

LAW

M.Kh. Tskhovrebova, Z.M. Burnatseva, M.M. Beteeva

(Gorsky state agricultural university, Vladikavkaz, Russia)

From the history of court procedure in common law of Ossetians

An analysis of the legal institution of the court and customary law is carried out aiming at regulating the relationship of the Ossetian community. Normally, the legal court of Ossetians can be characterized as an intermediary, which corresponded to the nature of the territorial and community device of Ossetians. By comparison and analysis concluded that the hallmarks of court mediation, as opposed to the trial were the following signs: mediation was used only on the basis of voluntary consent of the parties, the parties had the right to choose a mediator, mediation is confidential and was not of a formal nature. The main function of the Ossetian court is to mediate between the warring parties, reconciliation of blood feud and the establishment of compensation for damages, especially in cases of blood, where revenge often gave way to financial compensation for blood.

Key words: customary law, Ossetians, mediation, mediator, vendetta, taerhon, taerhony, laegtae, oath.

March, 19, 2015
