston, *Medieval...*

⁷⁸ For a discussion of the idea of the early state and modern theories of early state formation, see *Instytucja „wczesnego państwa” w perspektywie wielości i różnorodności kultur [The Institution of “Early State” from the Multicultural Perspective]*, eds. J. Banaszekiewicz, M. Kara, H. Mamzer, Poznań 2015.

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