

Anne Irene Riisøy: 'The Body Legal': marking political and social identity along the *Norðvegr*

Lisi Oliver's acclaimed study on *The Body Legal in Barbarian Law* (2011) explores bodily harm and the corresponding compensation to the victim, primarily based on the injury tariffs of the Germanic laws, dating from c. 500 till c. 900 AD. In contrast to Roman Law, the Germanic laws considered injury a personal affront, and hence that the primary payment for such injury was to be rendered to the victim and/or the victim's family. As no two injury tariffs are entirely in agreement, they may have served as markers of individual identity between the various Germanic peoples.

Geographically Oliver's investigation ends in Saxony, hence leaving out the Viking World. Of the medieval Nordic laws, the earliest laws of the Gulathing and Frostathing legal areas are particularly relevant. These laws contain elaborate personal injury tariffs, which often also take the victim's social rank into account. The victim was entitled to compensation in rings (sing. *baugr* 'ring'). Although the earliest fragments of these laws date from c. 1200, 'ring-money' refers to an age before coins were struck in Scandinavia. Whereas a few paragraphs mention rings of gold, which indicate shadows of migration-period law, because this was the only gold rich era in western Scandinavia, other paragraphs prescribe rings made of silver, which is a Viking Age indicator. Chronologically the early Norwegian paragraphs on bodily harm may therefore, at least partially, overlap with and thus be compared with the results from Oliver's study, and, as D. A. Binchy stated more than eighty years ago (1938) '... the rules governing compensation for personal injuries offer perhaps the most fruitful field for the work of drawing parallels between ancient legal systems'.

Here, I will use *The Body Legal* according to the earliest laws of the Gulathing and Frostathing to explore identity on two levels: Firstly, how did the rules on bodily harm differ between the legal provinces of the Gulathing and the Frostathing, and, what can this tell us about political identity? Secondly, how did these rules serve as identity markers between various social strata in society? I will pay special attention to the rules on bodily harm stipulating compensation according to the rank of the victim, and, correspondingly, payment of compensation according to the rank of the perpetrator.