This is not the published version of the article / Þetta er ekki útgefna greinin

Author(s)/Höf: Vilhelm Vilhelmsson

Article title/Titill greinar: Contested households: lodgers, labour, and the law in rural Iceland in the early 19th century

Published in/Útgáfurit: Scandinavian Journal of History

Publication year/Útgáfuár: 2023

DOI (krækja í greinina hjá útgefanda) https://doi.org/10.1080/03468755.2023.2197916

Creative Commons License if applicable/CC leyfi ef við á: Not applicable

Document version/Útgáfa greinar Accepted Manuscript (post-print)

Please cite the published version: Vinsamlega vísið til útgefnu greinarinnar

Vilhelmsson, V. (2023). Contested Households: Lodgers, Labour, and the Law in Rural Iceland in the Early 19th Century. Scandinavian Journal of History, 48(5), 572–592. https://doi.org/10.1080/03468755.2023.2197916

Rights/Réttur: //

Contested Households: Lodgers, Labour, and the Law in Rural Iceland in the Early 19th Century.

Vilhelm Vilhelmsson, University of Iceland Research Centre Northwest, University of Iceland, Skagaströnd, Iceland.

Contact: Vilhelm Vilhelmsson, University of Iceland Research Centre Northwest, Einbúastígur 2, 545 Skagaströnd, Iceland. Email: vilhelmv@hi.is

Disclosure statement

No potential conflict of interest

Notes on contributor

VILHELM VILHELMSSON (b. 1980) is a historian and director of the University of Iceland Research Centre Northwest and editor of the journal *SAGA*. He has a doctoral degree in history from the University of Iceland. His research focuses on the power relations of everyday life in pre-industrial Iceland, on labour coercion, subaltern agency and everyday resistance. He is the WG leader of the COST-Action funded network Worlds of Related Coercions in WorK Working Group 3: (Im)mobilization of the workforce. https://uni.hi.is/vilhelmv

Contested Households: Lodgers, Labour, and the Law in Rural Iceland in the Early 19th Century.

Abstract

The historiography of labour in pre-industrial Iceland has commonly portrayed it first and foremost as life-cycle service in rural households and has suggested that, in a European context, the Icelandic system of compulsory service – or *vistarband* – was exceptionally harsh due to its broad scope and inflexibility. This approach has been built primarily on demographics and a normative analysis of legal sources. Less attention has been paid to the everyday practices of workers and their employers (or the state) as they manoeuvred within and around the labour legislation to establish working relationships to make ends meet. Similarly, ambiguities within the legislation and discrepancies between law and practice have rarely been explored, nor has people's understanding of the principal concepts of the labour laws, concepts such as 'household', 'farm' and 'servant', been scrutinized. This article invokes such questions and provides a microhistorical analysis of two court cases which illustrate the nuances and ambiguities of putting such a broad-reaching set of regulations into practice in a pre-industrial rural setting.

Keywords: Servants, labour relations, coercion, household, rural history

Introduction

It was Friday, 2 August 1822. Jón Pálsson was at the home of his mother, who lived as a lodger (Ice. *húskona*) at the farm *Syðriey* in the county of *Húnavatnssýsla* in northern Iceland, when two men arrived and promptly read aloud a letter containing a court summons for Jón.[1] He was

to face charges for violating the laws on compulsory service, which dictated that all landless adults were required each year to seek a position as servants in legal households. Jón was accused of having worked illegally as a day labourer, 'without any necessity forcing him to do so', and of refusing a previous offer, a few weeks earlier, of a servant position in a distant parish.[2] At the trial the following Monday Jón presented two letters, one from himself and one from his mother, refuting the charges and demanding that they be dropped. The letters stated that Jón was his mothers' servant and that, according to their understanding, she was free to dispose of his labour as she deemed fit, including sending him off to work elsewhere to provide for their household. Without his labour, they declared, the household, which consisted of Jón's mother and his four year old daughter Guðbjörg, would be devastated and they would be forced into the poor-relief system.

The insolent tone of the letters infuriated the magistrate, who demanded to know who had written the letters on their behalf, insinuating that they were incapable of doing so themselves. He was nonetheless forced to accept the letters as court documents and to delay the trial in order to take further depositions from witnesses to build his case. Jón was eventually found guilty of being 'a masterless labourer and not a lawful servant'.[3] He was sentenced to the customary corporal punishment of 10 lashes, although, due to circumstances, the magistrate allowed Jón to remain a day labourer until the following spring, the customary transitional period when servants could change employers or exit service to become peasants.

While there are many cases of illegal labour practices to be found in Icelandic court archives, the case of Jón Pálsson provides an unusually explicit first-person insight into the views of the labouring poor and their understanding of the coercive labour legislation that governed such a large part of their lives.[4] It illustrates the potential differences in understanding, of state officials on the one hand and the labouring poor on the other, of what actions, relations and practices constituted lawful employment in a legal household, and who

had the power to define it as such. As Jón's mother, Helga Magnúsdóttir, was a lodger living independently but within the domicile of another household, the affair also raises questions about the definition of a legal household and how matters of labour, poor-relief and settlement (or lawful residence) were entangled in both law and practice.[5] The case thus highlights how the definition of the labouring subject could in itself be a subject of contention, as the Marxist scholar Tom Brass has also indicated.[6]

The affair of Jón's ambiguous labour relations also complicates the three-tiered schema for 'dissecting' coerced labour put forward by Marcel van der Linden, where entry, extraction and exit are categorized as the three major 'moments' of coercion.[7] For workers such as Jón Pálsson, the ambiguity of status and the multiplicity of power relations involved in his employment and ways of providing for his mother's/master's household make compulsory service a more heterogeneous set of relations whose dynamics could concurrently involve very diverse and yet coexisting forms of relations whose 'moments of coercion' could vary significantly in degree and scale. As such, they do not easily fit into such a clear-cut taxonomy. For others, such as the turf-cutter Þorlákur Sveinsson, whose court case from 1835 will also be discussed in the latter half of this article, it was the ambiguity of their social and residential status within established households, rather than labour relations as such, that triggered the coercive apparatus of the state into action. Labour relations, social status, and household settlement were thus entangled elements of a system of coercion that remained perpetually contested through everyday practices such as those discussed in this study and whose moments of coercion were equally shaped by all these different but interconnected social conditions.

This article makes use of these two court cases for a microhistorical analysis of the contested boundaries of lodger households and the various modes of labour relations in rural pre-industrial Iceland. It discusses how the labouring poor could – and did – manoeuvre within and around the coercive regulatory framework of legal settlement and compulsory service in

their everyday lives. The focus is on how labour laws were understood, and their elasticity put to the test, by labourers such as Jón Pálsson and Þorlákur Sveinsson as well as those who employed them, and the authorities tasked to uphold the law. As a microhistorical analysis, this study does not presume that these two men represent the universal experience of the labouring poor in pre-industrial Iceland, but rather that their cases illustrate the divergences which existed in the vast configurative space between normative regulations and everyday practice as people made their living on a day to day basis.[8] The study thus has broader implications and contributes to the ongoing scholarly discussion about the complexities and nuances of coercive labour relations and their how they are practiced within different historical contexts.[9]

The Historiography of Labour in Early Modern Iceland

Historians of servant labour commonly define servants as paid workers who live within the household of their employer (master) and are employed for longer terms, frequently on an annual basis.[10] Additionally, service in early modern Northern Europe has commonly been portrayed as a part of the life-cycle of individuals, where youth enter service temporarily in order to build the skills and resources to become a part of the peasantry as adults, conforming to what Peter Laslett and John Hajnal famously termed the (Western) European marriage pattern.[11] While this working definition is very useful it also somewhat obscures the ways in which the definitional boundaries of different forms of labour relations could be more fluid and ambiguous in everyday life, ignoring both the ambivalence of the concepts of 'household' and 'master' as well as how these relations were contested through the everyday practices of the labouring poor.[12] As Carolina Uppenberg has argued, the emphasis on life-cycle service and its reciprocal benefit for peasants and servants similarly disguises the inherently coercive nature of compulsory service and the master-servant relationship and ignores the lived

experience of those subject to this coercion and the level of contestation it could potentially entail.[13]

It has long been established that labour in pre-industrial Iceland was characterized first and foremost by compulsory service – or *vistarband* – and that the 'pre-industrial labour force in Iceland was overwhelmingly composed of servants.'[14] Icelandic historians have otherwise not been particularly concerned with the intricacies of labour relations in pre-industrial times. The relatively few studies which discuss labour relations have generally done so as part of a broader analysis of economic and social structures and processes of modernization in the 18th and 19th centuries. The major issue of contention in this historiography has been whether the system of compulsory service in Iceland hindered – or if it was intended to hinder – the development of a fishing industry, urbanization and a capitalist economy, or if it rather reflected concerns with poor relief, domestic discipline, public morality and social order.[15] These studies have for the most part been concerned with social structure, government policy, mentalities and ideologies and have primarily relied on a normative approach in their analysis. The few studies that have paid more attention to studying the worldview and lived experiences of the labouring poor have in turn primarily been concerned with the development in the late 19th and early 20th century of an industrial urban working class and its material culture, identity formation and 'class consciousness.'[16]

While the characterization of pre-industrial labour relations in Iceland as having been governed primarily by compulsory service still holds true, recent studies have put forward a more nuanced portrayal of labour relations in the early modern era, emphasising amongst other things the working status of 'independent' peasant women in the 18th century, the ambiguous status of lodgers within society and the economy, cultural differences within the peasantry, work performed by vagrants and others on society's margins, seasonal labour migration and the extent of illicit masterless labour and its role in local economies.[17] In part, this is the result

of the use of previously unused source material, made available through ongoing digitalization projects, but this added nuance also, more significantly, derives from a change in perspective as studies influenced by microhistory, gender history and global labour history have placed an increasing emphasis on cultural and social difference, on individual agency and everyday practices in their analysis. This article further contributes to this development.

Labour Regulations in Iceland in the Early 19th Century

Although servant labour has ancient roots in Icelandic society, labour relations in general were for a long time rather loosely defined as service initially coexisted with slavery and later with patronage as important forms of dependent labour relations.[18] By the late medieval period, however, compulsory service for the landless and labouring poor, first and foremost in peasant households, had become the primary basis of labour organization in Iceland. Historian Árni Daníel Júlíusson has argued that compulsory service for a limited time period, where youth became servants for some years before marrying and becoming peasants themselves, had become the standard form of employment for the labouring poor as early as the 14th century.[19] This remained the desired form of social regeneration and labour organization throughout the pre-industrial era, up until the end of the 19th century.[20]

As the image of the orderly household became central to the politics of social order in Post-Reformation Europe, and the early modern state sought to govern ever more diverse aspects of society and the economy, compulsory service was further consolidated as the preferred form of labour relations in Iceland as well as in many other Northern European countries.[21] In Iceland, a police ordinance from 1685 included several articles on servant labour, regulating wages and contract termination at the same time that it firmly placed servants under the disciplinary rule of their masters, whose duty to maintain 'Christian discipline' in the household, using 'hand, wand, or whip' as necessary, was emphasised. It also prescribed harsh

punishment for vagrancy and illegal casual labour, culminating in lifelong imprisonment on the third offence. Those who fulfilled the requirement of property ownership equivalent of 5 cows and paid all dues and taxes, however, remained free to make a living on their own.[22]

Revised legislation was introduced in a decree on domestic discipline in 1746, further regulating hiring practices, wages, and the disciplinary authority of masters. It also delineated in detail the subservient status of servants within the household as well as the duty of masters to care for their servants when injured or ill, to attend to their moral and Christian upbringing and to provide them with free time to tend to their private affairs.[23] In 1783 a new decree was enacted whereby any form of casual labour or other exceptions from compulsory service was prohibited without a written permission from the authorities for anyone over 18 years of age who did not head their own household.[24] An exemption clause, however, allowed 'lodgers and their wives and children, who live together with them' to 'work for daily wages'. The same applied to those who 'live by the seaside and live off of the fisheries', the so-called cottars (*búðsetufólk*, *þurrabúðarfólk*), so long as they acquired a permit from the authorities to do so.[25]

Legal Ambiguities and the 'Other' Workers

By the late 18th century, then, labour relations in Iceland had become codified to a significant degree in a series of decrees which prioritized a strictly regulated and coercive form of compulsory service for the landless and explicitly emphasized how labour relations were legally and culturally intertwined with a discourse on morality and social order.[26] By the early 19th century, some 23% of the total population of Iceland worked as servants and, while Icelanders were more likely to end up as lifetime servants than their counterparts in the other Nordic countries, around 80% of servants later became household heads themselves.[27]

Despite the considerable degree of compulsion, servants nonetheless had legally sanctioned contractual autonomy. Unless they were in debt with the local poor-relief fund, they

were free to seek service in any legal household and could terminate their contracts and move to a different master once a year. Studies suggest that servants did so rather frequently and that there was significant mobility within the labour market.[28] Also, while the decrees of 1685, 1746 and 1783 all prescribed service on a yearly basis, they did not specify if workers were bound to a single master for the duration of that period, and it was not unknown for servants to be employed by two or more masters in a single year.[29]

Other aspects remained unclear, however. The laws did not specify whether masters were free to lend their servants and their labour power to other households, or for how long, and while the decree of 1746 forbade servants to leave the household without their masters' permission, it did not specify the duration of a permitted leave of absence. Nor did the law explicitly state whether servants were required to reside within the home of their master. Most did, but there are examples of servants who did not.[30]

To further add to the ambiguity of the system, there were very few rules or guidelines governing the legal status of lodgers and cottars. While sources do not always distinguish between the two groups, scholarship generally views the former as living in rural farming areas but the latter as fishermen living by the coast. A decree from 1490 stated that cottages (*búð*, *þurrabúð*) had to have access to land which could feed a minimum of three cows and scholars have understood this as the minimum size of a lawful household in pre-industrial Iceland.[31] This decree was in effect, at least in theory, until 1808 when the requirement was decreased to the ability to feed one cow or six ewes.[32] The ordinance of 1808 also reiterated that a permission was needed from the local authorities to settle in a cottage.

For most of the period of this study, there seem to have been no specific laws governing *húsmennska*, or lodging. Scholarship generally characterizes lodgers as individuals who lived within the homes of peasants on assessed farms but kept their own household and were free to dispose of their labour as they pleased. They comprised 9,2% of all households in Iceland in

the census of 1703 but only about 2% of the population. Their numbers grew somewhat in the 19th century.[33] Differentiating between lodgers and other social groups was not always an easy task, however, and lawmakers struggled to define the group in the latter half of the 19th century.[34] A key factor seems to have been that lodgers 'head their own household', as it was phrased in parliamentary debates.[35] As this study shows, legal practice also applied the rule of minimum household size to lodgers even though the law does not explicitly mention this. Most scholars have also assumed that, like cottars, lodgers needed permission from the local authorities.[36]

Resolutions and declarations, issued regularly by various authorities since at least the turn of the 16th century, indeed stated that peasants were not to take in lodgers from 'outside' districts without the consent of the local authorities.[37] It is however unclear whether those already residing within the commune (*hreppur*) needed such a permission. The same resolutions dictated, however, that the peasants were socially and economically responsible for any lodgers living on their premises, indicating that lodging was to some extent governed by poor-law legislation.[38] Who was allowed to become a lodger and under what conditions remained unclear for most of the 19th century but legal practice indicates that those whose status was questionable and who were deemed liable to become a burden on local poor-relief funds constantly risked being tried in court for illegal casual labour, or *lausamennska*.[39]

Lausamenn, directly translated as 'loose' or 'free' men, had for centuries been deemed morally deficient, socially suspicious and prone to criminality, but their stigmatization in public discourse grew substantially in the 18th and 19th centuries, where they were commonly described as being a 'cancer on the national body' corrupting public morality and the nation's economy in equal measure.[40] Popular discourse on social issues had a tendency to conflate the three categories of cottars, lodgers and *lausamenn*, portraying them all as possible sources of social disorder and a burden on poor-relief funds.[41] The three groups were indeed porous and

difficult to delineate. They had in common a social condition of masterlessness – of being masterless – a condition which was generally viewed not only in Iceland but across Europe in the late medieval and early modern period as socially suspect and linked to criminality, pauperism, and begging.[42] Masterlessness was thus not only an issue of labour relations but also an issue of moral and social order. Labour legislation was tightly integrated with regulations on vagrancy and poor relief, the control and socialization of youths, population surveillance and control and social hierarchy.[43] However, as several historians have shown, the masterless throughout Europe were in fact a diverse group of working people whose shared characteristics were first and foremost not having a master, being highly mobile and generally surviving off of an economy of makeshifts.[44]

The same applies in pre-industrial Iceland. A *lausamaður* was, in short, any worker who did not run his own household and did not submit to the authority of a master but rather received wages for casual labour. From 1783 to 1863 this remained an illegal social status unless one had explicit permission from the authorities. Thus, a judge at the High Court in Reykjavík declared in 1835 that the law views 'anyone … at least in rural areas … who is not either in service for a full year with a settled farmer, or himself occupies an assessed farm, a part of a farm or a croft' as a *lausamaður*.[45] Whatever his job or social status was remained irrelevant. He (or she) could be an idle vagrant, someone working as a day labourer, a craftsman, fisherman, travelling salesman or any other unlicensed labouring activity. Were it not for its illegality, masterless casual labour could thus be seen as a form of 'free' wage labour as opposed to the relative unfreedom of compulsory service. However, as this article shows, the difference between the two could in practice be very obscure, or even non-existent, as workers drifted from one form of labour relation to another in their efforts to make a living.

Even though there has so far not been a single comprehensive study of casual labour in early modern Iceland, the general consensus among historians, based on a reading of the census

of 1703, has been that *lausamenn* in the 17th and 18th centuries were a miniscule group consisting of less than 400 relatively well-off fishermen and itinerant merchants, a class of workers that was more or less dissolved in the late 18th century once all exemptions from compulsory service were eliminated.[46] These studies have almost completely ignored the migratory working poor who were the subject of the constant complaints of social disorder in the late 18th and early 19th century.[47] Indeed, anecdotal evidence suggests that casual labourers operating on the margins of the law were rather common, not least around fishing stations. A directive written in 1784 but based on observations made by a Danish official in 1779–1780, for example, claims (surely with some exaggeration) that a full 10% of the inhabitants of *Árnessýsla* – 600 people out of a population of around 6,000 – subsisted as 'vagrants and beggars' despite being fit and able to work.[48] A *circulaire* letter written in 1826 by the county magistrate in *Húnavatnssýsla* to all district constables – whose tasks included keeping surveillance over labour affairs in their districts – notes that it was becoming more common that 'fit and healthy' unmarried women avoided becoming maidservants, choosing instead to subsist as day labourers or lodgers and incorrectly 'believing themselves to be completely free to do so.'[49] Such sources tell us nothing about the actual beliefs these people had about their rights and duties and the distinction – legal, social or cultural – between compulsory service, lodging and casual labour, but they do indicate how these ambiguous boundaries were contested through everyday practice. As I have argued elsewhere, masterless labour in the early 19th century could thus perhaps be viewed as what microhistorians call a 'normal exception': as a cultural norm and an economic necessity, despite being *de jure* illegal and despite them being stigmatized as social parasites in public discourse.[50]

Regardless of how best to interpret the social status of masterless casual labourers in early modern Iceland, the discrepancies, gaps, exemption clauses and lack of specificities in the labour legislation indicate the degree to which the organization of labour was governed by

practical concerns as well as the needs of the economy for a more flexible labour market despite the rigidity of the law. While the discretionary power to dictate whether a specific set of labour relations violated the law was placed in the hands of county magistrates, these discrepancies within the labour laws also provided the labouring poor with the means for rival interpretations of the law and its application, as the case of Jón Pálsson poignantly illustrates.

Jón Pálsson – Servant or Illegal Labourer?

Jón Pálsson was born in 1795 and spent most of his life in the *Skagaströnd* region of the county of *Húnavatnssýsla*. He grew up with his family at *Syðriey*, a large farm valued at 60 hundreds (average farm value was 20 hundreds), owned by his grandfather but separated into two households, one of which was occupied by Jón's parents.[51] Since owner-occupancy was rare, with only 5% of farmers in the early 1700s being freeholders, a figure that rose slowly to 17% by the mid-19th century, this seems to have been a relatively affluent family in good social standing.[52] Jón's grandfather and his uncle had also both occupied the prestigious position of local constable (Ice. *hreppstjóri*) around the turn of the 19th century. However, if we follow the definition, made by Swedish historian Jonas Lindström, of the labouring poor as 'people who neither had enough land nor were paupers, but depended on wage work for their survival', Jón should nonetheless be seen as belonging to the labouring poor.[53] Not only did he depend on wage work for his survival, but his family also risked becoming dependent upon official poor-relief if he did not provide for the household.

Very little is known about his upbringing, but it seems that his father died when Jón was around 10 years old. By 1815 the widow Helga had moved to another farm, named *Harastaðakot*, of which tax records confirm she owned at least a part.[54] By 1820, Jón was living there along with his mother, his girlfriend and their two children (one of whom died shortly thereafter), when the county magistrate ordered the couple separated. The law forbade

unwed parents to reside in the same parish, as procreation should only take place within marriage.[55] Two years later, in early 1822, his mother, Helga, moved back to *Syðriey*, where her brother and her widowed sister-in-law now headed each of the two households on the farm. Helga now resided on a small part of *Syðriey*, just enough to eke out a living with a handful of sheep, of which she had 12, as well as two horses and one cow. She lived as a lodger within the home of her sister-in-law.[56] According to the letters they sent to the magistrate, and their testimonies before the court, Jón and his remaining child, Guðbjörg, moved to *Syðriey* with his mother on the agreement that she would take care of the child while he worked to provide for the family.

In the subsequent months he travelled around the district for work. He spent some time doing carpentry work for a local minister and joined a boat crew in a nearby fishing lair during the spring fishing season and brought his part of the catch to his mother and his child in *Syðriey*.[57] This was in fact common, with many peasants sending their male farmhands to join boat crews, mostly in the south-western part of the country during the winter fishing season from February to May. The men then brought their catch (or salaries) back to their master. Servants working for masters whose main occupation was fishing were, in turn, sent to the countryside during the hay harvest to work in exchange for farm products such as butter which they brought back to their masters. This seasonal flow of the workforce was essential to the organization of labour in 18th and 19th century Iceland and benefited both sides of the highly integrated dual economy of pastoral farming and inshore fishing.[58] Indeed, Jón also stayed at *Syðriey* during mid-summer to participate in the hay harvest, working not only on his mother's plot but also for the farms' other households in return for additional hay for his mother.

In their letters submitted to the court demanding that the case be dropped, Jón and his mother, Helga Magnúsdóttir, defended this arrangement and declared that he was her lawful servant even though he worked mostly at other farms and did not receive any remuneration

from her. In their interpretation, she was free to dispose of his labour as she saw fit, as he was her servant. This was in their view 'the prerogative of all masters' as Jón wrote in his letter.[59]

A key argument in their defence was Jón's role in providing for the household. When the magistrate inquired about the conditions of his service, Jón answered that he worked on her behalf to provide 'for my own life and those of my child and mother.'[60] Helga declared in her letter that she, being of poor health, could not provide for herself or the child without the help of his labour. Invoking his duty as a Christian, she addressed the magistrate himself saying that 'as you well know, widows and those who are underage are not to be harmed' by the actions of the authorities. She then threatened that if Jón was to be 'coerced into service for unrelated people' she would follow him, along with the child, to demand that the new masters should provide for them as well.[61]

The need to provide for one's family was in fact a relatively common argument made by people brought to trial for evading service. In 1839, one Pétur Jónsson declined an offer to become a servant when the master refused to also take Pétur's infant son into the household. Instead, Pétur worked as a day labourer and lived illegally with his fiancée and son in a cottage in another parish until the county magistrate received word of their transgression.[62] Gísli Magnússon explained to the same magistrate in 1825 that he worked as a masterless day labourer because his wages as a servant would not suffice to provide for his two illegitimate children,[63] while Björn Björnsson admitted in 1840 that he had not sought a position as a servant because he was convinced no master would take him into his home with two children in tow. Him and the mother of the children had until then 'been able to provide for these children without having to receive any poor relief' but were adamant that they were unable to do so as servants.[64]

Statements such as these indicate that the labouring poor perceived their moral duty to provide for their families as a legitimate reason to refrain from entering service as the law

prescribed. This understanding might have been based on some cultural memory of previous legislation. Regulations on compulsory service from 1685 had included an (albeit very ambiguous) exemption clause for those who did not fulfil the property qualification for being masterless but who 'must out of necessity provide … for their parents, their children or other lawful dependents'.[65] A similar clause was included in a draft version for revised labour legislation in 1720, which never became law but was generally considered as valid and used for reference.[66] The statements might also simply refer to the well-documented cultural stigma associated with receiving poor-relief and the decidedly Lutheran discourse on the virtues of industriousness and self-sufficiency which dominated the worldview of Icelanders in the early modern period.[67] At the very least they illustrate how acquiescence to the laws which coerced the labouring poor into service was conditional and contested.

The arrangement between Jón and his mother was known to the local constable, who was tasked by law to monitor the implementation of the laws on compulsory service and to report all violations to the county magistrate.[68] He claimed to have approved of this arrangement because he knew that Jón's mother would be taking care of his young daughter, who would thus presumably not become a burden on the communal poor-relief fund. This can be interpreted as a tacit agreement with Helga's and Jón's argument that obligations to provide for close relatives should override the dictates of servant legislation. If that is the case, it raises questions about the possible extent of similar arrangements that may not have reached the upper authorities.[69]

In fact, had it not been for one troublesome misstep made by Jón Pálsson, his loosely defined household status might not have caused any fuss whatsoever. But as it transpired, in the summer of 1822 Jón had become romantically involved with a married woman who had fled from her abusive husband and taken refuge with the parish minister at *Hof* in *Skagaströnd*, where Jón was building a new sheep-pen to work off a debt his mother owed to the minister.

Rumours about the affair spread quickly throughout the district, and it was in order to 'prevent such behaviour and disorder' that the magistrate provided Jón with a servant position in a distant parish.[70] It was only when Jón refused to comply that the magistrate decided to press charges against him for illegal casual labour.

Since Jón pled not guilty and protested the charges against him, the magistrate was forced to take further witness depositions to build his case. The questions posed by the magistrate illustrate how the distinction between lawful service and illegal casual labour centred not only on questions of employment but also in equal measure on matters of public morality and social welfare. He wanted to know who had employed Jón and if he had had steady work but also where he had resided during the last few months, if he was fit and healthy, and if he had behaved in a Christian and moral manner. He also questioned witnesses extensively on the economic conditions of the household in *Syðriey*, obviously trying to establish the labour needs of the household and whether Helga was able to provide for herself and the child without the support of Jón's labour. As several of the witnesses, such as the other occupants of *Syðriey* and the parish minister at *Hof*, were either close relatives or friends of Jón and Helga, it is not surprising that the replies the magistrate received were rather lacking in information. They did however provide the magistrate with important information about Helga's household economy that informed his subsequent decision, as will be discussed in the next section. It was also revealed during the trial that Jón himself owned a dozen sheep that the parish minister housed and fed, and which Jón paid for by providing labour services, adding another set of economic co-dependencies and labour relations to further complicate his heterogeneous status.

The magistrate eventually found Jón guilty of illegal casual labour. He argued that since Jón had not resided at his mothers' home in *Syðriey*, apart from a few nights, and had not received remuneration of any sort but had rather offered his services to local peasants in return

for wages or goods (most of which, admittedly, had been brought to his mother to maintain her household), he should be considered 'a masterless labourer and not a lawful servant.'[71] Having to provide for his child was also not accepted as a valid excuse for Jón, since – as the magistrate pointed out – he owned valuable livestock which could easily be used to pay for its upkeep.

Lodgers and their Contested Households

In addition to his argument that Jón Pálsson could not be considered a servant, the magistrate argued that Helga's household at *Syðriey* could not accurately be described as a proper farm as she was merely a lodger within the home of her extended family, who gave her permission to turn a tiny portion of their land to her own use. Hers was therefore not considered a farming household and could not be considered to be in need of servants.[72] As the law clearly stated that landless adults should find service 'with farmers and farming people', this was another argument for considering Jón to be in violation of the law.[73] The magistrate did not, however, find any fault with Helga's status as a lodger even though witness testimony established that she did not have access to enough land to feed her meagre livestock and also that her poor health prohibited her from providing for the household by herself. Tax records however confirm that she owned the required minimum amount of moveable assets, namely the 12 sheep, one cow and one riding horse mentioned during the interrogations.[74] There is no indication that she had applied for permission to become a lodger at *Syðriey* or otherwise sought the consent of the authorities, although the constable of the local commune of *Vindhælishreppur* was aware of her change in status.

As was discussed previously, regulations on lodging were more or less non-existent in the early modern period and those that existed were mostly concerned with restricting the migration of impoverished people between districts. But Helga was not an 'outsider' but rather a lifetime resident of this district and thus may not have needed permission from the authorities.

According to the census of 1703, lodging was considered an 'honourable livelihood' and lodgers were a permanent fixture in the local social landscape.[75] If we follow the common scholarly practice and count lodgers as separate households,[76] we find that some 16% of all households in the commune of *Vindhælishreppur*, where *Syðriey* was located, were comprised of lodgers in 1703 and in the census records of 1801 and 1816, lodger households ranged from 14–25% in the parishes of *Höskuldsstaðir*, *Spákonufell* and *Hof*, where Jón and Helga spent most of their lives.[77] This is significantly higher than the national average of 9% in 1703 but on par with similar regions, where the economy was a mixture of fishing and farming, where lodger households were 17–18% of the total in 1703.[78] Whether or not lodgers should be considered a separate household is however open to debate.[79] The census of 1801, for example, counted lodgers as a part of the farmer's household. Yet they were taxed separately, under the category *búlaus* (or 'landless'), and contemporary discourse generally described lodgers as independent. Thus, the former constable Sigurður Björnsson wrote in 1839 that 'rural lodgers are household heads, even though they work for daily wages, and their earnings are used to maintain them'.[80] We can also find other examples of lodgers having servants, so that was also not an unknown or strictly forbidden arrangement and is another indicator of the independence of lodger households.[81]

Syðriey was owned and occupied by Helga's extended family. Poor-law legislation had since the 13th century been based primarily on wide-reaching duties for relatives to care for family members who were unable to work due to poor health or old age, and it remained so in the first half of the 19th century. Only when this provision failed did the local communal authorities step in and adjudicate poor-relief.[82] Judging from how common it was for lodgers to have familial connections to the peasants with whom they resided, lodging could in many cases be considered an arrangement of this sort.[83] Helga also possessed some livestock to support herself, for which she paid taxes every year, thus doing her part in the communal duty

of providing poor-relief.[84] She remained a lodger in *Syðriey* until at least 1826, when the parish census registers her household which – interestingly enough – still included Jón Pálsson as her servant. By 1829 Helga had become a dependent of her other son, Magnús, a farmer at *Ytri-hóll* in the same parish. Guðbjörg, Jón's daughter, is registered as a foster child in the same household.[85]

The definition of what constituted a proper farming household was also the subject of other court cases surrounding compulsory service and casual labour. Þorlákur Sveinsson (1799–1862) was a lodger at the farm *Tumabrekka* in the county of *Skagafjarðarsýsla* when he was brought to court for violating the laws on compulsory service in early 1835.[86] There were two (or three, if we count Þorlákur's lodging) separate households living in one turf house at *Tumabrekka*, a medium-sized farm of 30 hundreds, and Þorlákur rented one section of the shared living space, *baðstofa*, and shared the kitchen with the two families. From at least 1833, but most likely earlier, he had made his living cutting turf for the local peasants, essential building material for houses and fences and also, in the absence of barns, used to cover hay to shield it from the weather. Turf-cutting was a menial task, yet it required some skill and special tools, even though it was not considered a trade in and of itself, and it could only be performed in the spring and summer.[87] A turf-cutter was thus not a legitimate craftsman and not liable to the exemption from compulsory service which was included in the law of 1783.

During his trial, the peasants who had employed Þorlákur described the work he had done for them and the wages they had paid him. According to their testimonies, his work output was on par with the prescribed daily output for cutting turf in by-laws on prices, wages and measures, called *Búalög*, which served as guidelines for evaluating the relation between work output and wages from the 12th century until the early 19th century. For this work he was generally paid six fishes per day or their equivalent in other products (such as butter), which translates to three ells of cloth, which is only half of the value attached to the average daily

output of turf-cutting in the *Búalög* by-laws.[88] Despite this, the magistrate chastised Þorlákur for demanding 'unfairly high' wages for his work even though none of his employers had complained about the quality or output of his work nor his wage demands.[89]

The main thrust of his argument, however, when he sentenced Þorlákur to receive 15 strokes of the lash for evading service and working illegally as a day labourer, was that his was not a lawful household. Þorlákur had recently acquired a horse and a dozen sheep, for which he rented a small shed on the property as well as a tiny section of land to harvest hay for his livestock, and this became central to the entire court case. Those interrogated, including Þorlákur himself, agreed that he had not actually harvested any hay on this section. He claimed that it was of such low quality that it would not be worth the effort. Instead, he purchased hay from a nearby peasant. A *circulaire* distributed by the governor of Iceland (*stiftamtmaður*) in 1821, and reprinted in the contemporary journal *Klausturpósturinn*, emphasised however that lodger and cottar households needed to possess enough land to provide hay for one cow or six ewes. It explicitly stated that purchasing hay from other farmers would not suffice.[90] In addition, Þorlákur confessed that he had slaughtered most of his ewes in the autumn to procure meat for the winter. His livestock was thus severely diminished and unlikely to sustain itself without purchasing further additions to the flock. As historian Christina Folke Ax has argued, the politics of sheep-farming in the 18th and 19th centuries reflected cultural differences in the outlook and worldview of the Icelandic peasantry. Many prosperous farmers shared with the local authorities an understanding of what was considered 'best practices' when it came to managing the livestock and its fodder and viewed with distrust, if not outright hostility, those who did not take adequate measures to maintain their flock throughout the winter.[91]

While it is never stated explicitly, one can assume that Þorlákur argued that his residence as a livestock-owning lodger in *Tumabrekka* excused him from compulsory service and that he was thus free to labour as he pleased in the area. He had indeed declared to the

magistrate on a previous occasion, when the magistrate had inquired about his residential status, that he was going to write to the district governor (*amtmaður*) to request a permit to be excused from service but had for some reason neglected to do so. According to a contemporary account, only the district governor had the authority to provide such permits.[92] The county magistrate, however, refused to accept Þorlákur's lodging at *Tumabrekka* as a proper household or his ownership of livestock as farming. In his sentencing he declared that this in no way fulfilled the requirement, in the law of 1783, that landless adults must, in order to be free from compulsory service, acquire a piece of land to farm. The upper courts in Reykjavík agreed, arguing that 'owning a handful of sheep' did not constitute 'farming', and since the law decreed that all landless people should either become servants or landholding peasants, the turf-cutting work of Þorlákur should be viewed as illegal casual labour.[93]

There is no obvious legal basis for why Helga was accepted as a lawful lodger and Þorlákur was not. There is no indication that he was in need of, nor that he had requested, poor-relief and he was not involved in any unlawful enterprise or relationship, like Jón Pálsson was. It seems to have been purely up to the discretion of the local authorities whether they accepted such living arrangements as lawful or not. There was however a cultural logic at work that resonated with the worldview apparently shared by the majority of Icelanders in the 18th and 19th centuries. This worldview saw the sedentary independent farmer and his orderly household as the cornerstone of society.[94] Þorlákur was not living with relatives who could be made responsible for his subsistence, he did not possess enough livestock nor have access to enough land to harvest hay in order to sustain it, his work kept him constantly mobile and busy for the summer period but inactive for the long winter months, and his form of remuneration upset the perceived conception of fair wages. He also had a reputation for evading service, having been admonished for it by the authorities, along with his brother, in 1825 at a communal assembly.[95] Unlike Helga Magnúsdóttir, but much like Jón Pálsson, he was thus perceived as a possible

liability for the local community and a threat to the social order and the subservience towards governing hierarchies which the labour legislation was supposed to maintain.

Conclusion

As this study illustrates, the distinctions between lawful service and illegal casual labour, between accepted conditions for lodger households and unacceptable ones, in pre-industrial rural Iceland centred not only on questions of employment and economic self-sufficiency but also in equal measure on matters of public morality and social welfare. Despite a legal framework described (somewhat inaccurately) by some scholars as 'harsher' than in 'most European pre-industrial societies' and 'frequently applied with great inflexibility and severity',[96] labour relations and household status in early 19th-century Iceland were, as this paper shows, often ambiguous and subject to contestation as the labouring poor sought to make a living for themselves and their families. Jón Pálsson and his mother, Helga, and the turfcutter Þorlákur Sveinsson should not be considered representative of all those who were subject to the stringent labour legislation of early modern Iceland. Yet their cases show some of the ways in which workers manoeuvred around and within the interstices of a highly coercive legal environment which did not necessarily correspond with the lived reality of everyday life. The vagaries of making a living, of providing for loved ones and of procuring workers for the multitude of tasks that needed to be performed on farms informed peoples' understanding and interpretation of the law, which was indeed ambiguous in many respects and provided some room for contrasting interpretations. These gaps could be exploited to contest the meaning and interpretation of the law, when (or if) the long arm of the law got hold of you. The cases of Jón and Þorlákur similarly highlight the need for a nuanced and contextualized understanding of coercive labour relationships to which one cannot do justice through a simplified taxonomy which excludes the co-existence of concurrent and yet contrasting forms of labour relations.

The complex labour situations in which Jón Pálsson and Þorlákur Sveinsson found themselves were not one-dimensional, and they were by no means exceptional. Their labour relations were entangled with a multiplicity of other social relations which affected their social status and their relationship to the law, the authorities, and the local community. Many other workers must have faced similar conditions as they sought to make their living from day to day. By using a bottom-up approach, analysing the practices found in documented court cases of labour and settlement disputes and interpreting their meanings, this study thus challenges the prevailing understanding of labour in pre-industrial Iceland as rigid and inflexible, a view which has been based for the most part on a selective reading of normative source material. Instead, this article points towards another and more fruitful way to approach the study of the entanglement of labour and social legislation and their application in pre-industrial societies.

Disclosure Statement

No personal conflict of interest.

Notes

[1] Following Icelandic tradition, where people are referred to by their given name (first name) and not their patronym (as family surnames are not commonly in use in Iceland), I refer to all persons either by their full name, or by their given name only, throughout the article. All discussion on the case against Jón is based on the archives of the county magistrate. See: NAI (National Archives of Iceland). County magistrate in Húnavatnssýsla. GA/6–3. Dóma- og þingbók (1820–1823), 123–131. The court summons, along with the letters written by Jón and his mother to the magistrate, can be found in: NAI. County magistrate in Húnavatnssýsla GB/3–8. Dómsskjöl (1822–1822).

[2] NAI. County magistrate in Húnavatnssýsla GB/3-8. Dómsskjöl (1822-1822). Court summons for Jón Pálsson dated 31 July 1822. Original: 'án þess ad nein naudsyn þvingi hann þar til'.

[3] NAI. GA/6-3, p. 130. 'lausamadur enn ekkert löglegt vinnuhiú'.

[4] For this analysis, I borrow the definition put forward by Swedish historian Jonas Lindström that the labouring poor were 'people who neither had enough land nor were paupers, but depended on wage work for their survival.' Such a definition suits this study very well as it includes not only servants but also lodgers, cottars and day labourers but excludes all peasants regardless of their economic status, allowing for an analysis built on social status and labour relations rather than economic standing. See Lindström, "Labouring poor," 404.

[5] For a thorough discussion of the entanglement of labour, poor-relief, and settlement legislation in a European historical context, see King and Winter eds., *Migration, Settlement and Belonging*.

[6] Tom Brass, "Some Observations," 258–9.

[7] van der Linden, "Dissecting Coerced Labor."

[8] While microhistory has many faces, most microhistorians would agree with Christian G. De Vito and Anne Gerritsen when they say that microhistory 'seeks to use the particular and the exceptional as tools to enhance our understanding of the unexceptional.' See De Vito and Gerritsen, eds., *Micro-Spatial Histories*, vii. For further discussion, see Brewer, "Microhistory" and Magnússon and Szijártó, *What is Microhistory?*
[9] See De Vito, Schiel and van Rossum, "From Bondage to Precariousness?"
[10] See for example Whittle, "Introduction," 1. She says: 'Servants were paid workers who lived within the home of their employer, and who received board and lodging as well as a cash wage. They were employed for longer terms, typically several months to a year at a time rather than by the day or task.' See also Kussmaul, *Servants in Husbandry*, 3–4. As Rafaella Sarti has shown, defining service and servants is, however, inherently more difficult as the difference in understanding of the concept changed considerably according to locality and historical era. See Sarti, "Who are Servants?".
[11] See for example Lundh, "Life-Cycle Servants"; Gunnlaugsson, *Family and Household*; For a more critical approach see Moring, "Nordic family patterns"; Prytz, "Life-Cycle Servant"; Østhus, "Servants in Rural Norway."
[12] See for example Vilhelmsson, "Tactics of Evasion."
[13] Uppenberg, "Masters Writing the Rules."
[14] Jónsson, "Institutional Change," 103.
[15] Gunnarsson, *Monopoly Trade*; Magnússon, *Iceland in Transition*; Gunnlaugsson, *Family and Household*; Hálfdanarson, "Old Provinces, Modern Nations"; Jónsson, "Institutional Change"; Jónsson, "Stjórntæki gamla samfélagsins"; Stefánsson, "Ráðningarskilmálar"; Halldórsson, "Byggðastefna"; Róbertsdóttir, *Wool and Society*; Guttormsson, *Childhood, Youth and Upbringing*; Kristinsson, *Hnignun, hvaða hnignun?*
[16] See for example Jónasson, Ólafsdóttir and Magnússon, *Híbýli fátæktar*; Kristjánsdóttir, *Nýtt fólk*; Grjetarsson, "Upphaf og þróun"; Magnússon, *The Hidden Class.*
[17] Hallgrímsdóttir, "Independent Women"; Tómasdóttir, "Húsmenn"; Ax, "De uregerlige"; Jónsson, *Á mörkum mennskunnar*; Leifsson, "Flökkulíf"; Vilhelmsson, *Sjálfstætt fólk*; Vilhelmsson and Gunnlaugsson, "Passports, permits, and labour im/mobility."
[18] Jakobsson, "From Reciprocity to Manorialism," 274–8; Jónsson, *Frjálst verkafólk*.
[19] Júlíusson, "Signs of Power."
[20] Hálfdanarson, "Old Provinces, Modern Nations"; Jónsson, *Vinnuhjú*; Gunnlaugsson, *Family and Household*.
[21] Vilhelmsson, *Sjálfstætt fólk*, 52–67; Kofoed, "Authorities Who Care"; Lis and Soly, *Worthy Efforts*, 440–6.
[22] *Lovsamling for Island* I, 428–37.
[23] *Lovsamling for Island* II, 605–20.
[24] *Lovsamling for Island* IV, 683–6.
[25] Ibid., 685. 'Det maa ikke være Nogen tilladt at arbeide for Daglön, uden Husmænderne og deres Qvinder og Börn, som hos dennem ere til Huse' and 'De, som boe ved Strandkanterne og ernære sig med Fiskerie … maa det være tilladt, naar Værtiden er forbi, at arbeide hos Bonden for Daglön'.
[26] For further discussion, see Vilhelmsson, "The Moral Economy of Compulsory Service."
[27] Jónsson, *Vinnuhjú*, 11; Guttormsson, "Il servizio come istituzione sociale"; Júlíusson, *Landbúnaðarsaga*, 50.
[28] Gunnlaugsson, *Family and Household*, 80–2.
[29] Björnsson, "Um hússtjórnina," 137; Vilhelmsson, *Sjálfstætt fólk*, 11–12.
[30] NAI. County magistrate of Húnavatnssýsla. GA/8–3. Dóma- og þingbók (1855–1860), 204–6.
[31] Gunnarsson, *Monopoly Trade*, 21; Magnússon, *Iceland in Transition*, 35.
[32] *Lovsamling for Island* VII, 208.
[33] Tómasdóttir, "Húsmenn," 1–2; Jónsson, "Institutional Change," 104.
[34] See discussion in Hjaltason, *Markús*, 171–7.
[35] *Tíðindi um stjórnamálefni Íslands*, vol. 1, 714. For a similar contemporary definition see Ólafsson, "Um ómagaframfærslu," 198.
[36] Gunnlaugsson, *Family and Household*, 96; Magnússon, *Iceland in Transition*, 34; Jónsson, "Institutional Change," 106.
[37] Tómasdóttir, "Húsmenn," 3–4.
[38] Ibid., p. 4. See also Laxness, *Íslandssaga* I, 214.
[39] See for example Ásmundsdóttir, "Út við ræði og erfið föng," 36.
[40] Vilhelmsson, *Sjálfstætt fólk*, 187–201. Direct quote is Sigmundsson, "Til hvörs eru kóngsbréfin," 62.
[41] Björnsson, "Um hússtjórnina á Íslandi," 94–138; Stephensen, "Um jafnræði bjargræðisveganna," 113–93.
[42] Beier, *Masterless Men*; Jütte, *Poverty and Deviance*; Lis and Soly, *Worthy Efforts*, 426–509.

[43] Griffiths, "Masterless Young People"; Miller, *Transformations of Patriarchy*; Eccles, *Vagrancy in Law and Practice*; Johnsson, *Vårt fredliga samhälle*; Stanziani, *Bondage*; Lis and Soly, *Worthy Efforts*; Jütte, *Poverty and Deviance*.
[44] Beier, *Masterless Men*; Eccles, *Vagrancy in Law and Practice*; Winter, "Vagrancy"; Johnsson, *Vårt fredliga samhälle*; Hufton, *The Poor of Eighteenth Century France*; Fumerton, *Unsettled*; Vilhelmsson, "Tactics of Evasion."
[45] *Landsyfirrjettardómar* IV, 256.
[46] Jónsson, *Vinnuhjú*, 61; Gunnarsson, *Monopoly Trade*, 21–2; Þorláksson, "Undir einveldi," 43–8.
[47] For further discussion and extensive citations see Vilhelmsson, *Sjálfstætt fólk*, 187–201.
[48] *Lovsamling for Island* V, 65–8. 'Sysselet skal vrimle af Lösgjængere og Lösemænd'.
[49] NAI. County magistrate in Húnavatnssýsla. Archive of Þorkelshólshreppur commune PB/2-2. Magistrate Björn Blöndal to all constables, 14 January 1826.
[50] Vilhelmsson, "Ett normalt undantag?"
[51] NAI. Rentukammer 1928 E/72-1. Jarðabók Húnavatnssýslu 1802–1804; *Manntal á Íslandi* 1801, 73.
[52] See Jónsson, "Institutional Change," 110.
[53] Lindström, "Labouring poor," 404.
[54] Blönduós Regional Archive (BRA). Vindhælishreppur. Hreppsbók (1790–1830), 283.
[55] NAI. County magistrate in Húnavatnssýsla. GA/6-3. Dóma- og þingbók (1820–1823), 6-10; *Lovsamling for Island* II, 600-5.
[56] NAI. County magistrate of Húnavatnssýsla. GA/6-3. Dóma- og þingbók (1820–1823), 126.
[57] NAI. County magistrate of Húnavatnssýsla. GA/6-3. Dóma- og þingbók (1820–1823), 125–6.
[58] Vilhelmsson and Gunnlaugsson, "Passports, permits, and labour im/mobility." See also Guttormsson, "Population, households and fisheries" and Gunnlaugsson, "Kaupavinna."
[59] NAI. County magistrate of Húnavatnssýsla. GB/3-8. Dómsskjöl (1822-1822). Jón Pálsson to county magistrate Björn Blöndal, 5 August 1822. 'hvad eg trúi flestum Húsbændum leifilegt'.
[60] NAI. County magistrate of Húnavatnssýsla. GA/6–3. Dóma- og þingbók (1820–1823), p. 123. '… unnid fyrir lífi Barns míns, mínu eginn og hennar.'
[61] NAI. County magistrate in Húnavatnssýsla GB/3-8. Dómsskjöl (1822-1822). Helga Magnúsdóttir to the county court of Húnavatnssýsla, 3 August 1822. '… vel vitid þér ad Eckium og ómindugum skulu þeir aungvan skada giöra'; '… ef Jón verdur þvingadur til ad fara í vist til vandalausra'.
[62] NAI. County magistrate in Húnavatnssýsla GA/9–1. Dóma- og þingbók (1837–1842), 259–262.
[63] NAI. County magistrate in Húnavatnssýsla GA/7–1. Dóma- og þingbók (1825–1827), 123–6.
[64] NAI. County magistrate in Húnavatnssýsla GA/9–1. Dóma- og þingbók (1837–1842), 492–4. '… alid svo önn fyrir þessum börnum ad þau ei hafi sveitarstyrk þegid'.
[65] *Lovsamling for Island* I, 432. '… en þeir sem minna eiga, og ei hafa nauðsynlega að forsorga (eptir mati sýslumanns og hreppstjóra) sína foreldra, börn eða aðra lögkomna ómaga, líðist ekki lausamennska'.
[66] *Alþingisbækur Íslands* X, 560–1. For more on this draft legislation and its presumed use see Vilhelmsson, *Sjálfstætt fólk*, 184–5 and Gustafsson, *Mellan kung och allmoge*, 158.
[67] Magnússon, "Sögur af fátæku fólki"; Gunnlaugsson, *Saga og samfélag*, 130–43; Vilhelmsson, *Sjálfstætt fólk*, 67–77, 121–4.
[68] *Lovsamling for Island* VII, 328–9.
[69] There are various indications hidden in the interstices of archives, buried within witness depositions, that *hreppstjórar* often were aware of day labourers, vagrants and other 'illegals' within their communes but left them to their own devices if they caused no social disturbance. For some examples, see Vilhelmsson, *Sjálfstætt fólk*, 208–9.
[70] NAI. County magistrate of Húnavatnssýsla. GA/6-3. Dóma- og þingbók (1820–1823), 130. 'til ad fyrirbyggia slíkt athæfi og óordu'.
[71] NAI. County magistrate of Húnavatnssýsla. GA/6-3. Dóma- og þingbók (1820–1823), 130. 'lausamadur enn ekkert löglegt vinnuhiú'.
[72] NAI. County magistrate of Húnavatnssýsla. GA/6-3. Dóma- og þingbók (1820–1823), 130–1. This is in contrast with the recent claim by historian Guðný Hallgrímsdóttir that, due to their ownership of sufficient livestock, lodger households were 'regarded as farming' in their own right. That seems not always to have been the case. See Hallgrímsdóttir, "Independent Women," 499–500.
[73] *Lovsamling for Island* IV, p. 684. 'hos Bönder og boende folk'.
[74] BRA. Vindhælishreppur. Hreppsbók (1790–1830). Various entries.
[75] *Manntal á Íslandi árið 1703*, xvii. 'ærlegur lífernisháttur'.
[76] See for example Tómasdóttir, "Húsmenn"; Magnússon, *Iceland in Transition*, 30.

[77] Ibid., 273–7; *Manntal á Íslandi 1801*, 72–85; *Manntal á Íslandi 1816* V, 819–26. Categorizing different social groups in census records is always to some degree based on subjective analysis. Here, I counted every person or group of persons who obviously resided together (such as husband and wife, parents and children) as a single lodger household if the census described them as a *húsmaður* or *húskona*, *tómthúsmaður*, *tómthúskona*, *grashúskona*, *jordlös huusmand*, *jordlös huuskone*, *husmand* or *huskone* or if they are said to live off their labour, such as 'lever af uldarbeide' (*Manntal á Íslandi 1801*, 72) or 'ernæres af deres arbeide og ringe midler' (Ibid., 74). Lodger households are included in the total number of households. The census of 1816 is incomplete. It does not include the parish of *Hof* and is missing several farms in the parish of *Höskuldsstaðir*.
[78] Tómasdóttir, "Húsmenn," 7.
[79] Loftur Guttormsson was critical of this practice and did not count lodger households separately in his analysis of household size and composition. See Guttormsson, *Childhood, Youth and Upbringing*, 161.
[80] Björnsson, "Um hússtjórnina á Íslandi," 98. 'húsmenn á landsbygdinni eru búsitjandi menn, þó þeir vinni fyrir daglaun og geingur afli þeirra heimilum þeirra til framfæris.'
[81] *Manntal á Íslandi* 1801, 55; Tómasdóttir, "Húsmenn," 9.
[82] Gunnlaugsson, "The poor laws and the family."
[83] Tómasdóttir, "Húsmenn."
[84] BRA. Vindhælishreppur. Hreppsbók (1790–1830). Various entries.
[85] NAI. BC/2. Höskuldsstaðir parish census 1826–1844.
[86] NAI. County magistrate of Skagafjarðarsýsla. GA/5–3. Dóma- og þingbók (1832–1838), 68v–70r, 76v–77r, 79v–80v.
[87] Thoroddsen, *Lýsing Íslands* III, 174–5; Sigurðardóttir, "Byggingarefnið torf," 10–22.
[88] *Búalög*, 54. Until the latter half of the 19th century, wages and prices in Iceland were generally calculated according to a predetermined quantity of the products generated by the farming and fishing economy. As a pricing unit, one fish was thus not one fish but rather a predetermined weight of stockfish.
[89] NAI. County magistrate of Skagafjarðarsýsla GA/5–3. Dóma- og þingbók (1832–1838), 80v. 'ósanngjarnlega hátt'.
[90] *Klausturpósturinn* 4, no. 12 (1821), 197.
[91] Ax, "Menningarmunur," 69–79.
[92] *Klausturpósturinn* 4, no. 12 (1821), 197.
[93] *Landsyfirrjettardómar* IV, 256.
[94] Hálfdanarson, "Social Distinctions and National Unity"; Ax, "De uregerlige"; Hastrup, *Nature and Policy*, 47–57.
[95] NAI. County magistrate of Skagafjarðarsýsla. GA/5–1. Dóma- og þingbók (1823–1826), 102.
[96] Jónsson, "Stjórntæki gamla samfélagsins," 64; Magnússon, *Wasteland with Words*, 23–4.

References

Archival Sources

Blönduós Regional Archive (BRA). Vindhælishreppur commune archives.

National Archives of Iceland (NAI). County magistrate archives.

National Archives of Iceland (NAI). Parish archives.

National Archives of Iceland (NAI). Rentukammer archive.

Printed Sources

Alþingisbækur Íslands I–XVII. Reykjavík: Sögufélag, 1912–1990.

Búa-løg edur Verdlag fornt og nytt aa flestum þeim hlutum, sem seliaz og kavpaz aa Islande, med Reglum um islendskan buuskap. Hrappsey, 1775.

Landsyfirrjettardómar og hæstarjettardómar í íslenzkum málum 1802–1873 I–XI. Reykjavík: Sögufélag, 1916–1986.

Lovsamling for Island I–XXI. Compiled and edited by Oddgeir Stephensen og Jón Sigurðsson. København: Höst, 1853–1889.

Manntal á Íslandi árið 1703 tekið að tilhlutun Árna Magnússonar og Páls Vídalín ásamt manntali 1729 í þrem sýslum. Reykjavík: Hagstofa Íslands, 1924–1947.

Manntal á Íslandi 1801. Norður- og austuramt. Reykjavík: Prentsmiðjan Hólar, 1980.

Manntal á Íslandi 1816, vol. V. Reykjavík: Prentsmiðjan Hólar, 1973.

Tíðindi um stjórnarmálefni Íslands, vol. 1: 1854–63. Kaupmannahöfn: Hið íslenska bókmenntafélag, 1864.

Literature

Ax, Christina Folke. “De Uregerlige: Den islandske almue og øvrighedens reformforsøg 1700–1870.” PhD diss., Københavns Universitet, 2003.

Ax, Christina Folke. “Menningarmunur á Íslandi í lok 18. aldar.” *Saga* 40, no. 1 (2002): 63–90.

Ásmundsdóttir, Harpa Rún. “’Út við ræði og ervið föng’: Einsöguleg rannsókn á ævi sjómannsins og alþýðuskáldsins Jóns Jónatanssonar.” MA-thesis, University of Iceland, 2021.

Beier, A. L. *Masterless Men: The Vagrancy Problem in England 1560–1640*. London: Methuen, 1985.

Björnsson, Sigurður. “Um hússtjórnina á Íslandi,” *Búnaðarrit Suðuramtsins húss- og bústjórnarfélags* 1 (1839): 94–138.

Brass, Tom. “Some Observations on Unfree Labour, Capitalist Restructuring, and Deproletarianization,” *International Review of Social History* 39, no. 2 (1994): 255–275.

Brewer, John. “Microhistory and the Histories of Everyday Life.” *Cultural and Social History* 7, no. 1 (2010): 87–109. DOI: 10.2752/147800410X477359

De Vito, Christian G. and Anne Gerritsen, eds. *Micro-Spatial Histories of Global Labour.* Basingstoke: Palgrave Macmillan, 2018.

De Vito, Christian G., Juliane Schiel, and Matthias van Rossum. “From Bondage to Precariousness? New Perspectives on Labor and Social History.” *Journal of Social History* 54, no. 2 (2020): 644–662. DOI: https://doi.org/10.1093/jsh/shz057

Eccles, Audrey. *Vagrancy in Law and Practice under the Old Poor Law*. Farnham: Ashgate, 2012.

Fumerton, Patricia. *Unsettled: The Culture of Mobility and the Working Poor in Early Modern England*. Chicago: The University of Chicago Press, 2006.

Griffiths, Paul. “Masterless young people in Norwich, 1560-1645.” In *The Experience of Authority in Early Modern England*, edited by Paul Griffiths, Adam Fox, and Steve Hindle, 146–186. London: Palgrave Macmillan, 1996.

Grjetarsson, Jón Gunnar. “Upphaf og þróun stéttskipts samfélags á Íslandi.” In *Íslensk þjóðfélagsþróun 1880−1990: Ritgerðir*, edited by Guðmundur Hálfdanarson and Svanur Kristjánsson, 215−264. Reykjavík: Félagsvísindastofnun Háskóla Íslands, 1993.

Gunnarsson, Gísli. *Monopoly Trade and Economic Stagnation: Studies in the Foreign Trade of Iceland, 1602−1787*. Lund: Ekonomisk-historiska föreningen, 1983.

Gunnlaugsson, Emil. “Kaupavinna á 19. öld. Um hreyfanlegt vinnuafl og verkafólk frá Reykjavíkurkaupstað.” BA-thesis, University of Iceland, 2020.

Gunnlaugsson, Gísli Ágúst. *Family and Household in Iceland 1801–1930: Studies in the Relationship between Demographic and Socio-Economic Development, Social Legislation and Family and Household Structures.* Uppsala: Historiska Institutionen vid Uppsala Universitet, 1988.

Gunnlaugsson, Gísli Ágúst. *Saga og samfélag: Þættir úr félagssögu 19. og 20. aldar*. Reykjavík: Sagnfræðistofnun Háskóla Íslands og Sögufélag, 1997.

Gunnlaugsson, Gísli Ágúst. “The Poor Laws and the Family in 19th Century Iceland.” In *The Nordic Family: Perspectives on Family Research*, edited by John Rogers and Hans Norman, 16−42. Uppsala: Uppsala Universitet, 1985.

Gustafsson, Harald. *Mellan kung och allmoge: Ämbetsmän, beslutsprocess och inflytande på 1700-talets Island*. Stockholm: Almqvist & Wiksell, 1985.

Guttormsson, Loftur. *Childhood, Youth and Upbringing in the Age of Absolutism: An Exercise in Socio-Demographic Analysis*. Reykjavík: Háskólaútgáfan, 2017.

Guttormsson, Loftur. ‘Il servizio come istituzione sociale in Islandia e nei paisi nordici’, *Quaderni storici* 23, no. 68 (1988): 355–379.

Guttormsson, Loftur. “Population, Households and Fisheries in the Parish of Hvalsnes, Southwestern Iceland, 1750−1850.” *Acta Borealia* 28, no. 2 (2011): 142−166.

Hálfdanarson, Guðmundur. "Old Provinces, Modern Nations: Political Responses to State Integration in Late Nineteenth and Early-Twentieth Century Iceland and Brittany." PhD diss., Cornell University, 1993.

Hálfdanarson, Guðmundur. "Social Distinctions and National Unity: On Politics of Nationalism in Nineteenth-Century Iceland." *History of European Ideas* 21, no. 6 (1995): 763–779.

Halldórsson, Gunnar. "Byggðastefna bændasamfélagsins." *Sagnir* 20 (1999): 12–17.

Hallgrímsdóttir, Guðný. (2021). "Independent Women in 18th-Century Iceland: Analysis of the Economic Status of Poor Peasant Women." *Scandinavian Journal of History* 46, no. 4 (2021): 493–509. DOI: https://doi.org/10.1080/03468755.2021.1911842

Hastrup, Kirsten. *Nature and Policy in Iceland 1400–1800. An Anthropological Analysis of History and Mentality*. Oxford: Clarendon Press, 1990.

Hjaltason, Jón. *Markús. Á flótta í 40 ár: Öðruvísi Íslandssaga*. Akureyri: Völuspá, 2021.

Hufton, Olwen. *The Poor of Eighteenth Century France 1750–1789*. Oxford: Clarendon Press, 1974.

Jakobsson, Sverrir. "From Reciprocity to Manorialism: On the Peasant Mode of Production in Medieval Iceland." *Scandinavian Journal of History* 38, no. 3 (2013): 273–295. DOI: https://doi.org/10.1080/03468755.2013.803498

Johnsson, Theresa. *Vårt fredliga samhälle: 'lösdriveri' och försvarslöshet i Sverige under 1830-talet*. Uppsala: Uppsala Universitet, 2016.

Jónasson, Finnur, Sólveig Ólafsdóttir og Sigurður Gylfi Magnússon. *Híbýli fátæktar: Húsnæði og veraldleg gæði fátæks fólks á 19. og fram á 20. öld*. Reykjavík: Háskólaútgáfan, 2019.

Jónsson, Guðbrandur. *Frjálst verkafólk á Íslandi fram til siðaskipta og kjör þess*. Reykjavík: Bókmenntafélag jafnaðarmanna, 1932–1934.

Jónsson, Guðmundur. “Institutional Change in Icelandic Agriculture, 1780-1940.” *Scandinavian Economic History Review* 41, no. 2 (1993): 101–128.

Jónsson, Guðmundur. *Vinnuhjú á 19. öld*. Reykjavík: Sagnfræðistofnun Háskóla Íslands, 1981.

Jónsson, Jón. *Á mörkum mennskunnar: Viðhorf til förufólks í sögnum og samfélagi*. Reykjavík: Háskólaútgáfan, 2018.

Júlíusson, Árni Daníel. *Landbúnaðarsaga Íslands*, vol. 2. Reykjavík: Skrudda, 2013.

Júlíusson, Árni Daníel. “Signs of Power: Manorial Demesnes in Medieval Iceland.” *Viking and Medieval Scandinavia* 6 (2010): 1–29.

Jütte, Robert. *Poverty and Deviance in Early Modern Europe*. Cambridge: Cambridge University Press, 1994.

King, Steven and Anne Winter, eds. *Migration, Settlement and Belongin in Europe 1500–1930s: Comparative Perspectives*. New York: Berghahn Books, 2013.

Kofoed, Nina Javette. “Authorities Who Care: The Lutheran Doctrine of the Three Estates in Danish Legal Development from the Reformation to Absolutism.” *Scandinavian Journal of History* 44, no. 4 (2019): 430–453. DOI: https://doi.org/10.1080/03468755.2018.1562965

Kristinsson, Axel. *Hnignun, hvaða hnignun? Goðsögnin um niðurlægingartímabilið í sögu Íslands*. Reykjavík: Sögufélag, 2018.

Kristjánsdóttir, Ragnheiður. *Nýtt fólk: Þjóðerni og íslensk verkalýðsstjórnmál 1901–1944*. Reykjavík: Háskólaútgáfan, 2008.

Kussmaul, Ann. *Servants in Husbandry in Early Modern England*. Cambridge: Cambridge University Press, 1981.

Laxness, Einar. *Íslandssaga a–ö* I–III. Reykjavík: Vaka-Helgafell, 1995.

Leifsson, Yngvi. “Flökkufólk: Líf og ferðir flökkufólks á Norðurlandi 1783–1816.” MA-thesis, University of Iceland, 2011.

Lindström, Jonas. "Labouring poor in early modern Sweden? Crofters and lodgers in Västmanland in the 17th century." *Scandinavian Journal of History* 44, no. 4 (2019): 403–429. DOI: https://doi.org/10.1080/03468755.2018.1532926

Lis, Catharina and Hugo Soly. *Worthy Efforts: Attitudes to Work and Workers in Pre-Industrial Europe*. Leiden: Brill, 2012.

Lundh, Christer. "Life-Cycle Servants in Nineteenth-Century Sweden: Norms and Practice." In *Domestic Service and the Formation of European Identity: Understanding the Globalization of Domestic Work, 16th–21st Centuries*, edited by Antoinette Fauve-Chamoux, 71–85. Bern: Peter Lang, 2004.

Magnússon, Magnús S. *Iceland in Transition: Labour and Socio-Economic Change Before 1940*. Lund: Ekonomisk-historiska föreningen, 1985.

Magnússon, Finnur. *The Hidden Class: Culture and Class in a Maritime Setting 1880–1942*. Aarhus: Aarhus Universitetsforlag, 1990.

Magnússon, Sigurður Gylfi. "Sögur af fátæku fólki og þurfalingunum árið 1902." In *Fátækt og fúlga: Þurfalingarnir 1902*, edited by Jón Ólafur Ísberg and Sigurður Gylfi Magnússon, 37–152. Reykjavík: Háskólaútgáfan, 2016.

Magnússon, Sigurður Gylfi. *Wasteland with Words: A Social History of Iceland*. London: Reaktion Books, 2010.

Magnússon, Sigurður Gylfi and István M. Szijártó. *What is Microhistory? Theory and Practice*. London: Routledge, 2013.

Moring, Beatrice. "Nordic family patterns and the north-west European household system." *Continuity and Change* 18, no. 1 (2003): 77–109. DOI: 10.1017/S0268416003004508

Miller, Pavla. *Transformations of Patriarchy in the West, 1500–1900*. Bloomington: Indiana University Press, 1998.

Ólafsson, Arnljótur. "Um ómagaframfærslu." *Andvari* 14, no. 1 (1888): 148–228.

Prytz, Cristina. “Life-Cycle Servant and Servant for Life: Work and Prospects in Rural Sweden c.1670−1730.” In *Servants in Rural Europe 1400−1900*, edited by Jane Whittle, 95−111. Woodbridge: Boydell Press, 2017.

Róbertsdóttir, Hrefna. *Wool and Society: Manufacturing Policy, Economic Thought and Local Production in 18th-Century Iceland*. Göteborg: Makadam publishers, 2008.

Sarti, Raffaella. “Who are Servants? Defining Domestic Service in Western Europe (16th – 21st Centuries).” In *Proceedings of the Servant Project* vol. II, edited by S. Pasleau and I. Schopp, 3−59. Liege: Éditions de l’Université de Liège, 2005.

Sigmundsson, Sigmundur. “Til hvørs eru Kóngsbréfin um Betlara og Lausamenn, Okur og Práng?” *Margvíslegt gaman og alvara* 1, no. 1 (1798): 53–69.

Sigurðardóttir, Sigríður. “Byggingarefnið torf. Meira en þúsund ára umgjörð íslenskrar byggingarlistar.” MA-thesis, University of Iceland, 2021.

Stanziani, Alessandro. *Bondage: Labor and Rights in Eurasia from the Sixteenth to the Early Twentieth Centuries*. New York: Berghahn Books, 2014

Stefánsson, Björn S. “Þróun sjávarútvegs við vistarbandsákvæði.” *Saga* 33 (1995): 187–191.

Stephensen, Ólafur. “Um Jafnvægi Biargrædisveganna á Íslandi.“ *Rit þess íslenzka lærdómslista félags* 7, no. 1 (1787): 113–193.

Thoroddsen, Þorvaldur. *Lýsing Íslands* I−IV. Kaupmannahöfn: Hið íslenzka bókmenntafélag, 1908−1922.

Tómasdóttir, Kristín Svava. “Húsmenn við Breiðafjörð og á Vestfjörðum í upphafi 18. aldar.” *Vefnir* 10, no. 1 (2013): 1–21.

Uppenberg, Carolina. “Masters Writing the Rules: How Peasant Farmer MPs in the Swedish Estate Diet Understood Servants’ Labour and the Labour Laws, 1823−1863.” *Agricultural History Review* 68, no. 2 (2020): 238−256.

Van der Linden, Marcel. “Dissecting Coerced Labor.” In *On Coerced Labor: Work and Compulsion after Chattel Slavery*, edited by Marcel van der Linden and Magaly Rodríguez García, 291–322. Leiden: Brill, 2016.

Vilhelmsson, Vilhelm. “Ett normalt undantag? Tillfälligt arbete i lag och praktik i 1800-talets Island.” *Arbetarhistoria* 41, no. 3–4 (2017): 32–40.

Vilhelmsson, Vilhelm. “The Moral Economy of Compulsory Service: Labour Regulations in Law and Practice in Nineteenth Century Iceland.” In *Labour Laws in Preindustrial Europe: The Coercion and Regulation of Wage Labour, c.1300-1850*, edited by Jane Whittle and Thijs Lambrecht, 227–245. Woodbridge: Boydell Press, 2023.

Vilhelmsson, Vilhelm. *Sjálfstætt fólk: Vistarband og íslenskt samfélag á 19. öld*. Reykjavík: Sögufélag, 2017.

Vilhelmsson, Vilhelm. “Tactics of evasion: The survival strategies of vagrants and day labourers in eighteenth and nineteenth century rural Iceland.” *1700-tal: Nordic Journal for Eighteenth-Century Studies* 17 (2020): 34–56. DOI: https://doi.org/10.7557/4.5547

Vilhelmsson, Vilhelm and Emil Gunnlaugsson. “Passports, permits, and labour im/mobility in Iceland, 1780s–1860s.” In *Moving Workers: Historical Perspectives on Labour, Coercion, and Im/mobilities*, edited by Claudia Bernardi, Viola F. Müller, Biljana Stojić and Vilhelm Vilhelmsson, forthcoming. Berlin: De Gruyter.

Whittle, Jane. “Introduction: Servants in the Economy and Society of Rural Europe.” In *Servants in Rural Europe 1400–1900*, edited by Jane Whittle, 1–18. Woodbridge: Boydell Press, 2017.

Winter, Ann. “Vagrancy as an adaptive strategy: The duchy of Brabant, 1767–1776.” *International Review of Social History* 49, no. 2 (2004): 249–277. DOI: https://doi.org/10.1017/S0020859004001518

Þorláksson, Helgi. “Undir einveldi.” In *Saga Íslands* VII, edited by Sigurður Líndal, 3–211. Reykjavík: Hið íslenska bókmenntafélag og Sögufélag, 2004.

Østhus, Hanne. “Servants in Rural Norway c.1650–1800.” In *Servants in Rural Europe 1400–1900*, edited by Jane Whittle, 113–130. Woodbridge: Boydell Press, 2017.