

THE ILLUMINATED *ÞJÓFABÁLKR* IN FOURTEENTH-CENTURY ICELANDIC *JÓNSBÓK* MANUSCRIPTS

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Decreed by the Norwegian king Magnús *lagabátir* Hákonarson (1238–80), the legal corpus contained in *Jónsbók* was ratified by Icelanders at the annual Alþing at Þingvellir in summer 1281. It soon became a mass-produced text with probably as many as two hundred manuscripts in circulation at a time (Már Jónsson 2014, 26).¹ Precipitating this was rapid growth of administrative literacy in Iceland at the beginning of the fourteenth century,

¹ For a discussion of the medieval transmission of the *Jónsbók* text see Már Jónsson (2004, 1–27). Two main redactions are distinguished, uninterpolated (I) and interpolated (II) (Ólafur Halldórsson 1904, xli–lvii). After ratification, *Jónsbók* was extended numerous times. Most important, however, are three royal amendments from 1294, 1305, and 1314, all addressed specifically to the Icelanders and originally added to the end of the law text in the uninterpolated redaction. Only later, in the interpolated version of the text, were the three amendments, as well as further additions, incorporated into the main text (Már Jónsson 2004, 22). *Svalbarðsbók* (AM 343 fol.), written in 1330–40, is the oldest witness to this redaction (Ólafur Halldórsson 1904, xliv).

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Abstract: This article is concerned with a number of historiated initials that introduce one specific chapter of the widely copied Icelandic law code *Jónsbók*, the so-called *Þjófabálkr*. The overall aim is to show that the content of a single historiated initial in a widely copied and illuminated vernacular law text is more subject to change than the text itself, while still being partly dependent on the relation of the individual text to other texts. The minimal word and content changes to be found in the text generally relate to the content of the painted image. Accordingly, the first part of this article will give a brief overview and introduction to these visual motifs and an investigation of the various text-image relations. In the second part of this article, the initials are compared with a historiated initial from an early fourteenth-century East Anglian canon law manuscript, followed by a discussion of the historical circumstances for the establishment and creation of the different initials.

Keywords: *Jónsbók*, *Þjófabálkr*, textual transmission, pictorial relations, Old Norse-Icelandic manuscript studies, East Anglian book painting, fourteenth-century Icelandic book painting, secular iconography.

following a general trend in western Europe (Rohrbach 2014, 256). Thanks to the secular nature of the law text and its importance for Icelandic society, a majority of illuminated medieval *Jónsbók* manuscripts probably survived the Reformation, albeit mostly in a fragmentary state (Már Jónsson 2001, 25).

Usually placed as the last section of *Jónsbók*, *Þjófabálkr* describes the punishment of thieves, the gravity of their crimes, and the procedure for prosecution. Already in the earliest *Jónsbók* manuscripts this section is given special prominence. The oldest manuscript, AM 134 4^o, from 1281–94 (Hreinn Benediktsson 1965, liii), signals the beginning of *Þjófabálkr* on fol. 36^{r8-13} with one of only two ornamented main initials in the entire codex, indicating the importance of that chapter in the overall manuscript design. This strong emphasis persists in a number of fourteenth-century copies, with the addition of a range of iconographic motifs chosen by the illustrators.² Included were a number of Christian and secular motifs that were reused and changed in keeping with the text to fit the previously unilluminated textual surround.³ In using this technique, medieval Icelandic illuminators assumed that the contemporary viewer understood not only the background of the various visual motifs but also their meaning and significance.⁴

It is often believed that medieval illuminators generally had only a passing acquaintance with the text they illuminated, particularly in the case of texts that were mass-produced and composed in languages unknown to the illuminators (Rouse and Rouse 2000, 254–60). This, however, seems not always to have been the case. In certain vernacular manuscripts such as the early fourteenth-century English Gothic manuscript Cambridge, Cambridge University Library, MS Ee.3.52, which includes a newly established and unique cycle of Bible illustrations, initials relate closely to sections of texts they initiate (Camille

² This article confines itself to the earliest illuminated *Jónsbók* manuscripts, all from the fourteenth century. Younger copies, such as Heynesbók (AM 147 fol.) and Reykjabók (AM 345 fol.), are therefore excluded. For them see Richter (2013).

³ A historiated initial refers to a large illuminated letter that contains an image that directly or indirectly relates to the text initiated by it (Jakobi-Mirwald 1997, 60).

⁴ A great number of studies dedicated to word-image relations in Gothic manuscripts have been published in the past few decades and it is not my aim to provide a comprehensive list here. In my opinion, some of the most important contributions have been those by Camille (1985; 1991), Sandler (2008), and Smith (2005). On conventions in pictorial narrative and iconography in medieval book painting see for example Schapiro (1973), Ringbom (1980), and Wenzel (1995, 122–51; 1997). On the study of memory techniques in medieval manuscript design see first and foremost Carruthers (2008, 274–337).

1988).⁵ This example, along with many others, indicates that the language in which manuscripts are written indeed affects the content of the illuminations (Camille 1987). The present article will argue that this pattern can be discerned in the Icelandic *Þjófabálkr* illuminations. European influences on the creation of the various motifs used for the illuminations in *Þjófabálkr* will also be canvassed.

Previous studies in this area have made use of methodologies from a range of different yet connected fields of medieval manuscript research. From the art historical perspective, the most important contribution has been that of Lena Liepe (2009, 12–24, 133–38, 157–70), who shows convincingly that a stylistic investigation into medieval Icelandic manuscript illumination is not limited to the classical tools of art history. Following up on Karl G. Johansson's (1997) well-received study and structuralist-influenced methodology on micro- and macro-palaeographical norms in the writing practice of the fourteenth-century Icelandic manuscript AM 242 fol. Codex Wormianus, she added copious philological information about selected manuscripts and their known medieval provenance to her own stylistic analysis of her selected manuscripts.⁶ In the present article, Liepe's approach will be applied to the iconographic and pictorial research of art history. Previous studies on the iconography of illuminated medieval *Jónsbók* manuscripts are rare, despite the number and pictorial variety of these manuscripts. Harry Fett (1910, 13–17), Halldór Hermansson (1935, 23–28; 1940, 10–14), and Björn Th. Björnsson (1982, 34) have briefly discussed the visual content of several of them. Additionally Bera Nordal (1985) and recently Johansson and Liepe (2014) have studied text-image relations and their cultural background for selected images in a group of philologically related vernacular West Norse law manuscripts. Finally, the author has recently added a larger study on the iconography of one of the main fourteenth-century *Jónsbók* manuscripts, AM 350 fol. Skarðsbók (Drechsler 2014a).

Images and Workshops

Most of the illuminated *Þjófabálkr* initials belong to codices that are either part of a previously established group of manuscripts or linked to established text groups

⁵ On thirteenth- and fourteenth-century illuminated Bolognese and English law manuscripts see L'Engle (2000; 2001).

⁶ Johansson bases his analysis on an established linguistic grapheme analysis of a system of signs that is transferred to one or several manuscript texts (Johansson 1997, 81–122). Liepe (2009, 21–22) develops an art historical counterpart. See also Drechsler (2014c).

Table 1: *Jónsbók* manuscripts containing a historiated initial of the *Þjófabálkr*.

Shelf mark and name	Date	MSS group ⁱ	Text group and redaction	Topic of illumination
AM 134 4 ^o	1281–94 ⁱⁱ	None	I; i ¹	None (ornamented)
GKS 3269 b 4 ^o	1330–40 ⁱⁱⁱ	None	I; d, related to i ¹	Capture; Hanging
AM 343 fol. (Svalbarðsbók)	1330–40 ^v	Helgafell (indirectly)	II; y	Capture
AM 347 fol. (Belgsdalbók)	1350–70 ^v	Helgafell (indirectly)	I; d ² , related to d	Capture
AM 127 4 ^o	1350 ^{vi}	Þingeyrar	I; u, related to i ¹	Capture
GKS 3269a 4 ^o	1350 ^{viii}	Þingeyrar	I; h, partly related to u	Capture; Hanging
GKS 3270 4 ^o	1350 ^{viii}	Skálholt	I; c	Hanging
AM 168 a–b 4 ^o	1360 ^{ix}	None	I; f, related to i ¹	Capture; Hanging
AM 350 fol. (Skarðsbók)	1363 ^x	Helgafell	II; æ, strongly related to y	Capture; Hanging
AM 139 4 ^o	1400 ^{xi}	Helgafell	II; strongly related to æ	Hanging
Thott 1280 fol.	1400 ^{xi}	None	I; l, related to i ¹	Hanging

ⁱ The numbering of the *Jónsbók* text groups is taken from Ólafur Halldórsson (1904, xli–xlv) and Már Jónsson (2001, 385).ⁱⁱ Hreinn Benediktsson 1965, liii.ⁱⁱⁱ Ólafur Halldórsson 1904, xli; on the dating of medieval Icelandic manuscripts see StStefán Drechsleréfan Karlsson 1999.^{iv} Ólafur Halldórsson 1904, xlv.^v Stefán Karlsson 1987, 167, 179.^{vi} Jakobsen 1964, 46, 12.^{vii} Jakobsen 1964, 46, 12.^{viii} Stefán Karlsson 1967, 27. AM 168 a 4o and fols 1–11 of AM 168 b 4o once belonged to a single manuscript (Ólafur Halldórsson 1904, xli). In the following, the two parts are considered as one single manuscript (AM 168 a–b 4o).^{ix} Ólafur Halldórsson 1904, xli.^x Reference to the dating is mentioned on fols 148vb–149ra.^{xi} Stefán Karlsson 1970, 287.^{xii} Kålund 1900, 325.

and different redactions of the same text, yet are not direct copies of each other. *Jónsbók* manuscripts from the fourteenth century that contain large historiated initials in the *Þjófabálkr* are as shown in Table 1.

Most of these illuminated manuscripts belong to three established groups. The first has been linked to the Augustinian monastery of Helgafell at Snæfellsnes in West Iceland (Ólafur Halldórsson 1966; Stefán Karlsson 1967a, 19–21; 1970a; 1987; Foote 2003, 180–84).⁷ Most of these manuscripts were produced in the second half of the fourteenth century by two main scribes. The overall core group consists of at least sixteen mid- to late-fourteenth-century manuscripts and (combined) fragments, six of which are illuminated with historiated initials. Two of them, Skarðsbók (AM 350 fol.) and, as we shall see, the indirectly related Belgsdalsbók (AM 347 fol.) represent copies of *Jónsbók*, though containing different textual redactions. Additionally, a direct transcription of the Skarðsbók text is found in the late fourteenth-century codex AM 139 4°, which was probably written by the priest Magnús Þórhallsson (Stefán Karlsson 1970a, 287–88). Magnús is known as the second writer and illuminator of Flateyjarbók (GKS 1005 fol.) from 1387–94 (Ólafur Halldórsson 1987, 60) and as the illuminator of another Helgafell production, *Stjórn* manuscript AM 226 fol. from 1350–70 (Stefán Karlsson 1967, 21; Wolf 1995, xvii), among other manuscripts.⁸ On 2 April 1397, Magnús appears as a witness to two purchases of land from the Helgafell monastery (*DI* vi, 32–34). He was probably a member of the monastery by that time at the latest, since AM 226 fol. is dated to some twenty-five years earlier. It seems feasible, then, that Magnús wrote AM 139 4° while at Helgafell, an assumption that is strengthened by the fact that AM 139 4° is largely a transcription of Skarðsbók, one of the core manuscripts in the group.

In terms of art history, the slightly earlier manuscript Svalbarðsbók (AM 343 fol.) is also connected to the Helgafell scriptorium, as it shares several motifs with the already mentioned Belgsdalsbók (Bera Nordal 1985, 164–66). Moreover, Svalbarðsbók is known to have been used as a textual model for Skarðsbók and another *Jónsbók* manuscript from Helgafell, the largely unilluminated AM 156 4° dating to 1350–75 (Ólafur Halldórsson 1904, xlv; Ólafur Halldórsson 1966, 22, 18). Further to these, fols 1^v–59^r of Codex Hardenbergianus (GKS 1154 fol.) from 1350–60 (Stefán Karlsson 1987, 167, 179) is also connected to Helgafell in both art historical and philological terms; not only was it written

⁷ For the history of the site and monastery at Helgafell see Hermann Pálsson (1967).

⁸ For the scribal practice of Magnús Þórhallsson and the manuscripts attributed to him see Stefán Karlsson (1970a).

by the second main hand of Belgsdalsbók but additionally it shares several iconographic motifs with that manuscript (Bera Nordal 1985, 170–72). Codex Hardenbergianus, today considered to be a Norwegian production, contains the mid- to late-thirteenth-century Norwegian *Magnús lagabætis landslög*, which was one of the general text models for *Jónsbók* (the other two being *Grágás* and *Jarnsíða*). The two law codes therefore exhibit many similarities.⁹ Codex Hardenbergianus, however, remains the only fourteenth-century Norwegian law manuscript to feature historiated initials.

The second manuscript group originates from the illustrious Benedictine monastery of Þingeyrar in the Skagafjörður district of northern Iceland. It consists of thirteen mid- to late-fourteenth-century manuscripts written by three main scribes (Jakob Benediktsson 1980, 9–15; Johansson 1997, 66–80), five of them featuring historiated initials. Two *Jónsbók* manuscripts belong to the group: AM 127 fol. and GKS 3269a 4°. They are written by the same hand, using a similar text model, and possibly finished by the same illuminator (Ólafur Halldórsson 1904, xli; Guðbjörg Kristjánsdóttir 1983, 73).

Finally, the third group, which consists of a total of eight manuscripts, has been linked to the southern Icelandic diocese of Skálholt (Rohrbach 2014, 247–48), though one of them is also connected to the northern diocese of Hólar in North Iceland.¹⁰ GKS 3270 4° belongs to this group, along with two other *Jónsbók* manuscripts, GKS 3268 4° and Skálholtsbók eldri (AM 351 fol.). GKS 3268 4° and GKS 3270 4° are mainly written by the same scribe, but while based on similar models were painted by different illuminators (Liepe 2009, 75). GKS 3270 4° features one of the oldest text redactions of the uninterpolated version of *Jónsbók* and includes only a few references to the other redactions.

Apart from these three groups, there are an additional three fourteenth-century *Jónsbók* copies that show historiated images in the *Þjófabálkr*: GKS 3269 b 4°, AM 168 a–b 4°, and Thott 1280 fol. So far, they have only been indirectly

⁹ Apart from the *Landvarnabálkr*, which is only found in *Magnús lagabætis landslög*, and the *Rekabálkr* and *Farmannalög*, which are only found in *Jónsbók*, the two laws share the same introduction and subsequent section titles (Bera Nordal 1985, 161, 177).

¹⁰ On the basis of the common assumption that the main text of AM 132 fol. Mǫðruvallabók was written at Hólar, Liepe (2009, 139) claims that the whole Skálholt group was written at that site. But since one of the manuscripts of the Skálholt group, AM 420 a fol. *Skálholtsannáll* is known to have been written at Skálholt, it has been alternatively suggested that the whole of the group stems from Skálholt (Rohrbach 2014, 247). In addition to the previously established group of seven manuscripts, Schulman (2010, xix) has recently added a further *Jónsbók* manuscript to the Skálholt group, Skálholtsbók eldri (AM 351 fol.).

connected to any scribal or artistic location. Liepe (2009, 155), however, found several elements of decoration and a similar use of various pictorial models in GKS 3269 b 4° and AM 168 a–b 4° to be comparable with floral elements of *Skarðsbók* and other manuscripts from the Helgafell group.

The Iconography of the Þjófabálkr

The motifs found in the illuminations can be roughly divided into two intertwined subjects: firstly the capture and punishment of a thief, which is always depicted in the inner field of the initial, and secondly his execution. In the first pictorial group, this motif is connected to the adjacent textual content in several ways. This is particularly the case on fol. 80^{rb13–22} in GKS 3269a 4°. The rubric refers to the topic directly when it says: ‘*huersu fola skal binda*’ (How stolen goods shall be bound).¹¹ The introduced second subsection describes such a capture in detail:

En ef | þiofr er fundinn. þa skal | binda fola abak honum | í þeim brepp er þiofr er tekin ok | færa umboðs manni bundinn | ok halldi honum til þings ok af þingi | í fjöru eðr. hraun. eðr nokkurri | þann stad sem hent þikkir. Enn | umboðs maðr fai mognnum til at dre | þa hann. ok svá alla þiofa.

(And if a thief is discovered, then the stolen goods shall be bound on his back in the parish where the thief was captured and he shall be brought bound to the king’s agent, and the agent is to bring him to the assembly and from the assembly to the sea-shore or wasteland or any place which seems fitting to them. The agent is to get someone to kill the thief. Likewise all thieves.) (cf. Schulman 2010, 333)

The historiated initial on fol. 79^{vb15–22}, the previous leaf in GKS 3269a 4° (Fig. 1), displays this topic in great detail: the thief is seen in the middle, walking crookedly to the right, while the stolen item — a ram — is bound on his back by his captors. One of them appears on the right, possibly chasing the thief with a rope-entangled spear. The scene is supported by the rubric that introduces the initial on fol. 79^{vb10–15}:

her hefr | tiunda þaatr logbókar islan | dzkrar ok heiter sia þiova | baalkr ok seger i fyrsta ka | pitula huersu opt þiofr stelr aðr | hann er | dræpr fyrir.

(Here begins the tenth section of the law book of the Icelanders and it is called *Þjófabálkr*; and it describes in the first section how often a thief can steal before he is able to be killed for it.)

¹¹ All translations are mine, except where stated.



Figure 1: GKS 3269a 4o fol. 79^b: *Þjófabálkr* (*Jónsbók*). 1350. Reykjavík, Stofnun Árna Magnússonar á Íslandi. Photo: Jóhanna Ólafsdóttir, reproduced with permission.



Figure 2: AM 127 4° fol. 87^b: *Þjófabálkr* (*Jónsbók*). 1350. Reykjavík, Stofnun Árna Magnússonar á Íslandi. Photo: Jóhanna Ólafsdóttir, reproduced with permission.

A depiction of a thief with stolen goods also appears in the second Þingeyrar manuscript, AM 127 4° on fol. 87^{rb1-6} (Fig. 2), where the thief is shown holding a stolen anvil on his back. It is unclear if this scene shows the theft or the capture minus the captor. Also, the short rubric on Fol. 87^{rb1-2} only mentions the name of the section being introduced. The text-image correspondence, however, is as coherent as in the initial from GKS 3269a 4°, since the respective text in the second subsection is the same.

In the Helgafell manuscript group, the capture is depicted differently. *Skarðsbók* fol. 67^{va20-26} (Fig. 3) shows the thief being apprehended in the centre.

He looks towards the viewer with an apish grimace and is held down by a figure on the right, while a second seated figure rests his hands on the thief's shoulder. This additional figure might refer to an important short passage that was added to the text by the compiler of Skarðsbók: fol. 68^{ra16-20} states:

Ef þiofr er | fundinn. þa skal binda fola abak | honum. í þeim brepp sem þiofr er te | kinn. ok færa hann umboðs maðr bundinn. ok | halldi **konungs umboðs maðr** honum til þings.¹²

(If a thief is discovered, then the stolen goods shall be bound on his back in the parish where he is captured and he shall be brought bound to the agent. Then the king's agent shall bring him to the assembly.)

This feature is further supported by the rubric of the second subsection on fol. 68^{ra15-16}. It reads: 'her segia huersu þiofr | skal refsa at lögum' (Here it is told how a thief will be punished in accordance with the law). Thus, in contrast to the two Þingeyrar manuscripts, the initial in Skarðsbók stresses the importance of the king's agent both in the text and possibly also in the image: the man on the right represents the local agent who delivers the thief to the king's agent seated on the left. The seated figure is depicted with his legs crossed and both feet turned downward, a posture that indicates an 'attitude of courtly refinement' (Liepe 2009, 27).

The two captors are both also depicted in Belgsdalsbók fol. 60^{va10-14} (Fig. 4) as well as in Svalbarðsbók fol. 84^{rb16-20} (Fig. 5), where two figures bind the thief. In contrast to the initial in Skarðsbók, however, both refer in the descriptive text to a single figure who pronounces the judgement over the thief. As in the two manuscripts from Þingeyrar, the king's agent is absent in the corresponding passage in Belgsdalsbók on fol. 60^{vb25-32}. Svalbarðsbók deviates from this pattern and refers on fol. 84^{va4-13} to the same passage as Skarðsbók. This difference, however, is not unusual since, as mentioned above, both Svalbarðsbók and Skarðsbók in many cases contain the same version of the *Jónsbók* text, while Belgsdalsbók and the two Þingeyrar manuscripts do not. In textual terms, the manuscript of Belgsdalsbók is therefore less connected to these two manuscripts than to the ones from Þingeyrar, since they all belong to the uninterpolated redaction of the law code. While the iconographic link between this and other initials in Belgsdalsbók and Svalbarðsbók has already been identified by several scholars on the basis of the connections regarding models mentioned above, these manuscripts exhibit different stylistic features.¹³ The example from Belgsdalsbók

¹² Text highlighted by me.

¹³ See Johansson and Liepe (2014), Bera Nordal (1985), and Berg (1983).



Figure 3:

AM 350 fol. Skarðsbók fol. 67^{va}:
Þjófabálkr (*Jónsbók*). 1363. Reykjavík,
 Stofnun Árna Magnússonar á Íslandi.
 Photo: Jóhanna Ólafsdóttir,
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shows elegant and curved figures whereas those in the example from *Svalbarðsbók* are rather stiff (see for example Liepe and Johansson 2014, 145–46). On the other hand, the colouring remains the same: in both images the thief wears a black hood and a red tunic, while the captives are painted in green and red tunics. Evidently, then, the original motif used for these two initials was designed with similar colour patterns.

The motif in the *Skarðsbók* initial appears less closely related to those of *Belgsdalsbók* and *Svalbarðsbók*. In light of possible structural influences on the motif, it seems reasonable to consider an influence from a further manuscript: the slightly earlier codex GKS 3269 b 4^o (Fig. 6). On fol. 55^{vb21–25} of this manuscript the thief is depicted in a comparable manner: he sits in the middle with a hooded figure on the left binding him while on the right the king's agent, wearing the royal crown, menaces the criminal by



Figure 4:
AM 347 fol. Belgsdalsbók
fol. 60^v: *Þjófabálkr*
(*Jónsbók*). 1350–70.
Reykjavík, Stofnun Árna
Magnússonar á Íslandi.
Photo: Jóhanna Ólafsdóttir,
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holding up a hammer entwined by a rope. While the descriptive text in the second section on fol. 56^{rb1-7} surprisingly makes no mention of the agent comparable to that seen in *Skarðsbók*, the form of the rope is significant and might signal the act of branding the cheek of the thief with the symbol of a key. It refers to the opening section of the text on fol. 56^{ra6-8}:

nu stelnr hann | annat sinn til eyriss leysi hud sina vi. morkum. enn ef hann | leysir
æigi lati hudina ok se | brugdit lyckli a kinn honum.

(Now should a thief steal goods worth an ounce for a second time, he needs to redeem his skin with [payment of] six marks. But if he does not pay, he shall lose his skin and [the mark of] a key shall be branded on his cheek.)

The rubric on fol. 55^{va28-29-b21-22} refers only generically to the punishment of thieves when it says: ‘her hefir | upp þiofa | balk. ok segir i fyrsta capitula huerso | miklu stelnr til dauda ser’ (Here begins the *Þjófabálkr*. And it says in the first section to what extent one steals to [incur] one’s death), but the last abbreviated word features a long line on the right that leads the reader to the hanged thief in the margin below.

The motif of branding a thief with a key is otherwise unknown from illuminated medieval *Jónsbók* manuscripts. In view of the specific depiction of the king’s



Figure 5:
AM 343 fol. Svalbarðsbók
fol. 84^b: *Þjófabálkr* (*Jónsbók*).
1330–40. Reykjavík, Stofnun
Árna Magnússonar á Íslandi.
Photo: Jóhanna Ólafsdóttir,
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agent in the initial, the reference might be to the king's mark. This assumption, however, is not supported by any textual reference in GKS 3269 b 4°. Punishment by flogging, not mentioned in any initials so far, is exceptionally displayed in the Helgafell-related Codex Hardenbergianus on fol. 57^{r7–22} (Fig. 7): in the large initial, the half-naked thief is located in the centre, bound to a pole. A figure on the right beats him with a branch. A second figure stands on the left with both hands up, making a demanding gesture to the thief. A further figure stands beside the second one on the left, holding a sword up to signal both justice and power, symbolism which is characteristic of several parts of the manuscript (Johansson and Liepe 2014, 133, 152–54). On fol. 57^{r23–25} in Codex Hardenbergianus, the act of beating is mentioned in the same way as in GKS 3269 b 4°. Also, the rubric on fol. 57^{r13–14} refers only generally to the content of the initial when it says: '*her hefr þiofua balk ok segir ef maðr stell huat | uidd ligger*' (Here begins the *Þjófabálkr* and says what the penalty is if a man steals). By contrast, the raised finger, a teaching ductus, provided by the scourger on the right, the judge in the middle, and the figure with the sword on the left links firmly to the information in the rubric. Here the initial in Codex Hardenbergensis takes its iconography from the Flagellation of Christ in the Passion, where Christ is depicted bound on a pole while he is scourged by two tormentors, one on each side (Schweicher

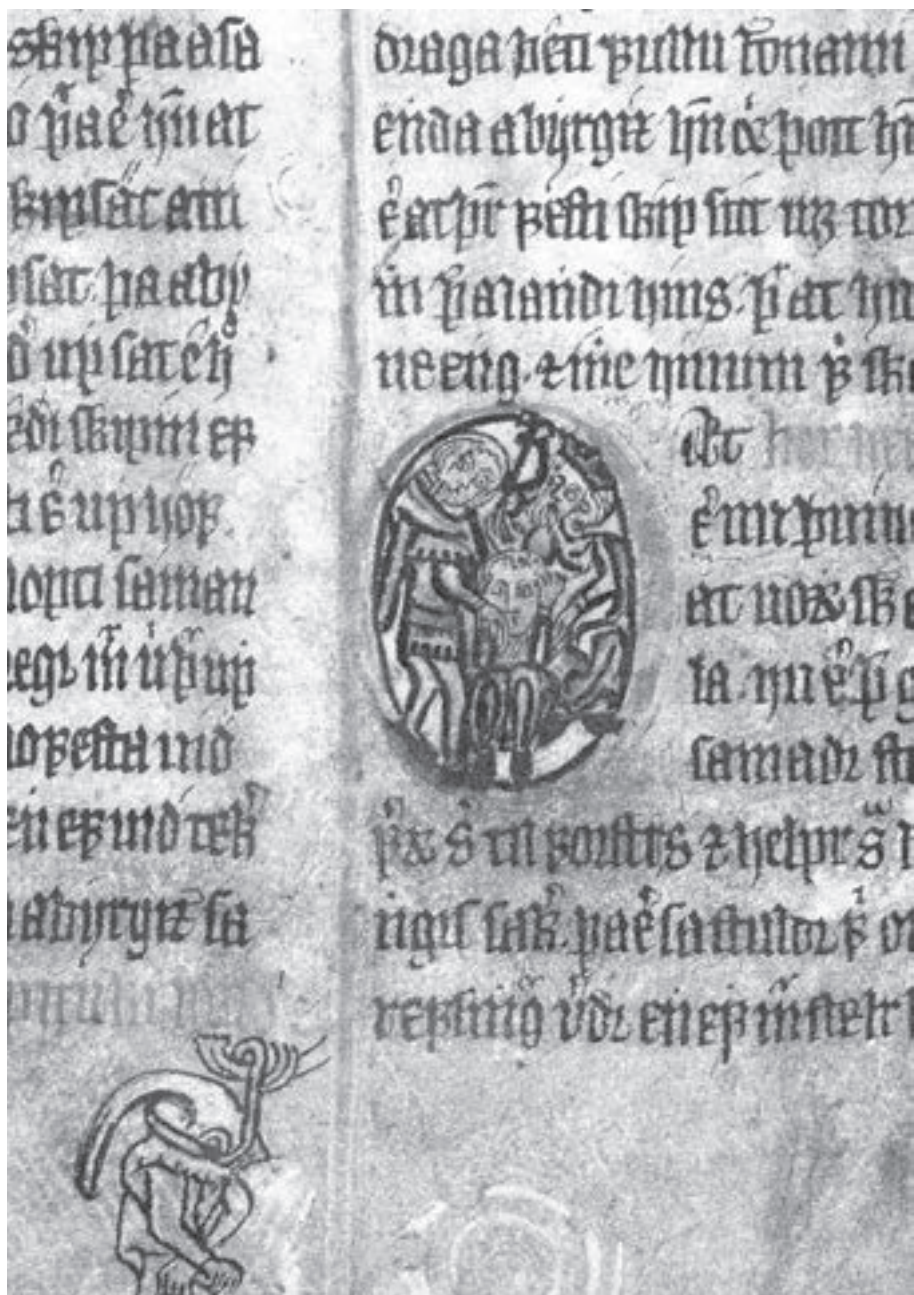


Figure 6: GKS 3269 b 4° fol. 55^v: *Bjófabálkr* (*Jónsbók*). 1330–40. Reykjavík, Stofnun Árna Magnússonar á Íslandi. Photo: Jóhanna Ólafsdóttir, reproduced with permission.



Figure 7:
GKS 1154 fol. Codex
Hardenbergianus fol. 57r:
Þjófabálkr (*Magnús lagabætis
landslog*). 1350–60. Copenhagen,
Det Kongelige Bibliotek.
Photo: Det Kongelige Bibliotek,
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1970, 127–28). Known from the ninth century onwards, this scene is famously exemplified in a painting by Duccio di Buoninsegna from 1285.¹⁴

Identical in its time of production to Codex Hardenbergianus, AM 168 a–b 4° from 1360 provides on fol. 54^v19–23 a further image of the capture theme (Fig. 8). Here, a hooded thief is depicted in the inner field of the initial. His hands are bound to a pole, which is in turn fastened to the upper back, similar to *Skarðsbók*. Liepe (2009, 153) has argued that similar models and patterns are found in AM 168 a–b 4°, GKS 3269 b 4°, and several Helgafell manuscripts.¹⁵ As with the pictorial links discussed above, her assumption can be confirmed, although with the reservation that only indirect pictorial links are available.

The depictions of the capture of thieves noted above provide a wide range of motifs. While the two manuscripts from Þingeyrar present a rather restricted approach to the text, the Helgafell group is more diverse and admits iconographic influence from external sources. The indirect influence of GKS 3269 b 4° on *Skarðsbók* is particularly notable. Both manuscripts remain singular: while *Skarðsbók*, the latest codex of all manuscripts presently discussed, includes

¹⁴ Frick Collection, New York, accession number 1927.1.35.

¹⁵ Prior to Liepe (2009, 153), Guðbjörg Kristjánsdóttir (1993, 25) argued that the illuminator of *Skarðsbók* (AM 350 fol.) was also responsible for the book painting of AM 168 a–b 4°.

new and formerly unknown iconographic features such as ape-like grimaces (for a description see below), the figure of the king's agent holding a hammer is especially distinctive for GKS 3269 b 4^o. In terms of its execution, however, GKS 3269 b 4^o greatly differs from Skarðsbók (Halldór Hermannsson 1940, 13). For instance, the figures in the initial in Skarðsbók are elegant and slender, whereas in GKS 3269 b 4^o they are executed in a stilted fashion. The two manuscripts also differ in their dating: Skarðsbók is approximately twenty-five years younger than GKS 3269 b 4^o and therefore exhibits several contemporary stylistic features, mainly as relates to costume (Drechsler 2014a, 69). Comparison between Belgsdalsbók and Svalbarðsbók leads to similar results: both are copies of a motif that occurs nowhere else, painted by different illuminators at two different times (Liepe 2009, 64). In structural terms, this is also the case for both Þingeyrar manuscripts. They seem to follow the same structural rules, showing the capture of a thief with his stolen goods bound to his back, whereas the motif found in Codex Hardenbergianus is entirely different and perhaps suggests that an external painter using different models was responsible for the illuminations in the codex (Bera Nordal 1985, 171–72, 177). The initial, however, corresponds with the textual content of the section just as closely as all the other historiated initials presented here.

Surprisingly, a second feature of the illuminations in *Þjófabálkr*, the hanging of a thief, lacks direct connection with the textual content of *Jónsbók*.¹⁶ On the other hand, the various depictions in the manuscripts make clear how seriously theft is treated in medieval Iceland and the rubrics that accompany the initials often refer to a penalty of death for theft. Kari Ellen Gade (1986) has demonstrated the wide incidence of the topos of hanging in medieval Icelandic texts, and this is especially conspicuous in book painting. The best example is again found in Skarðsbók fol. 67^{va} (Fig. 3): here, the margins of the initial depict the hanging on the right and the binding of a thief to wooden posts in the lower part. The hanged thief on the gallows appears on the outside of the left column, painted in front of a red chequered background. Hands bound behind his back, he is watched and picked at by carrion crows and approached by a dog or wolf from below. The third instance, found in the lower part of the extension of the letter, in the lower left margin, depicts a bound figure in a roundel. Apart from the belt in the hanging

¹⁶ This seems to fit in with a wider tradition of not mentioning the mode of execution of thieves, also seen in the previous law of the medieval Icelandic commonwealth, *Grágás* (I–II), the sole exception known to me being paragraph 113 of *Grágás* I, which states that ‘if a man is hanged or throttled or put in a grave or on a skerry or tied up on a mountain, he is called “gallows corpse” or “grave corpse”’ (Gade 1986, 178).



Figure 8: AM 168 a–b 4° fol. 54^r: *Djófabálkr* (*Jónsbók*). 1360. Reykjavík, Stofnun Árna Magnússonar á Íslandi. Photo: Jóhanna Ólafsdóttir, reproduced with permission.

scene, the clothing of the thief in these three scenes indicates that it is the same person, who has stolen several times and eventually been put to death.

Noteworthy is that in all three instances the thief is depicted with an ape-like face. In medieval times, apes were generally interpreted as sinners and especially as creatures whose grimacing faces show the kind of transformation that the faces of human beings undergo when they are ‘in the nooses of sin’¹⁷ (Wehrhahn-Strauch 1968, 77). This topos not only derives from several biblical sources but also from the originally late antique *Physiologus*, which was widely distributed in the Middle Ages. In medieval Iceland, two fragments (AM 673 a I 4° and AM 673 a II 4°) from 1200 (Kålund 1894, 90) survive. Similar to continental examples, AM 673 a II 4° fol. 2^{r1-4} tells of a *simia* (Lat. for ‘ape’), who shows several similarities with the devil: ‘*simia hefer licneski diofuls. því at sua sem api hefer hoföþ | en engi hala [...] sua hefer oc diofoll | hoföþ en eigi hala*’ (*Simia has the form of the devil, in that just as an ape has a head but no tail, [...] so the devil has a head but no tail*). This suggests that the ape-thief figure in *Skarðsbók* acts as an example of evil for the reader and society (Drechsler 2014a, 95–96). This is further strengthened by the two animals shown approaching his corpse, both of which have diabolical connotations in medieval Christian iconography. In addition, the facial expression of the thief is strongly related to a similar depiction on a Norwegian antemensale from Årdal, probably dating to 1325.¹⁸ For their part, the faces of two tormentors depicted beside an enthroned Óláfr helgi figure at the centre of this altar frontal exhibit the same large flattened noses, combined with voluminous facial hair, as in *Skarðsbók*. This example illustrates the adaptation and re-use of motifs from religious art in new textual and iconographic surroundings at Helgafell.¹⁹ Its medieval perspective on sinners fits in well with the overall Christian-holistic structure of the whole manuscript (Drechsler 2014a, 91–94; see also Johansson and Liepe 2014, 148–51 and Schnell 2005, 368–72).

From the Þingeyrar group, only GKS 3269a 4° (Fig. 1) shows the hanged thief, connected to the capture shown in the inner field of the initial. In contrast to *Skarðsbók* and all other examples the thief’s hands are bound at the front, not at the back. The hanging in the initial in AM 168 a–b 4° (Fig. 8) shows a frontal view of the hanged thief with his hands tightly bound to his back, as in *Skarðsbók*, but unlike the thief in *Skarðsbók* he looks down to the bound thief

¹⁷ ‘Menschen in den Schlingen der Sünde.’

¹⁸ Oslo, Kulturhistorisk museum, BM MA 128, Årdal I: Morgan 2004, 36.

¹⁹ For the connection of the Helgafell scriptorium and related art with Norwegian altar frontals see Drechsler 2016, 284–87.

in the inner part of the initial below. Due to the colour of his clothing and the hooded appearance, it could be argued that here too the same figure is depicted twice. GKS 3269 b 4^o (Fig. 6) also shows a hanged thief (unfortunately cropped but still visible) in the lower section of the margin below, his face covered by a cloth and his hands bound to his back. This is also a feature of GKS 3270 4^o, a *Jónsbók* manuscript written at Skálholt. On fol. 97^r (Fig. 8), the motif is painted as an addition to the Romanesque-themed ornamented main initial without any further figural reference. The thief is suspended from a painted wooden stick connected to the main initial above. In comparison to the previous examples, GKS 3270 4^o stands out insofar as it contains only the hanging scene whereas all other examples correspond more closely to the textual content by showing both capture and hanging. Moreover, the clothing and the general posture of the hanged thief are entirely different here; depictions of the hanged thief with red cape, crossed legs, and bound arms are not found in the other examples. This fits in with the textual transmission of GKS 3270 4^o, since it is not connected with any of the other manuscripts discussed above.

The late Helgafell codex AM 139 4^o, most likely written by Magnús Þórhallsson *c.* 1400, is largely unilluminated. Most initials are left empty and suggest that the painter responsible for the initials finished his work before the actual filling of the initials with historiated contents had taken place. I am inclined to believe that the unfinished book painting is the work of Magnús Þórhallsson, as can be seen by comparison with some of the large initial letters in AM 226 fol. *Stjórn* and *Flateyjarbók* (GKS 1005 fol.), the two manuscripts that he is known to have illuminated. A closer study of the stylistic and general pictorial aspects of all manuscripts by Magnús Þórhallsson, however, is still to be written.

A stylistic analysis of the form and colour of the initials leads one to assume a loose connection to several of the Þingeyrar manuscripts: due to the uniform yellow colour of the initials, the thin-lined borders, and minor floral embellishments, they relate less closely to the ornamentation found in other manuscripts from Helgafell. Of all the large initials in AM 139 4^o, only the initial at the beginning of the *Þjófabálkr* on fol. 68^{v1-3} features a figural scene (Fig. 10). As an extension of the initial letter, a hanged thief appears in the left margin. He leans to the left, hands bound to his back and head covered with a hood, similar to the example from AM 168 a–b 4^o, as well as to the example from GKS 3269 b 4^o to some degree.

The final example of a hanging scene is found in Thott 1280 fol. on fol. 54^{rb1-7} (Fig. 11). Here, the thief is shown hanged from the green wooden gallows on the left with a blue background behind. His hands are bound to his back while

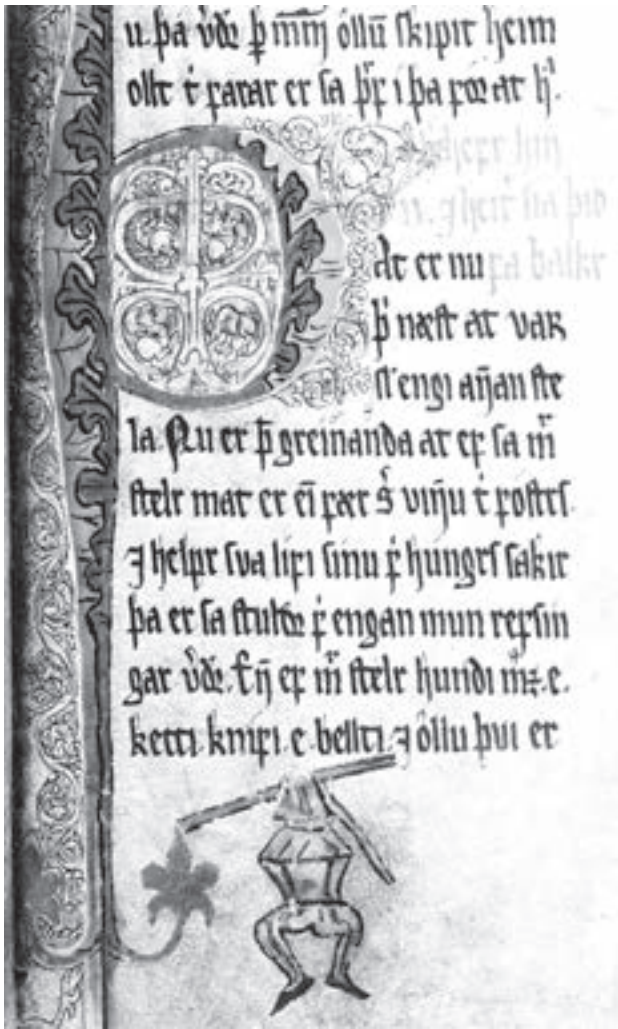


Figure 9:
GKS 3270 4to fol. 97^{ra}:
Þjófabálkr (*Jónsbók*).
1350. Reykjavík, Stofnun
Árna Magnússonar á
Íslandi. Photo: Jóhanna
Ólafsdóttir, reproduced
with permission.

his pointed black shoes are turned towards the left. In addition, several vegetal elements in red encircle the hanging scene. They fill out not only the empty spaces around the scene but also the area between the gallows and the thief. In comparison to the other examples, the initial in Thott 1280 fol. follows a different arrangement: the hanging scene is only shown here in the inner field, not on the outside. Moreover, the plant forms that accompany the hanging might indicate a strongly Christological theme: the suicide of Judas after his betrayal of Jesus according to Matthew 27, 3–10. In medieval Christian iconography, this famous scene generally depicts Judas hanging from a tree, often surrounded by other

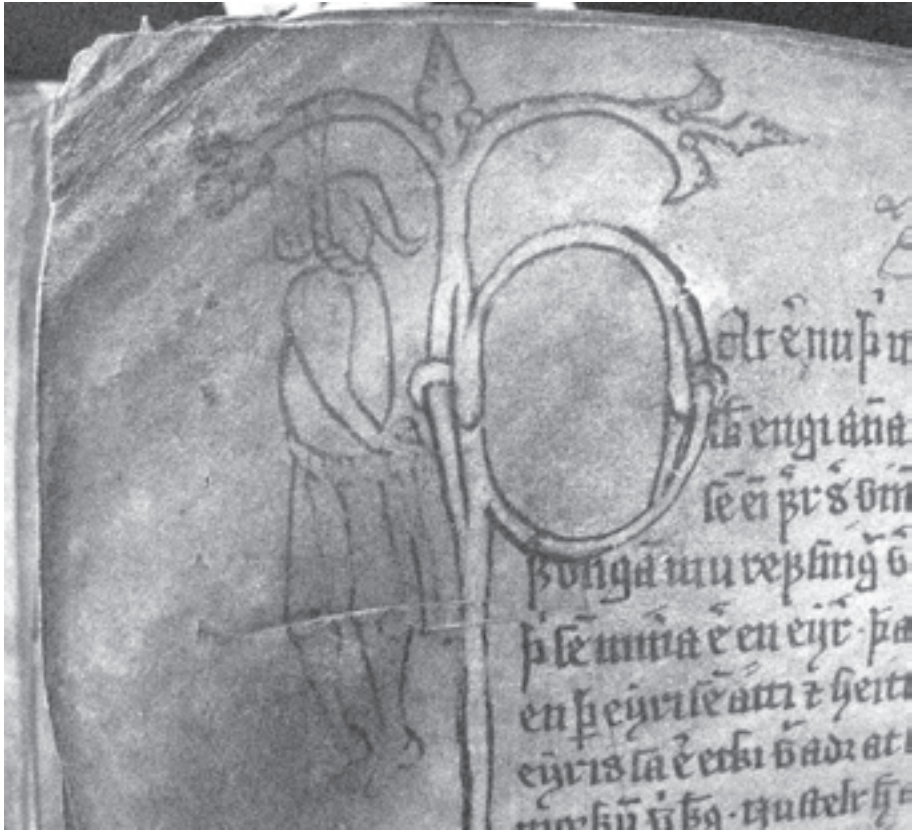


Figure 10: AM 139 4° fol. 68r: *Þjófabálkr* (*Jónsbók*).
1400. Reykjavík, Stofnun Árna Magnússonar á Íslandi. Photo by author.

plants. However, in Thott 1280 fol., as in all the other *Jónsbók* copies discussed here, this visual link is given no further explanation in the text.

As is apparent from the above examples, the visual topic of a hanged thief was very popular and attractive to Icelandic book painters in the fourteenth century. In contrast to the first feature present in these initials, the actual prosecution of the thieves is, apart from Thott 1280 fol., always referred to in the marginalia, never in the initials themselves. This fact further exemplifies the connotations of hanging in the various medieval Icelandic literary sources as a contemptible death (Gade 1986, 167–78). In addition, it fits in well with the idea that the Icelandic illuminators followed a well-known rule in art history, namely that the gradation from the initial to the marginalia plays a vital role for the meaning of the book painting and the understanding of the manuscript as a whole derived from text



Figure 11: Thott 1280 fol. 54^b: *Djófabálkr* (*Jónsbók*). 1400. Copenhagen, Det Kongelige Bibliotek.
Photo: Friederike Richter, reproduced with permission.

and image in combination. Thus, the prosecution and general treatment of a captured thief seemed to play an important role for the reader of *Jónsbók*. But even if the hanging is attached to an otherwise purely ornamented initial as in GKS 3270 4^o, it remains a part of the margin, on the outside of the text and image. An exception is the example from Thott 1280 fol., where the hanging is centrally depicted in the main initial. Due to the very late production of this manuscript (forty to seventy years later than the other manuscripts) and its specific iconographic background, the initial remains a unique example within the fourteenth-century Icelandic manuscript corpus.²⁰

²⁰ To my knowledge, the practice of depicting hanged thieves as part of the inner field of the initials occurs in only three further *Jónsbók* manuscripts: AM 158 a 4to Hlíðarendabók fol. 51^r

In comparison to the main bulk of manuscripts from 1350, the painters of the slightly younger codices *Skarðsbók*, *Codex Hardenbergianus*, and *Thott 1280 fol.* used motifs and structural forms not only from previous *Jónsbók* copies but also, as we have seen, from external Christian iconographic sources. As for *Skarðsbók* and *Codex Hardenbergianus*, the re-used images also feature distinct Christological symbolism, which contrasts markedly with the original meaning of the symbolism. In particular, the illuminators seem to have been attracted by several *Arma Christi*, which in conventional usage are Christological symbols linked to the Passion (Kirschbaum and others 1968, 183–87). In the *Jónsbók* illuminations, several instances of *Arma Christi*, mostly minor ones, are found: the hammer in GKS 3269 b 4^o, the rope and bonds in almost all examples, and the pillar of scourging most strikingly in *Codex Hardenbergianus* but with further detectable influences in *Belgsdalsbók* and *Svalbarðsbók* (Drechsler 2014b). These are never explicitly related to their original meanings but instead the various illuminators seem to have been inspired by the Passion in one way or another and to have transferred some of its pictorial content to the initials. Once again *Thott 1280 fol.* stands outside this pattern, as it also does in other instances of symbolism such as the stolen ram.

European Influences

Depictions of hanged thieves in law manuscripts are not of course confined to medieval Icelandic *Jónsbók* manuscripts. In terms of an indirect connection to the Icelandic corpus, one particular illumination in the East Anglian manuscript Cambridge, St John's College, MS A.4, the *Brewes-Norwich Commentaries*, from 1335–50 (Sandler 1986, 2, 126) shows a striking similarity. Although written in Bologna, the manuscript was destined for an English market (probably Oxford) and was undoubtedly illuminated in East Anglia (L'Engle 2001, 223). It includes four ecclesiastical legal texts, all of which are widely copied canon laws of the

from c. 1400 (Kålund 1889, 439), AM 132 4o fol. 51^r from c. 1450 (ONP Registre 1989, 444) and Holm perg. 10 fol., from 1616 (Gödel 1897, 29). All three show a gallows with horizontal beam supported at both ends. A second figure is depicted in the two younger illuminations, either holding the thief's body or disposing of a ladder after the thief is fastened to the gallows. These motifs are not related to any of the initials discussed above. All other late medieval and early modern illuminated Icelandic copies of *Jónsbók* are related to the other fourteenth-century examples, since they all depict a hanged thief outside the initial.

early fourteenth century.²¹ The fourth is the *Apparatus libri sexti decretalium* with four accompanying commentaries.

On fol. 61^{va43–52} of this manuscript (Fig. 12), at the beginning of Book v of the *Glossa ordinaria* by Italian canonist Giovanni d' Andrea (1275–1348), the capture of a thief is found in the inner field of the initial (L'Engle 2001, 224). The criminal, depicted in the middle, with three captors in the background, is brought before the judge, who is displayed as an elderly, well-dressed man sitting on the left side of the initial. A lamb is bound around the neck of the thief, indicating that the animal is the stolen item in question (L'Engle 2001, 98). Connected to the initial in the left margin, the thief is depicted again, hanging from the gallows with both arms bound behind his back. Similar to the Icelandic examples, this section introduces the laws on accusations, inquisitions, and denunciations (*De accusationibus, inquisitionibus et denunciationibus*). It is striking that the motifs in the initials of Þingeyrar manuscripts AM 127 4° and GKS 3269a 4° in particular are related to the initial in MS A.4. The two Icelandic manuscripts depict stolen goods bound on the back in a similar way to the East Anglian example. By contrast, the hanged thief with his hands bound behind his back and situated next to the initial seems to be more closely related to depictions in the two Helgafell-linked manuscripts AM 168 a–b 4° and AM 139 4°. Indeed the illumination in AM 127 4° also depicts a hanged thief. In AM 127 4°, however, the illumination differs from that of the Helgafell-related manuscripts in two particulars: the hands of the hanged thief are bound at the front and, more importantly, the whole design of the initial depicts the hanged thief as a lower extension of the initial letter (Ð). The similarly coloured yellow tunic of the thief also supports the link between thief and letter.

Of all the initials, Skarðsbók's depiction of the accusation of the thief is most closely related to the East Anglian example. In the two initials, the thief is similarly bound at the front and the seated royal agent judges the thief from the same place at the left. In addition, the striking resemblance whereby the judge touches the left shoulder of the thief in exactly the same way as the accompanying figure to the right, each presenting the thief to the judge, indicates the structural influence of the East Anglian manuscript on Skarðsbók. Such an influence might admittedly have gone through a number of copying stages, as Liepe (2009, 178–82) has previously argued. For example, the motif of the stolen

²¹ The Brewes-Norwich Commentaries (MS A.4) include the following canon law texts: Guido de Baysio's *Apparatus in librum sextum*, Boniface VIII's *Liber sextus*, Dinus de Mugello's *Apparatus in titulum de regulis iuris in Sexto*, and finally Giovanni d' Andrea's *Glossa ordinaria in Librum sextum* (L'Engle 2001, 220).



Figure 12: Cambridge, St John's College, MS A.4 Brewes-Norwich Commentaries fol. 61^r: *Liber sextus decretalium*. 1335–50. Cambridge, St John's College. Photo: St John's College. Reproduced by permission of the Master and Fellows of St John's College, Cambridge.

goods bound to the back of the thief does not appear in the initial in *Skarðsbók*: as discussed above, it occurs only in the *Pिंगeyrar* manuscripts.

Susan L'Engle (2001, 98–99) divides the topic of the illuminations accompanying the *De accusationibus, inquisitionibus et denunciationibus* section into a northern and southern tradition, in which the southern tradition favoured more violent depictions of decapitation and amputation. Hanging, according to L'Engle (2001, 99), was most common among the northern illuminators, 'stemming from a long visual tradition, and perhaps initially modelled on representations of the suicide of Judas'. This holds true of the illumination of Thott 1280 fol., since it depicts the hanged thief inside the initial. For example, a late thirteenth-century example of this iconography occurs on fol. 252^{va} in the French canon

law manuscript Cambrai, Méd. mun. 102–03, the Breviary of Saint-Sépulcre, datable prior to 1297 (Stones 2013 I, 313–17; II, ill. 549–55). The tradition of depicting hanged thieves is not only linked to Giovanni d' Andrea's writings but also appears in other Bolognese law manuscripts that are some thirty years older.²² The other Icelandic initials, by contrast, draw strongly on the textual content of the *Þjófabálkr* and less on direct iconographic references.

An earlier law manuscript entirely produced in Bologna from 1275–85, now at Durham Cathedral Chapter Library, MS C.I.4 (L'Engle 2001, 165), features Justinianic laws and Accursius' *Glossa ordinaria*. It depicts on fol. 4^r the enthroned Emperor Justinian with a group of soldiers and lawyers in the initial. On the left, a hanged and half-naked thief is attached to the initial from below. Durham, Cath. Libr. MS C.I.4 is known to have been in the possession of Durham Cathedral since at least the fourteenth century (L'Engle 2001, 165). Thus, despite the early English provenance, it is a clear example of Bolognese illuminations depicting hanged thieves some thirty years earlier. According to L'Engle, the motif of a thief bearing the stolen goods, normally a book and/or a golden chalice, is found in several early fourteenth-century Italian manuscripts containing Roman law such as the *Digestum novum*. An example occurs in Paris, BnF MS Lat. 4480 fol. 206^v, at the start of Book XLVII of the secular law, dealing with private crimes. On the right, a thief is accompanied by two captives. As in the initial in AM 127 4^o, one of the two manuscripts from Þingeyrar, the thief holds a stolen item, namely a book, on his shoulders and looks towards a seated judge on the left.

Depictions of hanged thieves both outside and inside of the initial are frequent in this period in Italian Roman law manuscripts, a topic discussed thoroughly by L'Engle (2000, 173–88). French manuscripts, however, also feature this tradition in a great number of mainly Justinianic law manuscripts. An example of a hanged thief next to a judge occurs in a miniature of a Justinianic law codex, Royal 10 E III, from the first quarter of the fourteenth century, now at the British Library. On fol. 50^v, at the beginning of Book IV of the *Institutiones Justiniani*, dealing with the obligations arising from crimes and robberies, Justinian is depicted seated on the left, accompanied by a soldier at centre and a servant on the left. On the right, a thief, hands bound behind his back, hangs from a gallows whose horizontal beam is supported at both ends. While this particular gallows setup is

²² I am greatly indebted to Susan L'Engle for letting me see parts of a paper entitled 'Imaging Boniface: Medieval Illustrations of the *Liber sextus*' which she presented at the International Medieval Congress (IMC) at Leeds in 2003.

not known from Icelandic book paintings of the fourteenth century, it occurs in an Icelandic embroidery from the later part of the same century.²³

A hanged thief depicted outside the initial, in combination with the depiction of the accusation of the thief, who is carrying the stolen goods, is first attested in the Brewes-Norwich Commentaries. It thus plausibly came to Iceland from East Anglia, perhaps originally from a manuscript related to the Brewes-Norwich Commentaries. Sandler (1986, 2, 126) has suggested that despite the later date the style of the manuscript might be as old as 1325, as indicated by the archaic stylistic expression found in the initials. Assuming a related transcription of a legal manuscript was imported to an Icelandic workshop at around that date, this would have given the Icelandic illuminators enough time to acquire the motif and adapt it in accordance with vernacular law.

It is worth noting that Jón Halldórsson (c. 1275–1339), the influential early fourteenth-century Franciscan bishop of Skálholt, studied theology in Paris and canon law in Bologna at the time when Giovanni d' Andrea's *Glossa ordinaria* was written (completed in 1301 and later mass-produced).²⁴ It might indeed be that the future bishop Jón studied canon law under Giovanni d' Andrea and hence brought with him to Skálholt, where he was installed in 1323 (Storm 1888, 395), not only his newly acquired knowledge but also copies of the *Glossa ordinaria*.²⁵ Jón was involved in both secular and ecclesiastical legal issues in at

²³ The Grenjaðarstaður church embroidery, now at Paris, Musée Cluny, LoA Lobarde 117, depicts the life of St Martin in nine panels. In the first panel in the second row on the right, the hanged slave is shown with his hands bound on his front. Similar to the miniature in Royal 10 E III, and many others, the gallows in LoA Lobarde 117 features a horizontal beam supported at both ends. The Grenjaðarstaður embroidery has been dated to 1390–1403 and is possibly the product of a workshop attached to the Benedictine nunnery at Reynistaður (Elsa E. Guðjónsson 1983, 142). Elsa E. Guðjónsson (1997, 89) has argued that Christian iconographic models were shared between manuscript illuminators and embroiderers in the late fourteenth century. A further product from Reynistaður, the Reykjahlíð embroidery (Copenhagen, Nationalmuseet, CLV 1819), dated to the same period as the Grenjaðarstaður embroidery, in one instance shares a single motif with Flateyjarbók (GKS 1005 fol.; Drechsler 2016, 241–42). It remains unclear if the example from Grenjaðarstaður draws on a secular model from a law manuscript or a depiction of the hanging of Judas. But in line with Elsa's assumption, it is not unlikely that the practice of sharing model books between different workshops became important for both manuscript and embroidery productions in the course of the fourteenth century in Iceland.

²⁴ For the vita and literary activity of Bishop Jón Halldórsson see Guðrún Ása Grímsdóttir (2006, 36–7), Hughes (2008), and Gering (1882–83, II, vi–vii).

²⁵ See Egbert (1940, 118) and L'Engle (2001, 223–24). L'Engle, however, stresses the importance of Bologna and Paris as two different target cities for the study of the canon law texts found in the Brewes-Norwich Commentaries. The combination of the four canon law

least two cases in 1326–28 (Hughes 2008, 140). Further to this, in 1326, he added his *Bannsakabréf* to the law. This document includes a list of causes for excommunication and is based on several statutes originating from Boniface VII's *Liber sextus* from 1294, a law text that Jón undoubtedly knew well from his years of study in Bologna.²⁶ He thus not only had a notable impact on law-speaking of the time but might also have actively participated in the making of new vernacular laws. *Jóns þáttur Halldórssonar*, an account of his life written by Bergur Sökkason, a Benedictine monk of Þingeyrar and later abbot of Munkaþverá, mentions that during his time in Bologna Jón established enduring contacts with various other foreign students, some of whom later became cardinals and stayed in touch with him after his election at Skálholt.²⁷ The *þáttur*, while not written by Jón himself, shows several linguistic similarities with the language in *Klári saga*, an Icelandic romance attributed to him, suggesting that he had a strong influence on the writing of Bergur (Sigurdson 2011, 60–61).²⁸ The content of the *þáttur* also reflects his influence (Marteinn H. Sigurðsson 2004, 344), suggesting that its account of his life is accurate.

A loose association has been proposed between the Brewes-Norwich Commentaries and the Tickhill Psalter workshop, one of the most important scriptoria in early fourteenth-century East Anglia (Egbert 1940, 117–20). Selma Jónsdóttir (1971, 33–42) assumes that a manuscript linked to the Tickhill Psalter (New York, Spencer Collection, MS 26) from 1303–14 (Sandler 1986 2, 32) was the model followed by several illuminations in a *Stjórn* manuscript (AM 227 fol.) associated with Þingeyrar and dating from 1350 (Jakobsen 1964, 46, 12). The close connection noted above between the scenes depicted in the initials of the Brewes-Norwich Commentaries and the two *Jónsbók* copies from Þingeyrar, AM 127 4° and GKS 3269a 4°, strengthens Selma's assumption and the hypothesis

texts stated above is not unique and was prominent in England and on the Continent. It occurs in at least three other fourteenth-century manuscripts from England. None of these, however, includes a historiated initial at the start of Book v of the *Glossa ordinaria*.

²⁶ For the *Bannsakabréf* see Lára Magnúsdóttir (2007, 185–86, 395–96).

²⁷ For the *Jóns þáttur Halldórssonar* see *Biskupa sögur* 3 (445–56), Sigurdsson (2011, 60–64), and Marteinn Sigurðsson (2004). The *Jóns þáttur Halldórssonar* explicitly states that one of Bishop Jón's closest friends in Bologna was of English origin and died an untimely death during his studies in Italy (*Biskupa sögur* 3, 447–48) but this is unlikely to be factual, as Krappe (1942, 32–33) identifies it as a reworking of an *exemplum*.

²⁸ For the style of Bergur Sökkason see Sverrir Tómasson (1992, 249–57, 264–67). Hallberg (1985, 13–14, 20–21) previously suggested that *Klári saga* was also by Bergur Sökkason. Most recently, however, Hughes (2008) has demonstrated on the basis of the use of Latin and French vocabulary, among other things, that Jón was indeed the author.

discussed above that this might all have been channelled via Jón Halldórsson. Due to his high status and supposed excellent contacts with the Icelandic and European clergy, it could well be that he also had an impact on the illumination of the vernacular law. As of now, however, this remains conjectural, since no single illuminated medieval Icelandic manuscript has been found with direct links to Bishop Jón.²⁹ Thus, the foreign influence on the extension of secular vernacular laws and the successive guidelines for their illumination possibly came not only through Jón but also other figures of the highest Icelandic aristocracy.

The practice of illuminating secular laws on the basis of canon law texts written at Bologna became a vogue at that time, especially in France where the secularization of manuscript production had developed far more strongly than anywhere else (Stones 2013, I, 18–19). It could well be that the Icelanders were inspired by this contemporary medieval trend and that the illuminated *Jónsbók* texts, *Þjófabálkr* in particular, reflect this development.³⁰ Fittingly, extant manuscripts of the only Icelandic church law of the thirteenth and fourteenth centuries, the *Kristinréttir Árna biskups*, feature very few historiated initials, possibly due to the limited impact it had in the northern diocese (Magnús Lyndal Magnússon 2004, 81).³¹ In comparison with several of the initials discussed above, especially the examples from *Skarðsbók* and GKS 3269 b 4^o, likewise the bound animal in AM 127 4^o, it seems safe to say that a parallel tradition of illuminating certain parts of the civil law existed at around the same time in East Anglia and Iceland. On the other hand, Codex Hardenbergianus, the only Norwegian example, relates only indirectly to the motifs found in the Icelandic manuscripts, as discussed above, and instead closely follows a Christological iconography that lacks a match in all the other manuscripts and probably stems

²⁹ Guðbjörg Kristjánsdóttir (2013, 36) has pointed to Jón's influence on the Icelandic religious arts of his time but, as stated above, this remains to be established. It is known, however, that a priest and illuminator named Þórarinn pentur was in his service (Guðrún Ása Grímsdóttir 2006, 37; see also Louis-Jensen 2006, 136–38, Liepe 2009, 235–42, and Björn Th. Björnsson 1955).

³⁰ The trend of adapting motifs from canon law manuscripts is also well attested in a further initial at the beginning of the *Þingfararbálkr* in Codex Hardenbergianus (GKS 1154 fol.) and Belgsdalsbók (AM 347 fol.) (Johansson and Liepe 2014, 152–53).

³¹ To my knowledge only three Icelandic manuscripts, two of them directly or indirectly linked to Helgafell and one to Þingeyrar, feature a historiated initial at the beginning of the *Kristinréttir Árna biskups*. They are *Skarðsbók* (AM 350 fol.), fol. 107^{va}, AM 168 b 4^o (containing four historiated initials at fol. 1^r, fol. 9^r, fol. 11^v and fol. 15^v), and GKS 3269a 4^o, fol. 87^{ra}.

from a different stylistic East Anglian influence, the so-called Peterborough psalter group (Morgan 2004, 33).³²

GKS 3269 b 4°, the earliest Icelandic manuscript depicting a hanged thief, dates to 1330–40, whereas the combined depiction of the capture and hanging of a thief is only attested from 1350 onwards. This indicates that such a development could have happened after an East Anglian manuscript related to the Brewes-Norwich Commentaries arrived at the shores of North Iceland, possibly first at Þingeyrar, if Selma's assumption is followed. As for the motif discussed above, however, this only relates to the binding of the stolen goods to the back of the thief, not the actual hanging and conviction scene. The depictions of the hanged thief as seen in the Brewes-Norwich Commentaries seem to occur first in those manuscripts most closely related to the Helgafell group: Skarðsbók, AM 168 a–b 4°, and AM 139 4°. Skarðsbók, in particular, stands out from all initials discussed, due to the iconographical complexity of its depicted ape-faces and the three figural scenes in the initial and surrounding margins. This selection of pictorial elements is in line with the textual arrangement of the manuscript, with its combination of up-to-date secular and ecclesiastical laws, which has no exact counterpart in any other codex of its time (Rohrbach 2013, 233–34). Also discrepant in the Skarðsbók example, and once again found elsewhere only in the initial of Thott 1280 fol. discussed above, is that all other depictions of hanged thieves feature a hanged figure clad in a so-called *gugel*, Lat. *cucullus*, a hood with a liripipe.³³ This hood type became prevalent throughout medieval Europe from the early twelfth century, and especially so in aristocratic circles in the early fourteenth century. It features only rarely in depictions of hanged thieves outside of Iceland, probably for fear of seeming to target the aristocratic clients of manuscript makers. Why the Icelandic manuscripts use this motif, in the absence of any extant textual reference to hangings where a *gugel* serves as a cover for the victim's head, remains unclear but it is striking that Skarðsbók, which depicts fashions amongst contemporary European aristocracy in the most up-to-date way, does not show a hanged thief with a *gugel*. Possibly the other examples from Iceland depict the *gugel* as a non-aristocratic piece of clothing, as was common by the later fourteenth century.

All the initials discussed above strongly indicate that the Icelandic illuminators became acquainted with them from overseas sources. This is not restricted to one single workshop or textual redaction of the law code, as the examples from

³² For the Peterborough psalter group see Sandler 1974.

³³ On the *gugel* see Kania 2003.

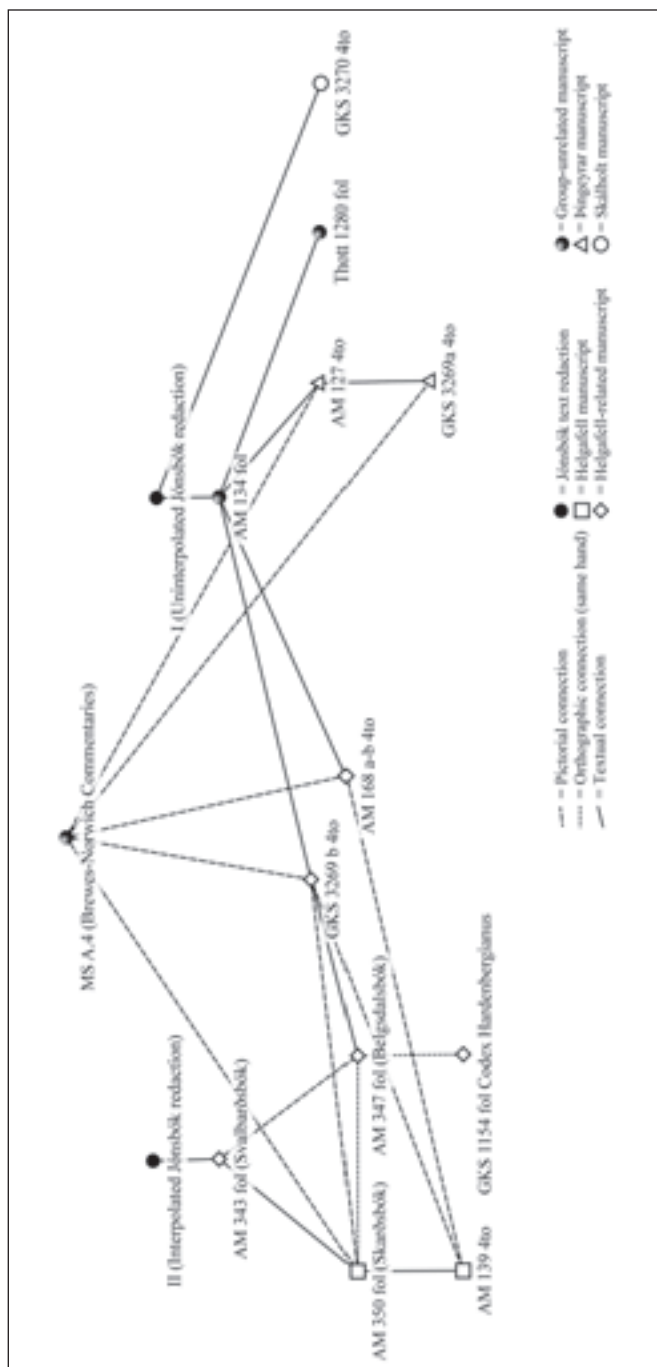
Helgafell and Þingeyrar show. Rather, the painters may have interacted between the various workshops and scriptoria over a longer period of time and shared both motifs and simple ideas, relatively unaffected by the scribal practice of the writers. As already indicated, relationship to the text is less apparent in the use of the motifs. Regarding the initials, textual redactions, and orthographic links, the relations between the manuscripts can be established as in Table 2.

Table 2 shows that the workshop that was responsible for GKS 3269 b 4^o seems to share a common iconographic pattern with Skarðsbók, as well as some elements of decoration (Liepe 2009, 155). In what form the different illuminators shared their art-historical material is not known but this relationship is only attested for the artistic influence, since the redactions of the text are different: so too with Belgsdalsbók and Svalbarðsbók, which share an identical artistic model but not redaction. Both could be defined as products of a workshop closely related to Helgafell (due to the textual link between Svalbarðsbók and Skarðsbók) but not as products of one and the same scriptorium.³⁴ As Lena Rohrbach (2013, 234) has recently suggested, Belgsdalsbók should not be considered a member of the Helgafell group, given that only the last four folio leaves were written by Hand I from Helgafell and that this occurred much later than the writing of the main part of the manuscript and within a new and final gathering. It is still uncertain whether specific stylistic features speak for different schools in Icelandic workshops, especially in the second half of the fourteenth century.³⁵ However, the variability of the same motif found in the Helgafell group with further motif-related manuscripts shows that a closed scriptorium cannot be assumed for this particular situation: both Belgsdalsbók and Codex Hardenbergensis were partly written by the same scribe but do not share comparable initials in *Þjófabálkr*. The same goes for the comparison between the last four folio leaves of Belgsdalsbók and the whole of Skarðsbók, both of which, while written by the same main hand, share neither the same motif nor the same redaction. Bera Nordal (1985, 174) suggested that Svalbarðsbók must have been in the possession of the scriptorium at Helgafell by the time of the production of Belgsdalsbók. For the present investigation, Bera's hypothesis can be accepted, albeit with the reservation that

³⁴ Stefán Karlsson (1987, 179), Bera Nordal (1985, 174–75), and Liepe (2009, 121–23; 2012, 247) have previously argued on philological and art historical grounds that Belgsdalsbók (AM 347 fol.) should be considered part of the Helgafell group. Svalbarðsbók (AM 343 fol.), on the other hand, has only ever been seen as a Helgafell-related predecessor to later manuscripts such as Skarðsbók (AM 350 fol.) and AM 139 4^o.

³⁵ See Liepe (2009, 112–26) for a list and discussion of the fourteenth-century Icelandic manuscript groups and their suggested places of production.

Table 2: Philological and pictorial relations in fourteenth-century *Jónsbók* manuscripts containing *Þyrfabálker* initials. Created with the programme NodeXL. Basic from the Social Media Research Foundation (<http://www.smrfoundation.org>).



the place of production for both Belgsdalsbók and Svalbarðsbók might have been the nearby monastery Helgafell, in view of the considerations discussed above. AM 139 4°, on the other hand, seems to follow older models used in AM 168 a–b 4° and also in part in GKS 3269 b 4°. While the text was directly taken from Skarðsbók, there is no close pictorial correspondence to that manuscript.

The examples from Thott 1280 fol. and GKS 3270 4° seem to follow different pictorial models. Thott 1280 fol. has an iconographic model otherwise unknown from contemporary and earlier medieval Icelandic manuscripts. The example of GKS 3270 4° is even more peculiar, since the illuminator of Skarðsbók is now known to have also painted a miniature showing the Calvary group in GKS 3270 4° fol. 27^{vb1-10} (Guðbjörg Kristjánsdóttir 1993, 25). Further artistic connections between the two manuscripts and groups remain unknown. As for the Þingeyrar manuscripts, AM 127 4° and GKS 3269a 4°, the iconographic connection is visible and suggests that a closed workshop was responsible for the illuminations investigated in this paper. The suggestion, noted above, that the two Þingeyrar manuscripts were illuminated by the same person seems likely considering the overall use of colours and further stylistic aspects of decoration and figural paintings. Apart from the related pictorial treatment of *Þjófabálkr* only a few other historiated initials in the two manuscripts are similar (Halldór Hermansson 1935, 24–25) but nevertheless they provide further apposite examples of the variety of motifs the Icelandic illuminators used for the unilluminated manuscripts, an observation that also holds true for the individual rubrics written by the illuminators.

Conclusion

As is apparent from a single illuminated chapter of a widely known and copied law text, the use of images in fourteenth-century Icelandic book painting was not restricted to a single pictorial topic or text redaction. The wish to illuminate the *Þjófabálkr* in accordance with slightly earlier and current images used on the Continent was already expressed by earlier illuminators and in the manuscript design of the earliest *Jónsbók* manuscript, AM 134 4°.

The new visual expression probably stemmed from an East Anglian influence *c.* 1335–50 and is not exclusively rooted in the textual transmission of the manuscripts investigated. The various Icelandic (and, in the case of Codex Hadenbergianus, Norwegian) illuminators seem to have played just as important a role in the manuscript culture as the scribes, sharing their motifs and ideas independently from the writers and even innovating on occasion. GKS

3269 b 4° and AM 168 a–b 4° emerge from the present study as independent productions, with only loose connections to the Helgafell group, and are parallel to Belgsdalsbók and Svalbarðsbók in this respect. Also notably independent is Skálholt manuscript GKS 3270 4°.

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