Abstract

This paper examines the evolution of vengeance (*vindicta*) as a juridical and moral principle across four legal traditions, such as Roman, Icelandic, Sardinian, and Albanian, to understand how revenge, far from being a primitive instinct, formed the past matrix of social order and justice. The analysis uses Palermo's idea of the *système vindicatoire* as its main interpretive frame. Further doctrinal ground includes Durkheim's principle of solidarity, Foucault's insights on the disciplinary power, and Beccaria's idea of punishment as a rational practice. It aims to reconstruct how law codified the vengeance from its archaic roots to its modern reconfigurations. While the Roman *lex talionis* transformed private retaliation into *publica iustitia* through civic ritual, the old Icelandic law embedded in the moral economy of honour converted the blood feud (*hefnd*) into a system of compensation under the *Grágás* and *Jónsbók*. As for reference to a Mediterranean legal system, the analysis reviews the Albanian customary law of *Kanun of Lekë Dukagjini*, which preserved the sacred obligation of blood vengeance (*gjakmarrje*) into the twentieth century, and the Codice Barbaricino, an unwritten system of customary law from the Barbagia region (Sardinia, Italy), based on honor operating parallel to state law. Vengeance never really vanished, as it simply shifted into legal systems. This suggests that the urge for retribution still quietly shapes how we think about justice today.

1. **Introduction**

The relationship between vengeance and justice is as old as law itself. From the earliest tribal codes to the refined doctrines of modern jurisprudence, societies have responded to wrongdoing through acts of retribution that satisfy both moral emotion and collective order.[1] Durkheim observed that the function of punishment is not only to deter crime but to reaffirm the moral cohesion of the group, for "the penal sanction expresses the solidarity of consciences".[2] Likewise, Palermo's theory of the *système vindicatoire* proposes that even modern penal systems, under the guise of rational law, continue to channel the same emotional energies that once animated vengeance.[3] In this sense, vengeance is not antithetical to justice but its anthropological ancestor. Indeed, the distinction between private retaliation and lawful punishment lies in form, not in substance, as both are reactions to moral injury. The transformation from *vindicta privata* to *iustitia publica*, therefore, represents not a suppression but a socialisation of vengeance. We find vengeance

embedded in early Roman law, medieval Icelandic law, Albanian customary law, Germanic and Anglo-Saxon codes, Islamic *qisas*, and many tribal legal systems, with traces of its moral logic continuing to influence modern retributive justice.[4] Roman law works as the starting point here, showing one of the first attempts to turn personal vengeance into a regulated form of justice. Old Icelandic law offers a different path, where feud and honour were organised within a stateless community before becoming part of Norway's royal legal system[5]. Albanian customary law shows how older ideas of vindication survived well into the modern period, resisting the state's efforts to control punishment[6].

2. Roman Law: The Codification and Sacralisation of Revenge

2.1 From Clan Vengeance to the Twelve Tables

In the earliest phase of Roman civilisation, before the consolidation of the *Res publica*, justice was administered within the family or the clan (*gens*). The *paterfamilias*, head of the household, exercised near-absolute authority over its members, including the power of life and death. Injury to one member of the *gens* demanded reparation by the entire lineage, and vengeance (*ultio*) was both a social obligation and a ritual act of purification. Palermo notes that such collective punishments predated the differentiation between criminal and civil liability; vengeance struck the offender's kin indiscriminately to reaffirm the moral order.[7]

The introduction of the *Twelve Tables* (mid-fifth century BCE) marked the first codification of this instinct into a legal framework. The famous principle "*Si membrum rupit, ni cum eo pacit, talio esto*" ("If a limb is broken and no settlement is reached, let there be retaliation")[8] demonstrates that the *lex talionis* was both a constraint and an authorisation of vengeance. It limited retaliation to equivalence, replacing unbounded violence with juridical symmetry.[9] Thus, Rome did not abolish vengeance but rather tried to rationalise it. Durkheim's notion of *mechanical solidarity* helps illuminate this transition. In societies united by shared beliefs, the violation of a norm provokes a "passionate" reaction because it threatens the collective conscience.[10] The Roman response, institutionalising retaliation, was a means of preserving that moral unity in a sort of divine order.

2.2 The Religious Dimension: *Fas* and *Ius*

Before the emergence of secular law, Roman justice was embedded in religious norms (*fas*). Crime was an offence against both the gods and the community; the distinction between sin and crime was not yet articulated. Acts of vengeance often carried sacrificial overtones: to punish the guilty was to appease divine anger and restore *pax deorum*, the peace between gods and men. An early example of legalised vengeance was the *homo sacer*, a person cursed and expelled from the community, who could be killed by anyone without ritual pollution.[11]As Roman law evolved, these sacred acts were gradually absorbed into civic legal procedures. The magistrate took over where divine mandate once stood as the punishment cleansed the community. Even the ritual of *manumissio vindicta*, the act of freeing a slave with a symbolic rod, preserved this symbolism. The rod signalled a lawful act of will and showed how Rome transformed an old form of coercion into an expression of justice.[12] Foucault, reading such rituals genealogically, observed that "the law of sovereignty makes visible the violence it restrains". [13] Roman justice displayed vengeance publicly to domesticate it. The spectacle of execution, from crucifixion to *damnatio ad bestias*, reaffirmed the majesty of the state as the ultimate avenger.[14]

2.3 From Republic to Empire: The Public Monopoly of Punishment

By the late Republic and the early Empire, vengeance had been fully absorbed by the state. The emergence of *crimina publica* (public crimes prosecuted in the name of the *populus Romanus*) signified that the right to avenge no longer belonged to individuals but to the community as embodied by the state. The *lex Cornelia de sicariis et veneficiis* (81 BCE), addressing murder and poisoning, replaced private vendetta with judicial procedure, but its moral rationale remained retributive as *poena talionis* was now mediated by the court.[15] Beccaria, in the eighteenth century, would reinterpret this development as the foundation of rational punishment. [16] "Every act of authority," he wrote, "that does not derive from necessity is tyranny".[17] Yet even Beccaria acknowledged that justice requires proportional retribution; the Roman legacy of equivalence survived the Enlightenment. Palermo thus interprets Roman law as the archetype of the *système vindicatoire*: punishment operates as collective vengeance under legal authority.[18] The law's retributive symmetry, harm balanced by harm, transformed emotional passion into moral duty.

2.4 Honour as Roman Vindicatory Logic

The Roman model understood wrongdoing as a disturbance of the civic and moral order, one that required the punishment to be calibrated according to the nature and gravity of the offence. This idea is reflected in the *de poenis*, where Ulpian emphasises that the penalty must correspond to the offender's condition at the time of the wrongdoing (D. 48.19.1), and where the jurists repeatedly note that *poena pro facto*, the penalty must follow the facts, so that the sanction mirrors the quality and seriousness of the delict[19]. These principles would echo through the legal cultures of Europe and beyond with principles as fairness and proportionality. The moral vocabulary of *honor*, *fides*, and *pietas*, respectively, duties toward family, state, and gods, created a system where vengeance was civilised into law. Durkheim's insight that punishment reinforces the moral unity of a community finds an early prototype in the Roman system. For Durkheim, the repressive function of law works by reaffirming the shared sentiments that bind individuals together.[1] Roman penal thought reflects the same dynamic: wrongdoing was understood as a rupture in the civic and moral fabric of the community, and punishment functioned to restore that collective balance.[20] Rome's enduring contribution was to channel vengeance into institutional ritual to make of *vindicta* a cornerstone of civilisation.

3. The Icelandic Legal Tradition of Vengeance

3.1 The Moral Economy of Honour

In medieval Iceland (c. 930–1262), vengeance (*hefnd*) functioned as both a moral duty and a social mechanism of equilibrium. The island's stateless commonwealth had no executive power: the *Alþingi*, founded in 930 CE, acted as a legislative and judicial assembly but lacked the means to enforce its judgments. Consequently, the maintenance of order depended upon the reputation and honour (*heiður*) of each household. Failure to avenge an insult or injury was tantamount to moral disgrace and social exclusion.[21] William Ian Miller's seminal study *Bloodtaking and Peacemaking* describes the Icelandic feud system as "a morality of honour, not of law".[22] The *Íslendingasögur*, sagas of Icelanders, vividly depict this ethos. In *Njáls saga*, the killing of Höskuldur Hvítanessgoði by Njáll's sons sets a feud in motion that demands an answer, and the expectation of vengeance becomes inseparable from the preservation of reputation (chs. 112-4). Flosi's decision to gather supporters shows how this honour pressure develops into an organised pursuit of retribution that drives the story toward an increasingly dangerous escalation (chs. 115-6).

The cycle eventually reaches its destructive peak in the burning of Njáll and his family, a moment that reveals how vengeance could consume an entire household within the Icelandic Commonwealth (chs. 129-30). [23]

A passage from *Njáls saga* (ch. 129) vividly illustrates the intertwined forces of revenge and honour:

Njáll mælti: "Eigi vil eg út ganga því eg er maður gamall og er eg lítt til búinn að hefna sona minna en eg vil eigi lifa við skömm."- *Njáll said: "I do not want to go out, for I am an old man and am poorly prepared to avenge my sons, and I do not wish to live with shame."*

A similar ethos shapes *Egils saga*, where Egill's readiness to answer insults and injuries with force turns each act of violence into a public demonstration of status. His killing of Bárður during the royal feast, his confrontations with Atli the Short, and his later reprisals in defence of family honour (chs. 77-81) all show how vengeance functions as a moral performance and a recognised expression of standing within the community.[24] As in early Rome, the feud in Iceland was not anarchy but a structured practice guided by norms of equivalence. To avenge was not to destroy social order but to uphold it. The community recognised the legitimacy of vengeance within strict conventions as it had to be declared publicly, executed honourably, and often mediated through compensation.

3.2 Legal Regulation under the *Grágás*

The *Grágás* did not seek to abolish the feud but rather to discipline and channel it within a structured legal framework. As Miller observes, in Commonwealth Iceland feud was "more than half a legal matter," embedded within the legal order itself rather than standing outside it. The right to vengeance (*vígt*) was closely connected to the loss of legal immunity (*óhelgi*), meaning that violence became lawful only when a person had forfeited their protection under the law. At the same time, strict spatial and procedural limitations applied: violence was absolutely prohibited in sacralized spaces, including the Alþingi and other assemblies formally hallowed by the chieftains, where penalties for wrongdoing were doubled. Moreover, the right and duty of vengeance followed the same kinship structure that governed inheritance, thereby restricting legitimate retaliation to a defined circle of close relatives and preventing the uncontrolled expansion of conflict. Although monetary

compensation (*bœtur*) functioned as the preferred mechanism for restoring social balance in practice, the legal order continued to recognize vengeance as a legitimate remedy when settlement was refused, reflecting the hybrid public–private character of Icelandic justice.[25] Miller argues that such provisions reflect an embryonic form of restorative justice, where reconciliation through honourable settlement replaced endless retribution.[26] The moral logic, however, remained vindicatory: each act of settlement reaffirmed the offended family's dignity. Palermo interprets this dynamic as an intermediate stage between *vindicta privata* and *iustitia publica*.[27] The *Grágás* domesticated vengeance without eliminating its moral necessity. In Durkheimian terms, Icelandic society retained *mechanical solidarity*, bound by shared values of honour and shame, but developed proto-legal mechanisms to contain its passions.

3.3 Christianisation and the *Jónsbók*

The conversion of Iceland to Christianity around 1000 CE profoundly altered the moral framework of vengeance. Christian doctrine emphasised forgiveness and divine judgment, yet could not entirely displace the cultural imperative of honour. The compromise was pragmatic, with the *Grágás* preserving customary norms while integrating Christian ethics. When Iceland fell under Norwegian sovereignty in the mid-thirteenth century, the new royal law, the *Jónsbók* (1281), formally abolished blood feuds. It introduced monetary fines, exile (*útlegð*), and confiscation as substitutes for vengeance.[28] These measures represented the state's assumption of the right to punish, mirroring the Roman transition to *crimina publica*. Nevertheless, as Foucault reminds us, the abolition of physical vengeance did not signify the disappearance of punitive emotion but its relocation into institutional forms.[29] The *Jónsbók* transposed the theatre of vengeance from the battlefield to the courtroom as the *Althing*, once an arena of negotiated honour, became a forum of royal justice. Durkheim's distinction between repressive and restitutive sanctions illuminates this evolution. Whereas Roman and Icelandic vengeance was repressive, aimed at restoring violated sentiments, the *Jónsbók* inaugurated restitutive justice, seeking to repair rather than avenge.[30] However, as Palermo observes, "the emotional core of punishment remains the same: society demands satisfaction".[31] By the end of the thirteenth century, Icelandic vendettas had largely ceased as legal institutions, though echoes persisted in rural traditions of honour. The sagas themselves, literary memorials of feuding, testify to the cultural endurance of the vengeance ideas. Honour and shame remained the moral currency

of Icelandic society long after the law forbade bloodshed. In a comparative perspective, Iceland exemplifies the domestication of vengeance through legal codification without erasing its moral meaning. The feud was transformed into compensation; exile replaced execution, but the logic of moral equilibrium endured.

4. The Albanian *Kanun*: Honour, Blood, and the Persistence of *Lex Talionis*

4.1 Historical and Cultural Background

Albanian customary law presents perhaps the most striking survival of the ancient vindicatory logic in modern Europe. The Kanun of Lekë Dukagjini, compiled in the fifteenth century but transmitted orally long before, codified an elaborate system of norms governing honour (*nderi*), kinship (*fis*), and retribution.[32] Emerging in the mountainous regions of northern Albania, where Ottoman rule failed to impose a centralised judiciary, the Kanun became, per Cara and Margjeka, *the most distinctive feature of Albanian social organisation*, shaping identity and resistance to assimilation for centuries.[33] Pepa similarly describes the Kanun as both a moral constitution and a juridical order, rooted in values such as oath, honour, blood, hospitality, and vengeance.[34]

As Pepa notes, the Kanun functioned as both a moral framework and a penal code in which honour was the currency of justice. Offence and vengeance were inseparable: an insult, injury, or killing created a moral debt that only blood could redeem.[35] It distinguished between *hakmarrje* (general vengeance) and *gjakmarrje* (blood vengeance). The former could address offences to honour or property; the latter responded exclusively to homicide. Article 128 declared, “Blood is never left unavenged,” while Article 95 stated, “Dishonour cannot be compensated with money but only with blood.”[36] Evans-Pritchard’s anthropological theory of kinship-based law helps contextualise this persistence. In segmentary societies, he argued, “the lineage is both unit of conflict and unit of order”.[37] The Albanian *fis* operated precisely on this principle: social cohesion was maintained not by the state but by the reciprocal deterrence of vengeance.

4.3 Masculinity, and the Sacred Dimension of Blood

The moral meaning of the *Kanun* is inseparable from notions of masculinity and divine

sanction. To avenge was not only a social duty but a sacred act restoring balance between worlds. Blood carried spiritual significance; the failure to shed it for an offence desecrated both lineage and faith. Palermo's insight that punishment "transcends rationality and enters the sacred sphere of collective purification"[38] aptly describes the Albanian ethos. Unlike the Icelandic or Roman systems, which allowed for negotiation, the Kanun elevated vengeance to an absolute moral imperative. The duty to avenge fell upon male relatives of the victim and extended across generations until honour was restored. Mediation was possible only after cycles of violence, usually through temporary truces (*besa*). The cyclical nature of *gjakmarrje* created an enduring pattern of violence that persisted into the twentieth century. Despite Albania's adoption of modern penal codes, particularly under King Zog and later under communist rule, blood feuds continued in remote regions. Reports from the late 1990s even documented renewed *gjakmarrje* in post-communist northern Albania, revealing the deep cultural roots of vindicatory morality.[39] That said, the affinity between Roman and Albanian legal thought is evident in the shared principle of equivalence as *sanguis pro sanguine*. Both systems conceive justice as restoration through symmetrical retribution. The Roman *lex talionis* sought to limit vengeance through proportion; the *Kanun* preserved it as a moral absolute. Pepa argues that the *Kanun* can be viewed as a "vernacular echo" of the Roman order, filtered through centuries of isolation and Islamic influence.[40] While the Ottoman legal framework introduced elements of *Sharia*, local populations continued to follow the *Kanun* because it resonated with their collective identity. In this sense, Albanian customary law represents the endurance of Roman vindicatory logic in a post-imperial context.

5. **"La vendetta" and the Codice Barbaricino: A Pastoral System of Honour-Based Justice**

A second Mediterranean illustration of an honour-based system of retaliation can be found in the *Codice Barbaricino*, the pastoral legal order of Barbagia in central Sardinia. Transcribed in 1959 by the Sardinian jurist Antonio Pigliaru, this corpus of twenty-three articles reflects a highly structured conception of vendetta (vengeance, in Italian) similar to the Kanun but shaped by a different social environment. While the Albanian Kanun rests on expansive clan responsibility, the Sardinian system limits retaliation to the individual or to a narrow kin group, which suggests a more personalised understanding of honour and guilt.[41] The Barbagian communities recognised only intentional injury, required proof

beyond a reasonable doubt, and expected the offending party to be confronted through regulated procedures that mirrored the judicial process.[42] This reveals that vendetta was not conceived as uncontrolled aggression but as a mechanism of social ordering in pastoral societies where state authority was distrusted or perceived as ineffective. This Sardinian logic of private justice resonates with earlier Mediterranean legal traditions, most notably Roman law. Archaic Roman communities also relied on private retaliation, where *iniuria* and *noxa* could provoke immediate self-help unless the parties agreed on compensation. Over time, Roman institutions replaced private vengeance with public prosecution and formula-based litigation, reducing personal retaliation through the *lex Aquilia* and the development of praetorian actions.[43] The trajectory of Roman law demonstrates how a system can evolve from honour-driven self-help to state-managed adjudication. In contrast, the *Codice Barbaricino* preserved many features of early Mediterranean justice, including the primacy of honour, the moral duty to avenge, and the expectation that social balance was restored through proportional retaliation rather than through the monopoly of public courts. Importantly, this Sardinian system remained active well into the twentieth century. Local police and criminological studies report that elements of the code continue to influence conflict management in rural areas, where silence and non-cooperation with state authorities are still interpreted through the cultural grammar of honour. Contemporary observers note that, even as classical banditry has declined, investigators in Nuoro continue to refer to the logic of the code when assessing retaliatory killings.[44] This persistence shows that the Mediterranean does not host a single model of vendetta but a constellation of related practices shaped by geography, kinship, pastoral economies, and resistance to state law. When placed after the Kanun and compared with early Roman norms, the *Codice Barbaricino* demonstrates how the idea of private vengeance can either become institutionalised in a comprehensive code, as in Albania, or remain a local but coherent alternative normative order, as in Sardinia, while Roman law represents the pathway toward its eventual transformation into public justice.

6. Comparative Reflections: The Transformation of Vengeance

The comparative trajectory from Rome to Iceland to Albania reveals a common anthropological structure as vengeance originates as a sacred duty of equilibrium and gradually becomes institutionalised within law. Palermo's *système vindicatoire* provides the theoretical key to this process: punishment, whether public or private, functions as society's

self-affirmation through controlled vengeance.[45]

In Roman law, vengeance was sacralised and nationalised; the state claimed the exclusive right to avenge in the name of cosmic and civic order. In Iceland, vengeance was socialised through honour and transformed into restitution under the *Jónsbók*; the state replaced feud with exile and compensation. In Albania, vengeance remained personal and sacred, preserved as identity and resistance against state authority. A similar logic survived in Barbagia, Sardinia, where the *Codice Barbaricino* regulated vendetta as a personalised and intentional duty of honour well into the twentieth century. Pigliaru's transcription of this pastoral legal order shows that, even within a European state, a parallel system of regulated retaliation persisted as a coherent alternative to public justice. Durkheim's distinction between *mechanical* and *organic* solidarity maps neatly onto these transformations. In early Rome and medieval Iceland, where moral consensus was strong and collective life homogeneous, punishment was repressive as an expression of collective passion. In later systems like the *Jónsbók* or the modern Albanian Penal Code, law became restitutive, aiming at equilibrium rather than expiation. Yet, as Durkheim noted, even restitutive justice retains traces of emotional vindication: society continues to "make itself felt" through punishment.[46] Foucault's analysis of disciplinary power deepens this insight. When vengeance passes from the sword to the court, it does not vanish; it becomes internalised. The spectacle of execution gives way to the invisible coercion of the prison, but both operate within the same moral economy of retribution. Punishment remains a "ceremony of power" that reaffirms authority through the measured infliction of suffering.[47] Beccaria's rationalist project sought to sever this emotional link by grounding punishment solely in social utility. Yet his insistence on proportionality, that the severity of punishment must correspond to the gravity of the crime, inadvertently preserved the ancient principle of equivalence. Rational justice still speaks the language of the *lex talionis*. In all four systems, we observe the same moral calculus. Whether through *vindicta*, *hefnd*, or *gjakmarrje*, the logic of retribution remains constant. Palermo thus concludes that modern penal systems, far from transcending vengeance, have merely monopolised it: "The state avenges in the name of all; it civilises the cry for blood by institutionalising it".[48]

6. Conclusion

Vengeance and justice are not opposing forces but stages of the same moral evolution. The

Roman *lex talionis* transformed bloodshed into legal symmetry: the Icelandic *Grágás* and *Jónsbók* translated honour into restitution; the Albanian *Kanun* preserved vengeance as identity, and the Barbagian code reveals how self-help systems can coexist with formal state law, creating a dual normative order in which individuals freely choose between the authority of the state and the authority of honour. Across these traditions, vengeance functions as a ritual of reparation, an act through which the community reasserts its moral integrity. The persistence of vindicatory logic, from the *paterfamilias* to the *fis*, from the *Althing* to the modern court, demonstrates that justice cannot fully escape its origins in passion. Palermo's *système vindicatoire*, illuminated by Durkheim and Foucault, thus reframes punishment not as the negation of vengeance but as its sublimation. Law does not abolish vengeance; it disciplines it, transforms it, and renders it visible as moral order. To avenge, in the end, is to reaffirm belonging to heal the wound of transgression by restoring the symmetry of the world. The evolution from *vindicta privata* to *iustitia publica* is therefore not a story of progress away from violence, but of its moral domestication within civilisation itself.

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[1] René Girard, *Violence and the Sacred*, p.17.

[2] Emile Durkheim, *Le regole del metodo sociologico* (*The Rules of Sociological Method*), p. 89.

[3] Giovanna Palermo, 'Pena e vendetta: la linea sottile della reazione sociale (Punishment and Revenge: The Subtle Line of Social Reaction)' (2021) 19(1) pp. 18-19.

[4] *See:* Carlos Sánchez-Moreno Ellart, 'Homicide (Rome)' in Roger S Bagnall and others (eds), *The Encyclopedia of Ancient History*, pp. 3215–3217; David Clark, 'Revenge and Moderation: The Church and Vengeance in Medieval Iceland' (2005) *Medium Ævum* 74(2), p. 241.

[5] Ibidem. Moreno; Ibid. Clark, p.244

[6] Edith Durham, *High Albania*, pp. 167–184.

[7] Ibid. Palermo, pp. 20–21.

[8] XII Table VIII.3. Translation available here:

https://droitromain.univ-grenoble-alpes.fr/Anglica/twelve_Johnson.html#t6

[9]*See also* Alan Watson, *The Spirit of Roman Law*, pp.42–44

[10] Emile Durkheim, *The Division of Labour in Society*, p.112

[11] Ibid. 76-77

[12] Numa Denis Fustel de Coulanges, *The Ancient City: A Study on the Religion, Laws, and Institutions of Greece and Rome*, pp. 207–213

[13] M Foucault, *Surveiller et punir: Naissance de la prison* (*Discipline and Punish: The Birth of the Prison*) pp. 52-55

[14] Donald G Kyle, *Spectacles of Death in Ancient Rome*, pp 50–55.

[15] Jean Rives, 'Magic, Religion, and Law: The Case of the Lex Cornelia de sicariis et veneficiis' in C Ando and J Rüpke (eds), *Religion and Law in Classical and Christian Rome*, pp.47–67.

[16] Cesare Beccaria, *Dei delitti e delle pene* (*On Crimes and Punishments*) (Livorno 1764) 25

[17] *Supra note*. § II.

[18] *Ibid*. Palermo (n.3), 22.

[19] 48.19.0. De poenis.

[20] Ibid. Durkheim (n 10) 52-53

[21] William Ian Miller, *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland* pp. 1–15, 179–210; *See also* Jesse L Byock, *Viking Age Iceland*, pp.152–165

[22] Ibid. (Miller) 21.

[23] *Brennu-Njáls saga* (The Story of Burnt Njal), chs112–116, 129–130 , in George Webbe Dasent (trans), *The Story of Burnt Njal*

[24] *Egils saga Skalla-Grímssonar*, chs 40–41, 64–65, 77–81, W C Green (trans), *The Story of Egil Skallagrimsson*

[25] William Ian Miller, 'Grágás and the Legal Culture of Commonwealth Iceland' in Heather O'Donoghue and Eleanor Parker (eds), *The Cambridge History of Old Norse-Icelandic Literature* (Cambridge University Press 2024) 549–556.

[26] Miller (n 21), 185-188

[27] Ibid. Palermo, 24

[28] Jana K Schulman, *Jónsbók: The Laws of Later Iceland*.

[29] Ibid. Foucault, 64–67.

[30] Ibid. Durkheim (10), 31–38, 68–74.

[31] Palermo (n 10) 26.

[32] Cara, A. & Margjeka, M., *Kanun of Leke Dukagjini Customary Law of Northern Albania*, European Scientific Journal, vol. 11, no. 28 (2015), 174-8

[33] Ibid. *Supra note*. 174–182.

[34] Pepa, E., *"Istitutiones Iuris" of Albanian Consuetudinary Law*, Academic Journal of Interdisciplinary Studies, vol. 4, no. 2 (2015), pp. 337-8

[35] Ibidem

[36] Gjeçov S. (trans), *Kanun of Lekë Dukagjini*, arts 95, 128

[37] EE Evans-Pritchard, *The Nuer: A Description of the Modes of Livelihood and Political Institutions of a Nilotic People* (Oxford University Press 1940) 144–146.

[38] Ibid. Palermo 27

[39] Ibid. Cara, 181-2

[40] Ibid. Pepa, 60

[41] Antonio Pigliaru, *La vendetta barbaricina come ordinamento giuridico* ("The Barbaricinian Vendetta as a Juridical System"), 37–55

[42] Manlio Brigaglia, *Storia della Sardegna contemporanea* (A Contemporary History of Sardinia), 112–114.

[43] Dig 9.2 (lex Aquilia)

[44] UnicaRadio Editorial Team, 'Il delitto d'onore in Sardegna (Honour Killing in Sardinia).

[45] Ibid. Palermo 18

[46] Durkheim,118.

[47] Ibid. Foucault, 70–71.

[48] Ibid. Palermo,26–27.