(Not) Everything Ends in Tears:
Individuals, Communities, and Peacemaking
in the Íslendingasögur

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PhD Diss.
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Submitted to Trinity College Dublin, the University of Dublin

March 2017
Declaration

I declare that this thesis has not been submitted as an exercise for a degree at this or any other university and it is entirely my own work.

I agree to deposit this thesis in the University's open access institutional repository or allow the Library to do so on my behalf, subject to Irish Copyright Legislation and Trinity College Library conditions of use and acknowledgement.

Name_____________________________________________

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Summary

The íslendingasögur, or Icelandic family sagas, represent a deeply introspective cultural endeavour, the exploration of a nation of strong-willed, independent, and occasionally destructive men and women as they attempted to navigate their complex society in the face of uncertainty and hardship. In a society initially devoid of central authority, the Commonwealth’s ability to not only survive, but adapt over nearly four centuries, fascinated the sagamen and their audiences as much as it fascinates scholars and readers today. Focused on feud, its utility in preserving overall order balanced against its destructive potential, the íslendingasögur raise and explore difficult questions regarding the relationship between individual and community, and of power and compromise.

This study begins by considering the realities of law and arbitration within the independent Commonwealth, in the context of the intense competitive pressure among geðar and large farmers both during the Commonwealth period and in the early days of Norwegian rule. The portrayal of such socio-economic factors in the íslendingasögur reflects the saga writers’ wider interest with questions of power, and of conflict between individual freedom and communal good in a society characterised by economic and ecological stress as Iceland’s independence waned. Central to the formulation of this conflict is the concept of ójafnar; its threatening potential for destabilisation of the community is argued to be at the heart of the most destructive examples of saga-feud.

Building upon this, Chapter Two considers the ójafnarmaðr Þorbjörn Þjóðreksson’s tyrannical relationship to his followers and to the log in Hávarðar saga Ísfirðings. Individual heroism, while praiseworthy, is contrasted with the need for broader, community-based support in controlling the oppressive tendencies of the
ójafnaðarmaðr. The protagonists, comprised of the typically vulnerable members of society, are examined as representatives of the communal good in a society in which resources are scarce and competition for honour high. This chapter draws out some of the implications of ójafnaðr and its potential to transgress the boundaries of personal feud to affect the welfare of the district and all those who, in other circumstances, would look for support to their chieftains.

Chapter Three turns to Bjarnar saga Hitdælakappa to elucidate the complex sources of ójafnaðr as it potentially exists in every ambitious Icelander’s actions, even in otherwise noble figures like the promising Björn. In the feud of the skalds, whose control of language and poetry enables them to further resist attempts to control their behaviour, this chapter also explores and interrogates ideas of royal power, the relationship of language and power, and roles of both community (in Iceland) and king (in Norway) as origins of law and peace. Lasting peace, it is argued, can only be achieved by a community itself invested in the peacemaking process.

Chapter Four brings questions of ójafnaðr, compromise, and nonviolent resolution to a final conclusion in the celebrated and catastrophic feuds of Njáls saga. By chronicling the friendship and ambitions of the famous friends Njáll and Gunnarr, the sagaman of Njála forces his readers to engage with the question of what truly makes a good man, and the fine line between a sympathetic hero and a dangerous ójafnaðarmaðr. This chapter traces the fortunes and falls of the initially well-intentioned Njáll and Gunnarr, connecting their actions to the later fire and battle at the Alþing, exposing the delicate balance of power and peace as the law is fractured and, ultimately and perhaps in spite of all odds, repaired peacefully.
Acknowledgements

It is often customary in the íslendingasögur to begin by relating individuals to families, and this lesson is equally important here. Without the unstinting support of my parents Debi and Joe, none of this would have been possible, and I am deeply indebted to them for everything they have done. Particular thanks are also due to my brother Adam and sister-in-law Jessy, who played a large role in keeping me sane towards the end of this endeavour.

I am deeply grateful for the guidance of Dr Helen Conrad O'Briain in supervising me, and also to the rest of the faculty and staff in the School of English who have helped me in one way or another. The list is regrettably incomplete, but I must acknowledge the likes of Dr Alice Jorgensen, Dr Brendan O'Connell, and Dr Margaret Robson among others for their insight and advice, and to Diane Sadler for her seemingly-inexhaustible patience and helpfulness.

There are many friends and peers who should be thanked for many reasons, but to begin with I would like to thank Sheila Armstrong, Dr Gerard Hynes, and Dr Erin Sebo. In addition to being constant sources of support, advice, and general banter, their final heroic endeavour to proofread various parts of my thesis is worthy of a poem in its own right.

I also want to go some way towards thanking Gráinne Clear for her patience in listening to me think aloud time and again, and her belief in me that never wavered, even when I was at my most stressed. Likewise Killian MacCárthaigh, who habitually refused to accept any moments of self-doubt or self-deprecation, provided necessary moments of distraction, and just generally kept me grounded. I doubt I will ever be
able to adequately express my gratitude, but hopefully this goes some way towards that.

Equally important are the following friends who, though I do not have the space to thank in detail, played equally vital roles in supporting me as I brought this together: Alan Tuffery, Gina Hurley, Julie LeBlanc, Rebecca Merkelbach, Jennifer Harwood-Smith, Jonny Johnston, Méabh Hayes, Bram Cleaver, Diana La Femina, Caoimhe O’Gorman, Owen McLaughlin, Neil Goodman, Adam Johnson, Darren Ó hAilín, Ian Grant, and Fionnán Howard to name a few. Anyone would be lucky to have a band of such incredible supporters to turn to.

*Nú er þar til máls at taka...*
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Abbreviations and Conventions

The three sagas providing the focus of this study (Hávarðar saga Ísfirðings, Bjarnar saga Hitdælakappa, and Brennu-Njáls saga) will be referred to within the main text as Hávarðar, Bjarnar, and Njála respectively. All references to the Icelandic family sagas, kings' sagas, and þættir will be taken from the Íslenzk Fornrit (hereafter ÍF) editions unless otherwise stated. References to the contemporary sagas will be taken from Guðbrandur Vigfússon, ed., Sturlunga saga: Including the Islendinga saga of Lawman Sturla Thordsson and Other Works (Oxford: Clarendon Press, 1878). References to the mythological sagas will be taken from the Fornaldarsögur Norðurlanda (hereafter FN). All direct references to these texts will be made to pagination, rather than chapter, for ease of reference. See bibliography for full citations, under the heading 'Primary Sources'.

Sagas and Þættir

In footnotes, the sagas and þættir will be abbreviated as follows:

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Legal Material

References to Grágás Ia-b are taken from Vilhjalmur Finsen, ed., Grágás: Islændernes Lovbog i Fristatens Tid, udgivet efter det kongelige Bibliotheks Haandskrift (Copenhagen: Gyldendal, 1852). References to Grágás II are taken from Vilhjalmur Finsen, ed., Grágás efter det Arnamnæanske Haandskrift Nr. 334 fol., Staðarhólsbók (Copenhagen: Berlings Bogtrykkeri, 1879). References to both the Frostaþingslög and Gulaþingslög are taken from R. Keyser and P. A. Munch, eds., Norges Gamle Love: Indtil 1387 (Christiania: Chr. Gröndahl, 1846). The following abbreviations are used:
Additional Abbreviations

ANF  Arkiv för Nordisk Filologi
CCSL  Corpus Christianorum Series Latina
DCD  De Civitate Dei
ÍF  Íslensk Fornrit
FN  Fornaldursögar Norðurlanda
JEGP  Journal of English and Germanic Philology
PL  Patrologia Latina
SBVS  Saga-Book of the Viking Society
Skskm  Skáldskaparmál
I

One Nation, Under Stress

If there is one statement that goes to the heart of the Icelandic sagas, it is Njáll Þorgeirsson's of Njála: 'með lögum skal land várt byggja, en með ólögum eyða.' In this opinion, he was not alone. This was recognised almost from the beginning of the Settlement. In Íslendingabók, Þorgeirr the lawspeaker, at a watershed moment in Iceland's history, the conversion to Christianity, insists 'þat mon verða satt, es vér slítum í sundr lög, at vér monum slíta ok friðinn.' At their heart, the íslendingasögur take as their theme this core of Icelandic stability. Their focus on the lives and conflicts of ordinary Icelanders is much more than the plain history they were once believed to offer. In the tension of the Icelandic feud of the early Commonwealth, motivated by pragmatic competition over land, food, marriage, and honour, the engaged reader or listener was not merely looking back, but also within, to the same tensions and uncertainties in their own day.

As a society, the Icelandic Commonwealth relied on understanding and accepting that every man, regardless of social position, was subject to the same law. It had, however, no central government to enforce that law. The Icelandic nation and its legal system relied on a fragile balance of self-justice, self-interest and communal responsibility for peace. All of this existed in potencia in the Germanic legal system –

1 Njála, 172. 'with laws shall our land be settled, but with lawlessness destroyed.' All translations, unless otherwise stated, are my own. All direct references to IF are to page number, for ease of reference.
2 Íslb, 17. 'That will prove true, when we split in two the law, that we will also split the peace.'
only in Iceland, however, was this ideal fully developed. At the Alþing, the yearly national assembly, legal disputes were heard by a panel selected from the goðar (sing. goði). These were the holders of the Icelandic chieftaincies (goðorð), whose number was fixed, first at 39, but then in the eleventh century increased to 48, and to whom land-owning farmers, the bœndr (sing. bóndi) pledged allegiance, in return for advocacy and good order in their district. Any free man could bring a case before this court, but only a goði was allowed to function as part of the lögretta.3

Of concern here, however, is not the workings or the composition of the lögretta, but the more common, paralegal means of peaceful conflict resolution: arbitration. Rather than being heard by the court, where penalties were fixed according to the legal code now generally identified with the Grágás4, a case submitted to arbitration was judged by an individual or a panel of independent, though not always uninterested, 'big men'. These big men were not necessarily goðar; they could include those bœndr who were influential enough to be involved, but were not holders of chieftaincies. Here, penalties were more fluid, and could be tailored to circumstances. Where the law looked to provide punishment and deterrent for discrete cases of antisocial behaviour, arbitration gave the principals the opportunity to examine the source of the conflict. Through apportioning overall responsibility, arbitration aimed to reset the relationship to the status quo ante bellum, while acknowledging the conflict and amercing it. In theory, peace was maintained by

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3 The lögretta refers to the collection of goðar and the lawspeaker, whose function is to introduce and discuss legislation, and from whom the jurors are selected for legal cases.
4 The laws of the Icelandic Commonwealth referred to as Grágás (Grey Goose) derive from material found in two manuscripts. There is no evidence the Grágás ever existed as a unified text in one volume at any point during the Commonwealth. Grágás Ia-b originates from Konungsbók (c. 1260), and Grágás II from Staðarhólsbók (c. 1280). All ensuing citations from Grágás will follow the usual style of Byock, Miller, et. al and provide volume, page number, and, where necessary, section: eg. ‘Gg la 136, sec 81’.

2
important men acting out of enlightened self-interest, with no one individual gaining
or losing too much power, wealth, or social standing.

In the time of the sagamen, from the thirteenth century onwards, this
precarious and fragile system of arbitration was beginning to lose its effectiveness. As
more and more godord fell under the dominion of a few large families, social mobility
and freedom of action became increasingly limited. These storgdar were focused on
exerting control not merely over their quarter, but over all of Iceland. They were more
interested in their relationship to the kings of Norway than to their neighbours.5 The
resulting instability and civil war in many respects seems to be foretold in the feuds
recorded by the sagamen, which, it shall be suggested, was their intention.

It is this style of saga 'big man' with whom we are concerned: the men, like the
eyearly chieftain Þorbjorn of Havarðar, the warring poets Bjorn and Þórðr in Bjarnar,
and even the noble friends Gunnarr and Njáll of Njála, who place themselves above
and beyond the reach of Icelandic laws through their actions and intractability. The
sagas of these men allow an exploration of the civil tension born of their disregard for
the rights and interests of their fellow Icelanders. When the law and the community
are ignored by men who rely on an imbalance of internal power and foreign influence,
arbitration becomes impotent and chaos is the result. This tension will be the focus of
this study, examining these sagas in turn.

In light of their manuscript history, and their thirteenth and fourteenth century
period of composition, many have asserted with Carol Clover that the sagas were
essentially adapted from continental epics and romances, for a literate, courtly,

5 David Friedman, 'Private Creation and Enforcement of Law: A Historical Case,' The Journal of Legal
Studies 8, no. 2 (1979): 407, n. 34.
mainland Scandinavian audience. We may here, however, briefly rehearse Jesse Byock’s critique of this theory. Some points in particular bear addressing in order to clarify the nature of the saga audience and what they expected to find in their local literature. Byock believes it is almost impossible to accept the íslendingasögur were actually written for any other than a local audience. Although some foreign influence must be acknowledged on a literary level, Byock nevertheless insists the 'compositional technique and the cognitive core of the tales are Icelandic.' Their subject, the feud cycles of farming families, is singularly Icelandic. Unlike the contemporary konungasögur, or kings’ sagas, they do not concern themselves with the heroes, rulers, and fortunes of continental Scandinavia. Where kings feature at all in the íslendingasögur, they are almost always cast in opposition to the Icelander(s) with whom the saga is concerned. Royalty in the íslendingasögur is another means by which the character and resourcefulness of the hero is put to the test. Norwegian royalty in particular are treated with a certain suspicion within the íslendingasögur. When they are not openly hostile, as in Egils saga, these kings are still largely concerned with the power relationship between themselves and their Icelandic guests, a concern born of the nature of the Icelandic settlement. Indeed, it can be argued much of the central conflict in Bjarnar in particular will result from the conflict between Norwegian, top-down, king-imposed peace and the Icelandic ideal of organic community-based peace.

The concerns presented in the íslendingasögur are very much the pragmatic concerns of a society needing to define itself and its social networks in a hostile

8 Ibid., 166.
environment. Through the rise and fall of feud cycles, the sagamen were able to explore the interaction of individual and larger community at its most dangerous point – the border between freedom and chaos. There is no single climactic event, either of internal descent into chaos or conflict with Norway, in these sagas. Rather, the action rises and falls in a pattern of dispute, tension, feud, and resolution or dormancy of feud. Perhaps the most obvious example of this is *Njála*, which Ordower notes as having three such climaxes – the death of Gunnarr, the burning of Njáll, and the battle at the Alþing. At any time, besides these major feuds, there may be concurrent feuds, or there may be a period of relative peace in which the status quo is maintained, if only tenuously in some cases. If the pattern seems predictable to the saga scholars, this is not the result of an overly formulaic, folktale-based structure. Rather, it is because, as Byock notes, ‘dispute resolution is ... a process dependent on the ways that the society functioned.’

The sagas reflect a continued interest in this mode of dispute resolution, and how it was affected when society was unable or unwilling to function in response to uncontrolled feuding. The importance of these stór-feuds is not measured solely in the considerable damage caused by both sides to each other, but also, and more importantly, in the damage or potential for damage caused to the wider local and national community. Feud becomes truly dangerous when it can no longer be controlled by the intervention of the community, instead widening its reach and affecting or drawing in more and more parties. On the whole, arbitration, as we shall see, was largely effective. However, when settlements broke down, or when no

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concerted attempt at a settlement was made by the community, escalation inevitably followed. The cause of these destructive stóra-feuds appears to be those aforementioned 'big men' who, through physical or social clout, were able to resist the community's attempts at peacemaking. By and large, they demonstrated ójafnaðr, a limited regard or complete disregard for communal stability stemming from an overweening sense of self and desire for absolute dominance over one's enemies. Occasionally such men were termed ójafnaðarmenn (sing. ójafnaðarmaðr), and it is now standard practice to see in this term an association of outright villainy. The reality, however, is often more complex, the ójafnaðarmaðr motivated by more than simply an intrinsic evil. As we hope to show over the course of this study, ójafnaðr is arguably evident across the islendingasögur, although not always explicitly referred to as such, and plays a crucial role in inciting these stóra-feuds. In the behaviour of men like Björn Arngeirsson, Gunnarr Hámundarson, or Njáll Pórgeirsson, for example, their otherwise noble characters are nevertheless debased by an uncompromising desire for absolute dominance in their power struggles and a resistance to attempts to control their behaviour.

Sørensen, remarking on the unity of Icelandic storytelling across the islendingasögur, asserts 'Baggrunden kan søges i det sociale fællesskab på det islandske gårdsbrug ... Den islandske sagatradition blev aldrig isoleret fra den almindelige befolkning. Alle var med i tilhørerskaren, bønder og tyende, kvinder og mænd, lærde og analfabeter.' The universality of meaning and application made them readily

11 Ójafnaðr has alternately been translated as 'unevenness,' 'unfairness,' and ójafnaðarmaðr as 'unfair' or 'overbearing' man. It is difficult to encapsulate the full significance in one-word translations, and as such we speak instead simply of 'ójafnaðr' and its 'destabilising' potential.
12 Preben Meulengracht Sørensen, Saga og Samfund: En Indføring i Oldislandsk Litteratur (Copenhagen: Berlingske Forlag, 1977), 123. "The background can be found in the social network of the Icelandic
accessible to everyone, and of interest to everyone, not simply a select, literary overseas elites as suggested by Clover. The tension faced by the characters in the fictional tenth and eleventh century Eyri or Laxárdal was the same faced by the thirteenth and fourteenth century Icelandic farmer. With a few changes here and there for the worse, it was what they experienced going on around them in their own time. For example, the chaos produced by the fire at Bergþórshvoll, and realised in the all-encompassing battle at the Alþing, or in the final clashes of Snorri and Arnkell from *Eyrbyggja saga*, at last interrupted physically by the wider community, we may see echoes of the contemporary feuds of the powerful stórgoðar and stórbœndr.

This was hardly by accident. Ordower comments on the scholarly debate concerning the sagaman of *Njála*’s actual understanding of the legal proceedings within the text. The laws and procedures cited in *Njála* are not what we know of Njáll’s time, but are taken from later sources. Although it is perhaps easy to see this anachronism as a blunder by the sagaman, ignorant or amateurish in his understanding of the law, this is not necessarily so. It is not merely that it is unexpected in the sophistication and subtlety that otherwise characterises this saga. Rather, it may be related to the sagaman’s intention to draw a comparison between his 'then and now'. As Ordower notes, the sagaman seems anything but ignorant, and is pedantic in proving his familiarity with the legal material. By making Njáll’s laws the laws of later Iceland, the sagaman not only provides the audience with another connection, he demonstrates his freedom in the pursuit of constructing an ordered, law-centred narrative. This gives *Njála* the freedom to look forward, commenting...
obliquely on the sagaman’s own time. Ordower notes, 'the author's critique is especially effective because it deceptively appears as a merely objective description of events transferred to another age.' Indeed, If Njáll and his contemporaries are truly giants of their time, the best and worst among Iceland’s lawyers, goðar, and ‘big men’, then they are also superlative examples of the strengths and weaknesses of the men and system they are continually testing.

The clashes of powerful men, and the law’s ability or inability to integrate them into an orderly system, limiting chaos and protecting both individuals of all classes and society as a whole, was endlessly interesting for the headstrong Icelanders living within it. Before exploring this tension, it is necessary to examine the legal situation, both in the sagas and historically. Beneath the apparently chaotic surface lies an underlying rational, pragmatic order, designed to push disputants towards a peaceful solution, benefiting the community, advanced by independent parties, confirmed by the community, and preserving a balance between conflicting demands of honour and even survival. This semi-official, ad hoc system, joined with the unyielding and punitive legal code, pushes even the most powerful men in the district to a resolution via arbitration rather than adjudication. The impetus for arbitration can best be seen as a balancing of social and economic concerns among the leading class of goðar and the most influential bœndr families.

15 Ibid., 53.
The Reality of Law and Arbitration

Within the laws, arbitration is not formalized or even outlined, except in what appears to be an attempt to control and limit its application. Grágás declares sovereign right to decide in cases of slaying or grievous wounds – arbitration is only acceptable here with the express permission of the Alþing.\(^\text{16}\) However, as Miller points out, 'the sagas do not show any prosecutions for violating this stricture, and the numerous arbitrations in killing cases proceed as if there were no such rule.'\(^\text{17}\) There is also, as he goes on to suggest, little reason to suspect this was not the case: 'We can readily believe the sagas would overrepresent violent outcomes to nonviolent ones, but is there any reason why they should overrepresent arbitration to adjudication unless that in fact was the way things were?'\(^\text{18}\)

Heusler’s Strafrecht\(^\text{19}\) presents us with the following numbers for dispute resolution in the sagas:

<table>
<thead>
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<th>Total</th>
<th>Blood Vengeance</th>
<th>Arbitration</th>
<th>Legal Cases</th>
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<tbody>
<tr>
<td>520</td>
<td>297</td>
<td>104</td>
<td>119</td>
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Blood vengeance, taken before the next þing, is clearly a popular option. However, as we shall see, even blood vengeance will often eventually come to arbitration. At a glance, the remaining figures imply that, where matters were settled without slaying,

\(^{16}\) Gg Ia 174, sec. 98; II 341.
\(^{18}\) Ibid., 262.
\(^{19}\) Andreas Heusler, Das Strafrecht der Isländersagas (Leipzig: Duncker & Humblot, 1911), 40-1.
the breakdown between cases that went to court and those settled outside of the various *tings is largely even. However, Heusler goes on to provide the following details for those cases taken to court:

<table>
<thead>
<tr>
<th>Total</th>
<th>Sentences</th>
<th>End in Arbitration</th>
<th>Violently Interrupted</th>
</tr>
</thead>
<tbody>
<tr>
<td>119</td>
<td>50</td>
<td>60</td>
<td>9</td>
</tr>
</tbody>
</table>

Thus, more than half of the cases brought before the court were ultimately settled out of court, bringing the totals to 164–50. Arbitration must have been seen as preferable to adjudication even in the gravest of cases, despite the acknowledged authority of the Alþing. Only 9.62% of saga conflicts were resolved by the courts, a figure which suggests Iceland avoided court-defined justice when we consider the apparent willingness to disregard the priority of the court system.

Resolution in the courts was often undesirable for a variety of reasons. Most notably, the losing party risked not only humiliation, but outlawry. Much of the extant *Grágás* precludes settlement by anything less. Whether lesser outlawry (*fjörbaughsgarðr*) or full outlawry (*skóggangr*)\(^{20}\), the sentence handed down required confiscation of chattels and real property, exile, and removal of legal protection from the convicted party. Nor was it merely a threat to the defendant – even a plaintiff could find himself an outlaw if his suit did not go as planned. An improperly handled lawsuit could possibly result not only in disqualification, but also a fine or even lesser

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\(^{20}\) A third form, district outlawry (*héraðssekr*), is referred to in the sagas, but surviving versions of *Grágás* do not mention it. *Héraðssekr* is only invoked by local courts (*hérað*), and is never seen as a judgement at the Alþing.
outlawry for the plaintiff. The lesser outlawry could be applied in cases where a
witness was called who had not been listed as a witness according to procedure, or
where testimony was introduced contradicting either earlier testimony or the verdict
of a panel of neighbours.  

Beyond the obvious danger of outlawry for the losing side, such a verdict was
also undesirable for the community as a whole. Rather than bringing closure to a
dispute, outlawry often led to a broader community involvement. If the outlaw was
not certain enough of his ability to merely ignore the sentence and remain at home,
but was unable or unwilling to leave Iceland, his life became one of vagrancy and
violence. Unlikely to find support from a populace which risked outlawry for aiding
the outlawed meant a life of theft was inevitable. It was most often the small farmers
who would bear the brunt of this when larger parties clashed.

In contrast, arbitration provided an opportunity to control collateral violence,
limiting the amount of social breakdown introduced into the community. Outlawry
could be substituted by varying degrees of fines, arrived by the arbitrator. Where an
outlawry judgement seemed necessary, the degree, severity, and circumstances of such
a verdict could be chosen with care. Byock notes a not uncommon example of this:
'Similarly, in many arbitrated settlements, a chieftain who was obviously culpable of
some deed paid a fine, while one or more of his followers bore the brunt of the

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21 Gg Ia 58; 68. See also Miller, Bloodtaking and Peacemaking, 249. This does not preclude the
introduction of conflicting testimony, however, and at least two procedures for this are preserved.
The first of these is the preparation of a countersuit based upon the conflicting evidence, and the
second involves charging the majority of the neighbour-panel to defend the verdict in a clearing
action (bjargkviðr). It is easy to agree with Miller that this arrangement is difficult to explain, and
outside these two legal manoeuvres, conflicting accounts are enough to invalidate a suit and lay
lesser outlawry on the party introducing the conflicting evidence.
In these cases, the degree of outlawry may be limited to temporary exile from Iceland, or even merely removal from the district. Occasionally, money may be given to the outlaw for his departure, and safe passage out of the country may be agreed upon, as in Víga-Glúms saga:

Lauk þessu máli svá, at austmenn urðu sekir, ok var gefit fē til farningar Vigfúsi, ok skyldi þrjú sumur leita við útanfør ok hafa þrjú heimili á hverjum missarum, ok var hann þá fjörbaugismaðr. En hann mátti eigi heima vera fyrir helgi staðarins...

Another common course of action within arbitration was the offsetting of charges with like charges, especially where the body count was high. In this way, multiple slayings or offences could be resolved without upsetting social order even further by an increasing number of outlawry verdicts when both sides were culpable. One particularly vivid account of this comes from Bjarnar. In a last-ditch attempt to stop the two combative poets Björn and Þórðr from composing more and more scurrilous níð verses, a panel of arbitrators intervenes and brokers peace. The two have already been ordered by arbitration to not recite poetry in each others' hearing, but now Þórðr wants the níð charges to stand equal to each other. We are told the pair recite their total verses, with Björn having one more verse than Þórðr:

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22 Jesse Byock, Feud in the Icelandic Saga (Berkeley: University of California Press, 1982), 102.
23 VígG, 66. "The case finished so, that the Eastmen were guilty, but money was given for the departure of Vigfúss – and he should have three summers to seek passage out, and have three places of refuge in each year, and he was then a lesser outlaw. But he may not be at home, for the sacredness of the place..."
Þat ferr nú fram, sem Þórðr beiddi, at hvárr þeira kvað allt þat, er kveðit hafði um annan, ok var sú skemmtan sum ein áheyrilig. En svá reynist, at Björn hafi ort vísu fleira en Þórðr. Hann kvaðst vilja yrkja á móti vísu, en Þorsteinn kvað þat óskylt ok margir aðrir.24

As the reader will learn, this decision will prove a poor one, and its implementation only inflames the situation. For the moment, however, it is sufficient to recognise the emphasis on offsetting offences where possible. Another, better known (and ultimately successful) example occurs between Njáll and Gunnarr in Njála. This offsetting is long-running, spanning the course of several þings. In light of their wives’ feud, the two friends agree to turn over judgement to the injured party for offences committed. What follows is a back-and-forth payment, literally of the same money, as members of their households kill each other on the orders of the húsfreyja.25 Miller notes the cycle as being the clearest and most symmetrical offsetting of offences in the sagas: ‘here corpses are matched with each other in an ascending scale of value based mostly on juridical rank.’26 This is very much the ideal portrayal of conflict resolution. Through careful judgement and good faith, the pair not only contain the feud, they remain the best of friends. Instead of one (or both) parties suffering a considerable loss of honour, they are both praised for how they handle the situation, seeking equal payment instead of further blood or outlawry.

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24 Bjorn, 189. ‘That then went forward, as Þórðr bade, that each recited all of that, which they had said against the other, and that was only a short part of what might be worth hearing. But it turned out so, that Björn had composed one verse more than Þórðr. He said he wished to compose a verse against that, but Þorstein and many others said that was improper.’
25 See Njála, chs. 36-45.
26 Miller, Bloodtaking and Peacemaking, 183.
At this point, we must introduce the problem of *Baugatal*, a codified series of fines and wergelds. It has been suggested above that the end result of adjudication tends to be outlawry, rather than fines. We have also touched on arbitration as providing the opportunity to end violence through negotiated payment and offsetting of victims, rather than further bloodshed or exile. Yet one entire section of *Grágás*, *Baugatal*, purports to outline monetary penalties for a variety of offences. At a glance, this would seem to undermine the need for arbitration – adjudication levies financial penalties. However, *Baugatal* is not present in the saga record, and the implication seems to be one of a system of fines too punitive and too complicated to serve the subtle needs of conflict resolution in the Icelandic Commonwealth.

As Phillpotts suggests, it is unlikely this overly complicated system was ever actually enforced, from the settlement period onwards. Among other things, *Baugatal* levies fines to be paid by members of one family to the other, to fourth cousins. Further complicating matters, *Baugatal* provides detailed instructions on how to proceed in the event of one party lacking counterparts on the other side of the transaction, ensuring payment is made from someone to someone else. The amount each party was responsible for varied, depending on distance of kinship and whether the party traced their connection to the slain/slayer through male or female line.

In light of this, Phillpotts suggests *Baugatal* would not only be difficult to enforce, but also, for several reasons, may be a later addition to the legal code. The existence of fourth cousins within an Icelandic family is, she believes, impossible for at

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28 Male lines were responsible for three-fifths of the compensation, and female lines for two-fifths.
least the first century following the original settlements.\textsuperscript{29} As time goes on, quite the opposite will be the problem. The limited population, leading to widespread intermarriage, limits \textit{Baugatal}'s effectiveness, especially among the more prominent Icelandic families. Even today, the genetic isolation of Iceland is considerably more pronounced than any other nearby nation.\textsuperscript{30}

\textit{Baugatal}'s complexity forces us to look at the relationship between these great families. Icelanders had to balance the social advantages of marrying into another family of similar standing in a largely isolated society while avoiding consanguinity, especially after the conversion to Christianity. Economic and diplomatic factors were as important in marriage alliances as was the basic need for exogamy. Society expected a landowner, especially one of high wealth or reputation, to be able to provide his children with a means of at least entering adult life at a level respectable for their family's social position. For wealthy families especially, this could involve the need to establish a household for the young heir, which requires at the most basic level either milking livestock or land.\textsuperscript{31} Realistically, however, limited resources meant not all children could be provided with enough land or animals to allow them to start their own family upon reaching majority, even if they came from a wealthy family. For those not going abroad to make their fortune, a carefully considered marriage proposal, arranged with money and movable goods, could benefit both parties.

Marriage also occasionally presented an opportunity to attempt to settle bloodfeud by uniting families, though this does not appear to have been common in the sagas. Nevertheless, we can see an example of such practice in \textit{Bjarnar}, when

\textsuperscript{29} Phillipotts, \textit{Kindred and Clan}, 37.


\textsuperscript{31} \textit{Gg} Ia 136, sec. 81; II 272–3, sec. 242
Oddný suggests her former love Björn marry her daughter in the hopes of quieting the conflict between him and her husband, his enemy Þóðr. The arrangement is clearly a matter of diplomacy: 'Þat hafði Oddný mælt við Björn um vetrinn, at dóttir þeira Þóðar skyldi vera honum í þann stað, er hann hafði eigi fengit hennar, sem ætlat var.' A similar arrangement, notable for being part of a successful ending of a feud cycle, is the marriage of Kári to the niece of Flosi and widow of Hóskuldr in Njáls saga, ending both the saga and the long-running bloodfeud central to it.

Similar to the concept of fostering the child of one’s rival by arrangement, diplomatic marriage bonds attempt to present both parties with a very physical reminder of their stake in ensuring the maintenance of peace. Additionally, marriage arrangements, unlike fostering, carry no implication of submission by one party. In the case of Kári and Flosi above, the arrangement works because both parties are acknowledging responsibility: neither Kári nor Flosi are completely free of culpability. More than mere hostage exchanges, and beyond being bound up in honour, uniting families in marriage also brings with it the spectre of kinslaying should violence again flare. Such an act is anathema, even among the Icelanders; so much so even the possibility of committing such a deed will give a good man pause. In the same saga, Kolli Þóðarson abandons battle with Björn upon learning he may be the latter’s bastard, despite having little else to do with Björn in the saga:

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32 Bjarn, 150. ‘Oddný had recommended to Björn during the winter that her and Þóðr’s daughter should be his in her place, since he had not married her as had been intended.’

33 Fostering as a means of conflict resolution is common throughout the sagas, and while the fosterer is usually seen as taking a position of subordination to the father of the fostered child, the exchange can also be used to ensure a troublesome party holds to a peace agreement. One notable example occurs in Sturлу saga, where the godi Jón Loftsson, after deciding in arbitration against Hvamm-Sturla, offers to foster his third son, the now-famous Snorri Sturluson. As Jón Loftsson is in a clear position of superiority throughout the saga, the arrangement is a case of placating the troublemaking Sturla’s honour, while also providing some insurance against Sturla defying Jón’s decision and reopening hostilities with the other party.

'Eigi veit ek, hverjum í er at þyrma,' segir hann.

'Svá er ok,' segir Björn, 'móðir þín mun þetta fyrir þú hafa lagt, at þú skyldir mér harðasta atgöngu veita. En sjá þykkjumst ek, at annat muni þér betr gefit en ættvisin.'

Kolli segir: 'Eigi þykkir mér þat snemma sagt hafa, ef mér er nökkurr vandi á við þik.' Ok þegar gengr Kolli brott ok hættir atsókninni.

Perhaps the most telling argument against Baugatal comes from Miller, who notes 'the entire corpus of saga literature shows more than one hundred examples of compensation payments for killings, but no examples of Baugatal determining the form and manner of payment.' This is perfectly understandable, given the need for malleable penalties, influenced by mitigating or complicating circumstances. Besides its complexity, Baugatal is also strict in its payments, and the fee for an offence is fixed – the overall wergeld for a free man does not change. Regardless of whether the corpse was once a goði or a poor farmer, a man or a woman, no distinction in price is made within the law. Within the sagas, however, arbitration is not fixed. The amount is always decided by the party charged with overseeing resolution, and this often takes into account a number of factors. As Miller points out, and the sagas suggest, the

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34 Björn, 202. Björn spoke: 'You are attacking me hard today, Kolli,' said Björn. 'I don’t know of any reason to grant mercy,' [Kolli] said. 'But there is such [a reason] –’ said Björn, ‘your mother must have told you, that you should strike hardest at me. But I think I see that you are more gifted at other things than [you are] at knowing lineages.’ Kolli said: ‘I don’t think you have spoken too soon, if there is some thing between you and me.’ And thereafter Kolli went away and ceased his attacking.

35 Miller, Bloodtaking and Peacemaking, 144.
wergeld paid was 'intimately linked to the social standing of the victim, his popularity, and to the wealth and power of his kin and affines,' (and to the egregiousness of the slaying.)

Building on this, it is suggested that arbitrated wergeld payments are always fixed at an amount not only reflective of the value of the slain, but also immediately payable. Both parties bring payments with them to settlement. In some cases, the amount of silver, vaðmál, or other goods produced is considerable, but it is always enough. Even in instances where the guilty party’s friends and family have to defray some of the cost, everything is paid in full before parting. Occasionally, the arbitrator will himself come forth to pay some amount of the penalty, both as a show of good faith, and as a way of investing himself in the peace process. Indeed, if we are to believe the example of Laxdæla saga, promptness of payment is as important, if not more so, than the amount paid. In recording the final settlement of the feud between the Óláfssons and the Bollasons, the saga writer says of the compensation, 'Eptir þat luku þeir fésekð; en eigi er á kveðit hér, hversu mikit þeir gerðu; frá því er sagt, at fé galzk vel, ok sættir váru vel haldnar.'

Never is it acceptable to leave the arbitration without payment. It is a telling indictment of the character of those who attempt to do so, as we shall see Þorbjörn attempting to do in examining Hávarðar saga below. It is worth noting the decision against Þorbjörn is explicitly set in light of his means. He has not brought enough money to the þing to pay what Gestr deems fitting: 'Þá mælti Gestr: “Eigi kann ek, Þorbjörn, at gera svá mikit sem vert væri, fyrir því at þú hefir ekki til. Vil ek gera fyrir

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36 Miller, Bloodtaking and Peacemaking, 27.
37 Lax, 211. ‘After that, they concluded the fine; but it is not said here, how much they made; from that it is said, that the fine was paid well, and peace was well kept.’
vig Óláfs þrenn manngjöld...” The wergeld for Óláfr is obviously high, but it is pointedly noted the inability to pay the full amount has been considered, and the payment lowered. Gestr himself will pay one of the manngjöld, along with an offer of enduring hospitality and honour for Hávarðr each winter, to compensate for the decreased payment. Ideally, the settlement provides both parties with some degree of balanced satisfaction, which adjudication would not provide. Þorbjørn avoids outlawry, which the killing of Óláfr, consistently referred to as saklaus, would almost certainly have resulted in if Gestr or another powerful party wished to pursue it. Hávarðr would likewise receive considerable compensation for the loss of his son, as well as the friendship of a powerful household. The honour of both men may not be entirely satisfied, but neither are they disgraced.

Why then do we have a Baugatal at all? Much ink has been expended attempting to account for what seems to be an ineffectual or even merely theoretical section of the code. Some, like Sawyer, see it as nothing more than a fantasy, little more than a legalistic fiction created by medieval lawyers enamoured of artificial, thoroughgoing, systems. There is certainly merit to this argument – the rigid systematisation of unenforced and unenforceable laws is not an uncommon feature of medieval legal texts. The Gulathinglög of Norway is one such codex, the more useful laws supplemented with details of crimes unlikely to have ever been actively prosecuted, save for matters of political expediency. For example, Gulathinglög defines consanguinity as being any relation closer than the seventh degree among

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38 Háv, 313. Then Gestr declared: ‘I am not able, Þorbjørn, to do so much as would be done, because you have not (the means) to (do so). I wish to give for Óláfr’s slaying three man-prices...’
39 ‘without cause’
40 Peter H. Sawyer, Kings and Vikings: Scandinavia and Europe, AD 700-1000 (London: Methuen, 1985), 44.
kinswomen, and the fifth degree among widows of kinsmen. Perhaps it is simply a nod to the Germanic ideal of wergeld payment, legalistic and stringently controlled. However, such an answer may not do justice to the pragmatism of the Icelandic settlers and is, perhaps, incomplete.

Instead, a more subtle motive behind Baugatal is postulated. As has been suggested above, a sentence from the courts seems to have been less desirable than arbitration or direct action. Despite the existence of laws to ostensibly control and limit the scope of arbitration, intervention by a third party seems at least in the sagas to be almost the automatic outcome of crime, and with good reason. The system itself appears set up to push opposing parties to arbitration, to minimize their risk of loss. Just as the threat of outlawry and the loss of all possessions makes an arbitrated settlement more attractive, the heavily punitive, fixed fines of Grágás would be less desirable than a carefully managed and socially limited payment, tailored to the specific circumstances of the crime and interested parties. The law itself directed the various parties to a form of settlement more cognizant of circumstances on all levels.

Arbitration ideally provided a relatively low-risk settlement of a conflict (at least, compared to bloodfeud or lawsuits), while minimizing the possibility of disorder in society. The amount of wealth changing hands was managed, often ensuring no one person rose or fell too far, and the involvement of a third party preserved at least a semblance of fairness. It also involves the community – or at least the leading members of the community – in the peacekeeping process. We have seen goðar and other powerful men take an active role not only in providing a decision, but in paying compensation and, occasionally, in intermarrying with or offering to foster children of

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41 Gula, sec. 24.
one of the families involved. Most notably, Njáll offers to foster Hóskuldr, whose father has been killed by one of Njáll’s own sons. In taking such an active role, justice is not only seen to come from a communal authority, but its enforcement is in the common good. As we shall see, the economic and social realities of Iceland’s competitive and independent society will push for just this.

**Economic and Social Impetus for Arbitration**

Arbitration should ideally maintain a system ensuring the existence of ‘disinterested’ third parties willing to take up the case of a less wealthy or powerful party, or to intervene between two evenly balanced factions. When the possible sources of wealth for goðar are examined, arbitration springs from motives more mercenary than moral, or even simply socially pragmatic. Arbitration can be identified in most cases as one of the primary means by which a goði may accumulate the wealth, as well as the prestige, necessary to maintain his goðorð. Arbitration should provide powerful bœndr too with a means to increase reputation and wealth in pursuit of a goðorð, if such is their aim, by intervening as ‘men of good will’, or góðgjarnir menn. The góðgjarnir menn were expected to attempt to bring two conflicting parties together, were just as readily utilised as arbitrators, and as Miller suggests, were not always motivated by pure idealism: ‘intervenors pursued their own goals aggressively, at times almost cynically, for it was not lost on them that intervention in the affairs of others was a way to profit from others’ embarrassments’.⁴²

This becomes particularly important when the economic realities of post-settlement

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⁴² Miller, *Bloodtaking and Peacemaking*, 264-5.
Iceland come into play, determined as they were by the environmental and social limitations on the expansion of wealth. While remaining a frontier society, Iceland almost immediately lost the impetus of frontier expansion.

Within a few generations of settlement, the fertility of the Icelandic soil had sharply deteriorated. It would continue to decline significantly. The Icelandic settlers, bringing continental farming practices to an environment ill-suited to them, quickly depleted their land of resources. Compared to the modern period, in which woodland area accounts for less than 1% of Iceland, and vegetation covers less than 25%, research indicates much higher percentages in the latter half of the ninth century, that is, in the first generation of settlement: 25–40% and 65%, respectively. This rapid deforestation and loss of vegetation was largely the result of charcoal burning, construction, intentional as well as accidental clearing with fire, and poor grazing practices. As a result, lumber becomes increasingly scarce, and increasingly valuable: by the twelfth century, what native woodlands still exist, along with driftwood beaches, become flashpoints of contention among Icelanders struggling for basic resources. Although there is some indication of early shipbuilding, as exemplified by the settler Skallagrímr Kveldulfsson of Egils saga, rapid deforestation ensures shipbuilding in Iceland is not feasible. Without a native source of lumber and grain, and therefore lacking the capability to make and maintain ships, they are quickly locked into an asymmetrical trade with Norway. Even the most powerful

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Icelandic families begin to experience stress as their economic power, and then independence, lessens. Smith, surveying archaeological evidence of the Landnám period, notes this tension: 'early deforestation helped to create later conditions of economic dependency that were antithetical to the ethos of household self-sufficiency which pervades the sagas and medieval Icelandic scholarship.' As the household, so the Commonwealth.

The normally fertile volcanic soil suffered large-scale erosion as a result of this deforestation, further damaging Icelandic fortunes as farmers became increasingly unable to produce significant crop yields or find grazing land for their animals. The rate of change was constant and high from the Landnám onwards: 'a series of erosion thresholds ... seem to have been successively reached and then crossed. Each threshold state provided poorer grazing than the last....' Considerable quantities of soil were lost to erosion in a relatively short period of time, leaving mostly rocky sediment ill-suited to farming. Where conservation occurs, it is a relatively late development, and is economically motivated. It may be more accurately termed 'management' than conservation, as some clearances still occurred. Two notable examples occur in the late thirteenth and early fourteenth centuries, during which entire settled areas were slowly depopulated at Þjórsárdalur and Þórsmörk. Formerly thought to be the result of volcanic activity, recent archaeological research indicates the abandonment to be the result of moves by major landowners, including the Bishop

46 See Jón Viðar Sigurðsson, 'Historical Writing and the Political Situation in Iceland 1100-1400', in Negotiating Pasts in the Nordic Countries: Interdisciplinary Studies in History and Memory, eds. Anne Eriksen and Jón Viðar Sigurðsson (Lund: Nordic Academic Press, 2009), 70-1.
47 Smith, 'Landnám', 337.
of Skálholt, to secure and manage their valuable woodland holdings in the area.\textsuperscript{50} Homesteads were depopulated in order to allow the soil and woodlands to recover, and the area continues to be one of the most forested in modern Iceland.

Every attempt at slowing the sharp decline in fertility is apparently contemporary to the period of saga-writing, and reflects a concern, albeit a purely practical one, seen clearly in the sagas. Icelandic audiences knew all too well the devastation each overgrazing or poor growing season could bring. The resulting periods of economic stress were a breeding ground for feuds sparked by differences over the ownership of resources in an already weakened and isolated Iceland. The sagamen could explore the tension between scarcity and the rigid social hierarchy of Iceland in quarrels like the famous feud between Gunnarr and Otkell in \textit{Njála}, or the eponymous hero's legal troubles in \textit{Ǫlkofra þáttir} following an accidental forest fire in a woodland owned jointly by six powerful landowners.

However, such situations are presented in the sagas as the result of more complex factors than simple need. Even outside of times of crisis, exchange between households is a complicated affair, ‘submerged in social relations rather than undertaken for purely economic reasons.’\textsuperscript{51} In harder times, the mutual social unease surrounding an atypical transfer might give rise to suspicion and cause offence. Rarely was the situation as simple as going to a neighbour and asking to purchase supplies. The system by which goods were exchanged between two parties of roughly equal standing was socially restricted and hierarchical. As part of this system, the sagas show a ‘resistance to transfers by sale between members of the same social rank’, as

\textsuperscript{50} Andrew J. Dugmore et al., ‘Abandoned Farms, Volcanic Impacts, and Woodland Management: Revisiting Pjórsárdalur, the “Pompeii of Iceland”,’ \textit{Arctic Anthropology} 44, no. 1 (2007): 8.

such a transfer destabilized their relative positions.\textsuperscript{52} Citing an example from \textit{Eyrbyggja saga}, Miller lists four modes of transfer, in descending order of social acceptability: gift, payment (usually arbitrated compensation), purchase, and lastly the highly unsociable act of \textit{ràn} – announced raiding.\textsuperscript{53}

In keeping with such an attitude, the outright sale of goods by big farmers is uncommon in the \textit{islendingasögur}, and is generally limited to exchanges with foreigners who are, with a few notable exceptions, the only explicit 'merchants' of the sagas. Where sales do take place, they tend to do so within the confines of specific social occasions: although they occurred with some regularity, markets were not a common, permanent feature of Icelandic society. They are mentioned as taking place at the quarter \textit{þing} meetings and the \textit{Alþing}, and popping up for the duration of a foreign trading ship's stay in a district, while goods are being offloaded and sold. Once the \textit{þing} has ended, or the ship sailed, the markets are gone.

While travelling merchants are mentioned in the sagas, they are generally portrayed first and foremost as vagrants, rather than purveyors of goods, and therefore untrustworthy. When in \textit{Njála} Gunnarr finds it necessary to trick Hrútr into provoking a legal summons, Njáll tells him to travel in the guise of a travelling merchant. Njáll further advises Gunnarr how to act in his guise as 'Heðinn', that his companions will say '...hann er maðr skapillr ok margmæltr, þykkisk einn vita allt; hann rekr aptr kaup sín optliga ok flýgr á menn, þegar eigi er allt gört sem hann vill.'\textsuperscript{54} Such men exist outside the web of social relations, being connected to no district,

\textsuperscript{52} Ibid., 25.
\textsuperscript{53} Ibid., 18-9.
\textsuperscript{54} \textit{Njála}, 59-60. ‘...he is an ill-tempered and talkative man, one who thinks he knows everything; he often takes his wares back again, and flies at men, if all does not go as he wishes.’
family, or goði, and as such are anomalies, worthy of suspicion in a society dependent upon established reputation.

As has been shown, Icelandic society as seen in the sagas is constantly struggling to maintain relative peace and unity by binding parties together in a system of complex social ties. The exchange of goods by sale, whether with a merchant or with a neighbour, does not create any lasting relationship between the two parties; there is no gain in status for the seller, no notion of reciprocity, and thus, no connection between the principals once the sale is concluded. To purchase in this manner is termed kaupa or fala, neither of which carry the sense of reciprocal obligation connoted by terms like gjalda. Such exchanges, while not explicitly barred by society, were at the very least looked down upon as being of low sociability, relating 'only goods to each other, not people.'

Such an encounter was also cause for concern for the purchasing party, as it may have signalled an individual's inability to provide for himself and his family. In the earlier Gunnarr and Otkell example, the sagaman makes it exceedingly clear Gunnarr's deficit is the result of his extreme generosity, rather than any failure of self-sufficiency. The latter would have been scandalous for a man of his station, were it true: even a landless tenant farmer would have rankled at the suggestion he could not manage his lands and crops well enough to survive without going begging, as it were.

In another example, a wealthy farmer by the name of Blund-Ketill accompanies a group of his tenants to the home of Hænsa-Þórir to assist them in buying hay for themselves following a poor growing season. Blund-Ketill has ensured his own stock

55 Miller, 'Gift, Sale, Payment, Raid', 22. For explanation of gjalda, see ibid., 19, n. 5.
56 Ibid., 23.
by collecting rent from his tenants in the form of hay, but when he brings his tenants to Hænsa-Þórir, the latter’s first question is ‘Hví ertu í heyþroti, auðigr maðr?’

By contrast, gift, arbitration-payment, and even rán to some extent, create or redefine social relationships between the two principals, which spreads out to their wider families and the community as a whole. Gift-giving in particular was preferred, as it not only defined or redefined the power relationship between both parties, but also created a lasting relationship through the obligation of reciprocity. The giver of a gift, a public action, received the benefit of increased honour and a reputation for generosity. The action also demanded reciprocation of the recipient, who would otherwise continue to be viewed either as of subordinate status, or as contemptuous. The lack of any strict timeframe for gift-reciprocation allowed the receiving party to examine the power relationship and adjust accordingly, based on timing of return and quality of gift.

For a goði especially, the public act of gift-giving was a necessary display of status and a reaffirmation of their role within the district. As the primary means of transfer, however, it could prove costly: a gift was prized socially for its generosity, to match the station of the giver, and as such goðar were expected to give significant gifts. While it would be unlikely for anyone to give beyond their means, the rivalry between men striving for dominance ensured the continuous movement of valuable goods. The means by which goðar were able to afford their valuable social positions, which were transferable and by no means hereditary or fixed in number of followers,

57 Hænsa, 14. ‘Why are you in need of hay, rich man?’
59 See Jón Viðar Sigurðsson, Chieftains and Power in the Icelandic Commonwealth (Odense: Odense University Press, 1999), 135, 211. Jón Sigurðsson sees the bond between goðar and þingmenn as defined by patronage, and suggests a constant concern with wealth and social relations as the basis for a chieftain’s power.
has long been the subject of scholarly interest. Despite being such a coveted position, the owner of a *goðord* did not necessarily benefit materially from it. It is true early *goðar* had special fees and rights which could be invoked, but these were rarely very lucrative, as we will see below. It was not until the mid-13th century any real tax could be levied by *goðar* upon their followers at will, and even this tax, the *sauðakvøð* or *sauðtollr*, the sheep-tax, was resisted initially, and seems to have been used primarily by *goðar* in extreme need of funds. Most scholars now acknowledge the *goðord* was a financial liability for much of its existence, rather than a source of income.60

Perhaps the best-known example of *goði*-specific income, the *pingfararkaup*, exemplifies this. Each *goði* had, among his followers, *þingmenn* who could expect to be part of his retinue at the yearly Alþing. Eligibility for such a position required that each *þingmaðr* possess a minimum amount of property for each person in his household. *Grágás* mentions a cow, a boat, a net, etc. as examples of this 'minimum amount'. If the requirements were met, the man was considered *pingfararkaupsbœndr*, and thus could be charged the fee. Each ninth eligible *þingmaðr* could be compelled to accompany his *goði* to the Alþing. To fund the journey, those not attending were obliged to pay *pingfararkaup*.

The amount of the fee was set by each individual *goði* each year, and could vary widely, with distance from the Alþing often being the primary factor considered. In theory, a *goði* could set *pingfararkaup* at any amount, and demand payment. In practice, however, there was restraint, and rarely any profit realised. Social bonds could be dissolved as well as forged, and a *goði* seen as overcharging his *þingmenn*

would risk losing followers and support. As the Alþing was also the occasion for bœndr to renounce their ties with goðar and align themselves to other chieftains, it is unlikely any wise goði would take such a risk. Rather, the evidence suggests social pressure ensured goðar were only rarely (if ever) able to keep any of the þingfararkaup as profit.

Another goði-specific fee, hoftollr, is mentioned in Eyrbyggja saga and Vápnfirðinga saga. Hoftollr was, like þingfararkaup, a travel fee, and was set by the goði who required it. All persons were required to pay a tax to their temple priest (the goði) to cover his travel expenses. Again, there seems to be no evidence to suggest a goði could become wealthy from this fee alone. Although hoftollr could be considered a proto-tithe, even the most devout Icelanders seemed disinclined to stomach extortion, and Eyrbyggja saga suggests hoftollr was generally kept low enough to support a goði without being extravagant. Add to this the requirement for a temple priest to pay for temple upkeep and sacrificial feasts out of pocket, and hoftollr becomes more a necessary means of maintenance than a means of increasing wealth. If any surplus was generated, rather than a loss or merely breaking even (either of which seem far more likely), it would likely have been small.

One infrequent legal practice, féransdómur, could in theory be lucrative. Again, however, the amount a goði can collect from this is heavily restricted, and little more than a formality in some cases. As a court of confiscation, féransdómur was an occasion for claimants to seize the confiscated property of a lesser or full outlaw, provided they were able to prove their claim to it. The role of the goði is limited to managing this court and judging the weight of claims, for which he was entitled a nominal fee. This
fee was defined as being only 'one cow or one ox four winters old'; whatever remained once the féransdómr had concluded was divided among the district or quarter.61

Grágás outlines the setting of prices on imports as the last form of privileged income, but its real advantage seems to be heavily connected to the gift-exchange culture outlined above. In theory, a goði retained the right to set prices, and foreign (Norwegian) merchants were obliged to abide by them. In practice, the economic reality of an increasingly isolated and resource-poor Iceland meant the trader almost always had the advantage. If one goði was proving grasping, there were always other quarters and other goðar – the merchant was under no obligation to actually sell his wares where he landed. Thus, often the only use of this privilege was to allow goðar the first selection of any goods, enabling him to choose the highest quality goods to increase his status by gift-giving, feasts, or other forms of public generosity.62

With such limited privileges, it could almost be said the goðorð was little more than an expensive token of prestige. In Iceland’s precarious economy, even the wealthiest chieftain still had very real concerns for their financial, and therefore social, standing.63 The goðorð is clearly a position of responsibility, whose maintenance entails significant financial outlay, without significant financial reward. How then does a goði survive, and why then should it be an interest to continue it within a family, when it must have appeared possible a family could bankrupt itself within one generation?

62 Ibid., 88–9.
63 See Andrew J. Dugmore, Christian Keller, and Thomas H. McGovern, 'Norse Greenland Settlement: Reflections on Climate Change, Trade, and the Contrasting Fates of Human Settlements in the North Atlantic Islands,' Arctic Anthropology 44, no. 1 (2007): 16. Dugmore et al., while noting the 'earmarking' of wealth sources for chieftains, see mid-tenth century Iceland 'not so much over-populated as "over-chieftained,"' placing pressure not only on that class, but on any Icelander attempting upward social movement.
In passing, Björn Thorsteinsson notes 'the chieftains had their main source of income in control of the law' but, as Byock notes, declines to expand upon this.\(^{64}\) His apparently off-hand assertion touches on an important point, however. A godi who chose to purchase a case he considered winnable could turn a substantial profit through having it settled by arbitration. Not only would he be seen (publicly) to be interested in the maintenance of peace, with all its social benefits, he could also increase his disposable income, to support an otherwise expensive social position. In Þorgils saga ok Haflíða, the eponymous Þorgils is approached by the recently-widowed Björg and her two sons to take up their case against the killer of Hneiti:

Hon sækir eftir mjölk. Ok er Þorgils sér þat, þá segir hann, at henni muni hardir einir kostir á gervir, — "því at ekki mun auðsótt þýkkja at sækja Haflíða málu. Ek mun gjalda tólf hundruð vaðmála fyrir víg Hneitis, en ek mun þat hafa, er af fæst af málinu við þá Haflíða." Ok á þat sættust þau.\(^{65}\)

The terms of the agreement are clear: payment is given to Hneiti's immediate family, in exchange for Þorgils receiving the lawsuit, and thus the right to claim any legal 'winnings'. The case is not closed, as the money given 'for the slaying of Hneiti', though compensation to his wife, is part of a contract to purchase the suit. Legal compensation will come later, in the public forum as it must, and here Þorgils will more than recoup his initial investment: 'En þó verða þessi málalok, at í sætt var slegit,

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\(^{64}\) Ibid., 85. Cf. Björn Thorsteinsson, Íslensk Miðaldasaga (Reykjavík: Sögufélag, 1978), 52.

\(^{65}\) ÞorgH, 13. 'She pressed [the matter] hard. And when Þorgils saw that, he then said that she was in a difficult predicament, — "Because it will not seem an easy task to go against Haflíði in a lawsuit. I will pay [you] twelve hundreds of vaðmáli for the slaying of Hneiti, but I will have whatever comes from the lawsuit against Haflíði." And on that they settled.’
ok skulu þar gjaldast þrír tigir hundraða fyrir vig Hneitis, en níu hundruð fyrir áverka við Má... 

Þorgils has now turned his twelve hundreds into thirty, although nine hundreds must be given for Má’s wounds. Thus, even if Þorgils is to pay for the wounds given to Má, he will still have made a profit of nine hundreds. If payment for the wounds falls to the one who wounded Má, Óláfr Hildisson, Þorgils has more than doubled his investment, making eighteen hundreds over the original amount.

Similar to the gift-giving relationship, matters of timing are on the side of the suit’s possessor. There is nothing resembling a statute of limitations, and a suit can be held indefinitely without being brought to the Alþing. In some cases, this can make it a powerful bargaining tool for a wise goði or 'big man'. Njáll, for example, seems to be in the habit of purchasing cases he judges easily won, and 'storing' them, only to bring up the threat of prosecution in order to exact deference from headstrong enemies of his friends. The amount of compensation is likewise open to negotiation, but is rarely more than can be paid at the Alþing – by the principal alone or with aid from friends and family. Although monetary benefit is realised, arbitration is still tied to public acknowledgement of the relationship and of the negotiated peace. If too much is taken by the victor, he will not only be judged as overbearing, an ójafnaðarmaðr, but he also risks making enemies and provoking the guilty party to further violence later, spurred on by the slight. A goði therefore has much to lose, as well as much to gain. Ideally, social bonds are reset to their pre-conflict state, if only temporarily. Where they are not, tension arises once again as the offended party takes further action, legal

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66 PorgH, 14. 'Nevertheless, this was the end of the legal case: that a settlement was reached, and thirty hundreds must be paid there for the slaying of Hneiti, but nine hundreds [must be paid] for the wounds against Má...'

67 The saga is unclear on this point, and does not seem to make any further mention of these nine hundreds.
or extra-legal, to readjust and right matters of loss and honour, whether or not a godi has interested himself in their problems. It is these situations the sagamen bring into sharp focus, the increasing tension of a lasting feud between two parties who are never able to right their relationship in a satisfactory manner.

It may thus be said there are two rewards for successful arbitration of a case: one social, and one monetary. Nested as it is within the strictures of Icelandic property exchange, a successful suit can be seen as a righting of relations between the two parties. The offender, having placed the claimant at a disadvantage through depriving the latter of some important part of his household, be it property, a carried-off relative, a slain or wounded individual, and so on, is brought (or forced) to accept a readjustment in which he and his victim again come to a similar social position through the exaction of payment.

**Flaws Within the System**

The number of feuds ended in vengeance must be acknowledged at this point. At 297 instances, blood vengeance comprises 57% of Heusler’s cases. These were not entirely extralegal actions. The law allowed for revenge in specific cases, provided these actions were taken quickly – usually before the next local þing. It would be easy to interpret this as a cause for the sort of chaos arbitration attempts to prevent or forestall, but such a view does not take into account the nuanced understanding of the role of blood vengeance in Icelandic society. As Gunnar Karlsson notes, ‘ideologically the Icelandic Commonwealth was based on a delicate balance between moderation
and aggression, and while this balance was largely centred around the maintenance of the power of the godar, and would eventually be drastically upset, the onus largely appeared during the Commonwealth period to be on limiting conflict.

The allowance for immediate vengeance, in addition to being relatively tightly-controlled by the law, was thus also tempered by a social pressure for moderation, from the godar down. Certainly, in the world of the sagas, the reader is presented with a society in which 'respect for moderation counterbalanced excessive demands for blood,' leading to situations where 'it was most admirable to have the courage to act in an opposite way to the heroic ideal.' For this reason, men like Hallr of Síða are, as Karlsson notes, often given explicit praise for their acts of forbearance in a genre that otherwise prefers to refrain from judgement of its characters, guilty or innocent.

Likewise, one must resist the romantic temptation to see such laws on immediate vengeance-taking as little more than concessions to barbarian honour. Honour was of course invoked to spur individuals to vengeance. The sagas, however, suggest that such lofty ideals were rarely ever pursued to self-destruction; the legal acceptance for immediate and restrained vengeance, along with the growing impetus for arbitration, largely ensured stability within the community at large. The Icelanders, as we have seen, were pragmatic in ensuring the survival of their society. Doubtless, there was considerable personal satisfaction involved when such actions were taken, and honour was maintained. However, the saga and legal evidence suggests the ideal act of vengeance was one socially sanctioned, which served to remove chaotic elements from society. In such a society, vengeance is seen 'not so

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69 Miller, Bloodtaking and Peacemaking, 192-3.
70 Karlsson, The History of Iceland, 57
71 Ibid., 58.
much [as] the gratification of a personal grudge as a duty one owed to the community, for the maintenance of law and order'.\textsuperscript{72} The honour at stake is a very public one, inseparably tied to and dependent upon the views of society.

Further, the legally acceptable blood vengeance removes only those individuals responsible for introducing chaos into the system. As opposed to outlawry, legitimized vengeance does not create bands of outlaws. Nor does it involve the level of disruption to extant power structures that results from the seizure of an outlaw's property, or the destruction of his family unit through disinherittance, removal of wealth, etc. Ideally, resolution is achieved internally. This can result either through the feud coming to arbitration, or through the elimination of those on both sides who continue to stir up trouble – as one might expect, the former could and did often follow the latter.

In Hávarðar, blood vengeance is presented in its ideal form – the last resort when arbitration proves impossible. The audience is primed to see the godi Þorbjörn Þjóðreksson as the superlative ójafnáðarmaðr, a man characterised by his unfair dealings and selfish, overbearing nature. He is in many ways a tyrannical figure of the sort dreaded by Icelanders, and the inability of his dependants to resist him is clear. Their impotence is characterised by recurring depictions of poor widows, elderly, crippled men, and luckless farmers. He regularly ignores the law, taking whatever he desires from those around him, including 'dœtr manna eða frændkonur'.\textsuperscript{73} Most tellingly, Þorkell of Æðey, lawman of Ísafjörður, is powerless in the face of Þorbjörn, allowing him to apply or ignore the law as he desires. Seemingly free of legal

\textsuperscript{72} Dorothy Whitelock, 'Anglo-Saxon Poetry and the Historian,' \textit{Transactions of the Royal Historical Society} 31 (1949): 84.

\textsuperscript{73} Háv, 291. 'people's daughters and [other] kinswomen'
responsibility, Þorbjörn does nothing to dispel the Icelandic distrust of kingly men. He is beholden only to his own judgement, free to ignore the advice of well-intentioned men like his kinsman Brand, and easily swayed by the evil counsels of those who, like Vakr, appeal to his self-interest and fear of any possible threat to his position. More often than not, the sagaman shows, it is the community who have to bear the brunt of such powerful men and their ill counsel. Þorbjörn has, by his own admission, killed many with no regard for guilt and no recompense to the families affected by his manslaughter. Further, despite his obligation as goði to support his followers, he is of no use to them.

Ultimately, such behaviour on his part necessitates reprisal. Unlike many other ójafnadrarmenn, Þorbjörn is an unequivocally wicked individual, lacking the sort of moral complexity seen in others. He is similar in some ways to Hrafnkell freysgoði: both are overbearing goðar, both see themselves justified in slaying the sons of followers and dependants, and both are certain of their power and ability to resist calls for justice and legal action against them. Yet, even Hrafnkell, first in his regard for nearest neighbours and family, and later in fleeing the district after his outlawry, and adapting his behaviour as a goði to becoming more concerned for all his followers, possesses something Þorbjörn lacks. Whether this is the result of a genuine moment of self-examination or the savvy politics of a crafty chieftain, Hrafnkell's respect for the law will ultimately ensure his return to prosperity and power. For the most part, the men of his district seem little concerned with his motives, simply content in curbing their leader's antisocial behaviour. By contrast, Þorbjörn refuses to acknowledge the power of law over him. There is no hope for a change in behaviour, the sagaman
shows: the only recourse left to those who deal with him and any such men is blood
vengeance.

If Þorbjörn is the most tyrannical of men, Hávarðr will be shown to be the
superlative bóndi, and his transformation a return to the original spirit of the Icelandic
Commonwealth. Though old and lame from injuries in battle, Hávarðr is nonetheless
presented as an ideal Icelander. Of his lineage and past, the sagaman says he was
‘ættstór maðr ... Hann hafði verit víkingr mikill inn fyrra hluti ævi sinnar ok inn mesti
kappi....’74 His wife is from a similarly good lineage, and their son Óláfr is perhaps the
most promising young man in the district. Notably, when trouble arises in the area, as
with the draugr Þormóðr, it is Hávarðr who is sought out in spite of his advanced age
and injuries. Knowing she will get no help from the goði, Þorgerðr seeks out Hávarðr
to grapple – quite literally, as it turns out – with her former husband’s restless corpse,
obviously bearing in mind his heroic reputation.

Hávarðr’s behaviour and treatment of Þorbjörn may at first seem at odds with
his apparently well-founded and well-known reputation. However, a closer
examination will show him to be following all avenues open to a man with a
troublesome chieftain, leaving blood vengeance until it is not only fully socially
sanctioned, but also the last possible choice. With each example of Þorbjörn’s
increasing injustice, Hávarðr will regenerate further, until he is at last restored to his
former prowess. Though motivated chiefly by the loss of his son at Þorbjörn’s hands,
Hávarðr’s act is more than a personal vengeance. It is a vindication of the larger

74 Ibid., 292. ‘A high-born man ... He had been a great Viking in the early part of his life, and the most
courageous [of men]...’
community, apparently sanctioned by the divine, and when all troublesome elements of Þorbjørn’s household have been dealt with, order will be restored at the Alþing, and the champion of the district will retire to a quiet life once more.

In Hávarðar saga, the conflict is precipitated by one man’s fixation on absolute dominance and his ruthless removal of any perceived challenge to his authority. It is a conflict between a goði who believes himself beyond the law, and the bóndi and þingmaðr who must take action to restore the disrupted order, through legally sanctioned means. With Bjarnar, the tension is not one of goði–þingmaðr or goði–goði conflict. Instead, the audience is presented with two competing ‘big men’, noted skalds with a longstanding rivalry. Each of the men seeks to assert their superiority over the other, striving to enhance their own fame amidst a long-running battle of deeply slanderous níð verses. However, the sequence of these events is irreversibly altered by the presence of the archetypal ‘great man’, the Norwegian king, whose attempts to assert his own authority in ending their feud will only inflame it further, to its disastrous end.

The rival poets, Bjørn and Þórh, each set out for Norway in the hope of making a name for themselves in the service of the king. Complicating matters however, the enmity between them becomes open feud: blows are exchanged, and wounds received. The matter reaches King Óláfr, who hears the poets’ accounts and renders his judgement, binding the two to the terms he sets. Perhaps more than the initial instances of violence, this episode is the crucial moment in setting in motion the chain

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75 Ibid., 326. Hávarðr’s sudden recollection of being told about Christianity, and his promise to take the faith ef hann sigraði Þorbjørn, ‘if he defeated Þorbjørn’ is followed by a perfectly-timed slip and fall on the part of Þorbjørn, allowing Hávarðr to catch and kill him. However, as we shall discuss in more detail below, the narrative never makes explicit a connection between the two moments, leaving only a suggestion of deus ex machina.
of events that will follow, culminating with Björn's death. In moving the action to Norway, the principal actors remove the possibility of a solely 'Icelandic' solution which would recognise the community as the ultimate victim and arbiter of any crime. Bound only by the authority of the king, the settlement of the poets is effectively dependent upon proximity to Óláfr, and when they return to Iceland and out of his influence, the feud will return as well.

The Icelandic community is interested primarily in the maintenance of peace: arbitration of specific cases is viewed in light of the larger feud, where the threat to the community lies. Regardless of how one-sided a judgement might actually be among the goðar, the effect of communal decision not only provides legitimacy, it also allows for at least an attempt at saving face and a return to the status quo. It is seen to be 'agreed upon' by all parties, whether or not this is actually so, and all sides can hopefully win some degree of honour from being seen to end a feud (even if, as is common, the feud only become dormant). By consciously offsetting offences or providing for mitigating circumstances, communal arbitration seeks to apportion responsibility to both sides where possible, precluding one party from bearing too much culpability and suffering a greater loss of honour as a result.

In contrast, Óláfr's judgement is complicated by his position as monarch, and the conscious regard for law and justice, rather than necessarily equity. A king, as head of state, can never fill the role of 'one among equals'. Although his decision may be superficially similar to the verdict of an Icelandic arbitration, the result will always be affected by the hierarchy of power, down to the most basic level of appearance. The king's concern lies first with his authority and the stability of his rule. To this end, Óláfr's interest lies with order in the abstract, where responsibility, even mutual, must
be measured out exactly and in accordance with the law. The circumstances that gave rise to the feud are of secondary importance to the details of the immediate offences, and the king does not address them in his verdict.

Rather than the 'outward-from-within' settlement among men of equal station, a king’s decision can only come down from above. Kings in the *islendingasögur* (kindly or otherwise) tend to be seen above even the Norwegian þing meetings, exercising varying levels of control over the proceedings. As we shall see from the examples of the *Gulafingslög* and *Frostafingslög*, power begins to shift steadily away from the popular assembly and towards the king and, eventually, the Church. Certainly, by the second half of the 12th century, the selection or confirmation of the next king, already heavily controlled, is out of the hands of the people almost entirely. An amendment to the *Gulafingslög* describing the new process is entered by Magnus V Erlingsson, under the advice of his father Erling Jarl and Archbishop Eystein, in 1164.76 Here, the new law, written ostensibly from the point of view of the assembly, declares the committee for the election of king to be composed of:

...ærkibiskope oc lioðbiscopum...oc þeim tolf vitrastom monnum or hveriu biscopsriki er þeir nemna til með ser.77

Thus, the power to elect a king from the possible candidates rests in a committee of 66 individuals – six of whom are Church authorities, and sixty laymen.78 Given the

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77 Gula, sec. 2. ‘...the archbishop and bishops ... and twelve of the wisest men from each bishopric who [the bishops] take to [confer] with them.'
election of these laymen was entirely in the hands of the relevant bishops, it would not
be overly cynical to expect the committee to be dominated by the church. This does
not mean wise lawmen or powerful jarls would be excluded, but it also does not mean
they would be necessarily included.

A counterargument is the *Frostaþingslög*, first reduced to writing in the second
half of the thirteenth century, containing provisions limiting the power of the king.
One such law, concerning attacking a man in his own home, states:

Engi maðr scal atförr at óðrum gera hvárki konungr ne annarr maðr. En ef
konungr gerer, þá scal ör scera oc fara láta fylki öll innan, oc fara at honum oc
drepa hann ef taca má. En ef hann kemz undan, þá scal hann alldregi koma í
land aptr. En hverr er eigi vill fara at honom scal giallda mercr .iij. oc svá ef ör
þá fellur.79

The law is similar in respect to jarls and barons, differing only in the number of shires
the arrow is sent through (four and two, respectively), giving the appearance of a
ruling which views home attacks by the king as far more grievous than any other man.
However, while it is likely such a law may have been introduced with a view towards
enforcement, by the later 13th century we must question the likelihood of this
remaining true. The bitter, decades-long civil wars had ended with Hákon IV
Hákonarson’s final destruction of the Bagler faction in 1227, and the slaying of his final

78 Larson believes only those five bishoprics within Norway would be expected to send representatives,
and not the six Norwegian dependencies extant at the time, and there is no reason to disagree.
79 *Frosta* 4, sec. 50. ‘No man shall make attack on another, neither the king nor any other. And if the
king does so, then shall the arrow go forth through all the shires; and men shall go and slay him, if
they may take him. But if he escapes, he shall never come into the land again. And whoever will not
go after him shall pay three marks, and so [also] if the arrow falls.’
rival in 1240. The reign of Hákon saw an increase in royal power and prestige, not only through cementing his control of the kingdom, but through friendships with foreign powers and the levying of a substantial naval fleet. Hákon's prestige was such that the crown of the Holy Roman Empire, Irish High Kingship, and the command of a crusader fleet were at various times offered to him. It was under Hákon Iceland and Greenland would come into Norwegian control, and at his death, Norway's lands stretched further than ever before.

Through the presentation of saga-age struggles with royalty, the sagamen were able to create a simulacrum of their contemporary loss of independence from the crown, and the perceived threat this posed to their culture. The fierce independence of the original settlers, many of whom had been influential men in Norway, made them ill-disposed to accept the control of a single king, far removed from them and their affairs. Their position in relation to a power at once foreign and yet inseparably interwoven with their nation’s continued history was at best ill-defined. Thus, the interaction between a king and the Icelandic guest or stranger as they attempt to define or redefine their relationship was of critical importance to the sagamen.

The Icelander always enters the Norwegian system from without, a descendent of troublemakers, and an unknown and possibly dangerous element to the king who looks to strengthen or preserve the power of his rule. This ‘foreigner’ may behave with the deference due from guest to host, but never from subject to king: while he may, if pressed, acknowledge the king’s current power over him by arms, he is less interested in royal claims to authority than he is to receiving what he deems his right. As might be expected, this is rarely suffered easily by a king concerned with his authority and dominion. In *Egils saga*, the eponymous hero’s troubled relationship with King Eiríkr,
from whom he seeks justice and what he deems his rightful compensation comes to a head when his longtime enemy Gunnhildr appeals directly to her husband’s chief concern with the Icelander. With the king overseeing a dispute between Egill and Ónundr, a relative of Egill’s wife and a personal favourite of Gunnhildr, the queen interrupts the suit, ultimately scuppering any chance of a peaceful resolution:

Þá tók til máls Gunnhildr dróttning, sagði svá: ’Þetta er undarligt, konungr, hverning þu lætr Egil þenna inn mikla vefja mál Ólaf fyrir þér; eða hvárt myndir þú eigi móti honum mæla, þótt hann kallaði til konungdómsins í hendr þér.’

Although Egill’s relative Björn will fare better with King Óláfr than Egill with Eiríkr, the unbalanced power relationship once again limits the effectiveness of the settlement. It is apparent Björn has come out better from the king’s judgement, and the resultant peace is an awkward and ill-fitting one. Björn and Þórðr avoid an outbreak of violence or slander, but only because of the ever-present king. As we examine the attempts to secure peace between the two, it will be worthwhile to draw a parallel between this episode and a later one at Þórðr’s residence in Iceland. Where the former was marked by the gloss of conviviality, the later attempt at wintering together will end disastrously, culminating in hostility and an outpouring of slander. Likewise, Þórðr’s openly malicious character will be contrasted to the initially-promising young Björn who, over the course of the narrative, will be seen to transgress into ójafnaðr in almost equal measure with his rival. A significantly more complex

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80 *Egil*, 157. "Then Queen Gunnhildr began to speak – [she] said thus: “This is extraordinary, king, how you allow this Egill – the large [man] – to entangle you by all this speech; but [I wonder] whether would you not speak against him, even if he claimed for himself the kingdom from your hands.”"
examination of ójafnaðr, it is a mixture of pride and a desire for vindication of his loss, qualities otherwise seen as praiseworthy, that will provoke Bjorn into a relentless, reckless drive to destroy Þórun. Yet, even by the time of his death, Bjorn will still prove himself capable of great nobility in his conduct with Þorsteinn, making the circumstances of his slaying at the hands of a community he has increasingly become isolated from deeply uncomfortable for an audience initially sympathetic towards him. There can be no winners in such a feud: the resistance of both poets to communal intervention, and their use of their poetic skills and physical prowess to remove themselves from the reach of all who would stop them, ultimately guarantees a tragic end.

Having considered both Hávarðar and Bjarnar, we will conclude our examination of individuals, power, and conflict by turning to the famous Njála; to why Gunnarr and Njáll died, to what extent their behaviour contributed to their deaths, and to how the community reacted and responded to the divisions revealed by the fire at Bergþórhvoll. Njála’s detail, realism, and complexity have earned it a place at the pinnacle of Medieval saga-writing, and here these qualities make it perhaps the best reference point for our two less-explored texts. In Njála, as in Hávarðar and Bjarnar, questions of individual power and communal responsibility may be seen to drive the action, casting the feuds of its two primary heroes (Njáll and Gunnarr) against a backdrop of increasing tension and distrust from a community unable to control or integrate them. Like Bjorn, Gunnarr and Njáll are sympathetic characters, capable of great nobility and the model of Icelandic friendship. Their deaths are ultimately tragic, but rather than seeing them as essentially victims of evil-minded men, we must view their final moments as part of the long-running narrative of isolation and
resistance that began with the first feuds of Gunnarr and ended in the burning of Njáll. In their attempts to secure their independence, and create for themselves a parallel power base free from control by their godar or their rivals, Gunnarr and Njáll make decisions that elsewhere earn the distinction of ójafnaðr. Indeed, Gunnarr’s drive for perfection of behaviour and what he perceives as justice, and the unilateral settlements he achieves draw the charge from some of Iceland’s most noble figures:

Þeir Höskuldr gengu heim til búðar sinnar, ok var honum mikit í skapi ok mælti til Hrúts: ‘Hvárt mun Gunnari aldri hefnask þessi ójafnaðr?’ ‘Eigi mun þat,’ segir Hrútr, ‘hefnask mun honum víst, ok mun oss verða í því engi hefnd né frami.’

With the aid of Njál’s unparalleled legal acumen, Gunnarr is able to leverage his reputation as a superlative warrior to ensure his many settlements are not only favourable, but one-sided. While this has the initial effect of increasing Gunnarr’s reputation nationally, his continued successes invite examination of a system of resolution prizing compromise above all else. As his enemies walk away empty-handed, their dissatisfaction grows, as do their numbers. Common cause is found not only among the many failed plaintiffs who are, at the very least, negative characters, but eventually also from other noble, more praiseworthy godar and leaders. Men like Gizurr inn hvíti and Geirr goði, themselves moral and sympathetic characters, find themselves drawn inevitably to the task of removing Gunnarr whose dominance over

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81 Njála, 67. ‘Höskuldr went back to his booth with Hrútr, but there was much on his mind, and he said to Hrútr: “Will this ójafnaðr never be avenged against Gunnarr?” “That is not so,” said Hrútr, “it will certainly be avenged against him, but none of the vengeance or the renown for it will come from us.”’
his local area threatens established norms and power structures. Following his refusal
to go abroad as agreed after a final settlement, the communal hand is forced: immoral
and moral men alike unite to slay Gunnarr who, notably, stands alone.

Following the death of Gunnarr, *Njála* turns its spotlight fully onto the
eponymous lawyer and famous man of peace, and to the circumstances leading up to
and following on from one of the most well-known slayings in saga literature. To
maintain his power network in the absence of his most trusted friend and ally, Njáll
will take increasingly drastic measures, utilising his reputation and skills to their
fullest, even when it means single-handedly disrupting the order of the
Commonwealth’s legal system. Most notably, the fostering and investment of
Hősukuldr práinsson as a new goði will be both his greatest feat of legal manipulation,
and his most blatant act of ójafnaðr. Far from securing his position, Njáll’s behaviour
proves destabilising both for his quickly-collapsing alliance with the Gunnarr-less
Sigfússons, and for the district and even nation as a whole.

Moreover, Njáll’s attempts to tighten control will sow discord in his own family
unit, the Njálssons chafing at what they perceive to be the needless sacrifice of their
family for the ambitions of their father and his new protégé. With the disastrous
slaying of Hősukuldr práinsson, the Sigfússon-Njálsson feud at last reaches critical
mass. The fire at Bergþórhvoll and the prosecution of the burners fractures the
entirety of the Commonwealth into two sides, culminating in a pitched battle at the
physical and spiritual heart of the Icelandic lög, the Alþing. In the wake of two
indefensible crimes, the saga’s few remaining peacemakers must find a way to restore
order, mend the lög, and at last pull their nation back from the brink.
No Country for Old Men: Hávarðar saga ísfirðings

Hávarðar saga ísfirðings has attracted relatively little critical attention. What exists is largely negative, characterising the saga as almost amateurish, or, as Andersson says, 'a little too much of the musical comedy.' This thesis will concentrate on a single strand of the saga: the socially destabilising nature of ójafnaðr and the response of the community to feuds deriving from unmoderated assertions of power by one man. In the process we will examine Hávarðr's circumstances and the nature and quality of his vengeance in the face of extreme ójafnaðr. Rather than seeing in Hávarðar an amateur storyteller or a simple tale, late and burlesqued, we should consider how the sagaman deploys certain folk motifs to reorder the reader's expectations and sharpen the effect of his narrative. We should see in Hávarðar not simply an entertaining tale, but an exploration of the changing nature of heroism and the interrogation of the connection of rights, power, and personal independence with the same sophistication as the extended sagas traditionally preferred by the critics.

Before proceeding, we must immediately acknowledge the difficulties presented by the dates of any surviving manuscripts of Hávarðar, the saga's uncertain origins, its relationship to the larger saga tradition, and the critical perception of its shortcomings. Earlier saga material connected with the character of Hávarðr is mentioned in Landnámabók, but in the absence of any earlier manuscript texts of this

earlier material it is difficult to state with certainty how the earlier material differed from the extant saga. What critical work exists has largely categorised Hávarðar as a post-classical saga, and judged it accordingly. This approach has been characterised by an arguable over-insistence on the sagaman’s historical and geographical errors, and the narrative’s perceived lack of complexity. This assumed lack of complexity, however, seems to stem from a confirmation bias of sorts due to its age: narrative elements and Romantic influences which it shares with some of the greatest classical sagas are here seen as post-classical flaws. The following pages will challenge several of the fundamental critical assumptions supporting this unnecessarily negative view, and in doing so open a new line of enquiry into the saga’s purpose and place in the islendingasögur.

The text produced by Björn Þórólfs and Guðni Jónsson for the ÍF is derived from two manuscripts, AM 160 and AM 502. These are, according to the editors, the oldest and most complete versions: ’Hávarðar saga er aðeins til í pappírs handritum, og eru hin elztu og beztu þeirra frá 17. öld.’ The lack of earlier material, coupled with stock saga motifs and fantastical elements, has led many scholars to assume, as Einar Ól. Sveinsson does, that Hávarðar lacks the ’ancient’ status and thematic depth of the longer and more famous islendingasögur. In response to Guðbrandur Vigfússon’s assertion that ’no furbishing can hide the antique grace of a true saga, such as Kormak’s or Havard’s,’ Einar Ól. Sveinsson remarked in spite of Vigfússon’s keen understanding of the Icelandic language and saga form, it is ’certain that few would

83 Háv, xcvi. ’Hávarðar saga is only (now extant) in paper manuscripts, and the oldest and best of them are from the 17th century.’
84 Sturlung, lxix.
now accept the assertion that Hávarðar saga is ancient.\textsuperscript{85} Even when discussing Hávarðar as an exemplary representation of the 'old honour', Gehl is quick to point out its apparent lateness: 'Die Hávarðarsaga ist – trotz der Jugend der Überlieferten Fassun – für das Ehrgefühl dieser älteren Gruppe das eindrucksvollste Beispiel.'\textsuperscript{86}

While Sveinsson is not wrong insofar as it would be almost impossible to ascertain the age of a saga merely from its 'tone and character' as Vigfússon did, and while to Þórólfsson and Jónsson Hávarðar shows significant evidence of borrowing from earlier texts in some of its poetry,\textsuperscript{87} it would nevertheless be most unwise to go too far in the opposite direction. The manuscripts on which the edited text is based strongly suggest at least one earlier manuscript. Þórólfsson and Jónsson acknowledge the likelihood of an earlier source given the close similarities between AM 160 and AM 502: 'Greinast þau í tvo flokka, sem eru þó hvor þóðrum svo likir, að auðsætt virðist, að þoll þau handrit af sögunni, sem nú eru til, eigi rót sínna að rekja til sömu skinnbókar.'\textsuperscript{88}

Viðar Hreinsson,\textsuperscript{89} and earlier Tassin,\textsuperscript{90} suggest a possible 15\textsuperscript{th} century composition which, while intriguing, lacks demonstrable proof on their side. Other assertions by

\textsuperscript{85} Einar Ól. Sveinsson, \textit{Dating the Icelandic Sagas: An Essay in Method} (Bristol: Viking Society for Northern Research, 1958), 39.
\textsuperscript{86} Walther Gehl, \textit{Ruhm und Ehre bei den Nordgermanen: Studien Zum Lebensgefühl der isländischen Saga} (Berlin: Juncker und Dünnhopt, 1937), 7.
\textsuperscript{87} Háv, xci–xciii.
\textsuperscript{88} Ibid., xcvi.
\textsuperscript{89} Viðar Hreinsson, ed., \textit{The Complete Sagas of Icelanders, Including 49 Tales} Vol. 5 (Reykjavík: Bókaútgafan Leifur Eiríksson, 1997), 313. See also Viðar Hreinsson, ed., \textit{Comic Sagas and Tales from Iceland} (London: Penguin UK, 2013), xxii. The later text is drawn from the Complete Sagas of Icelanders, and maintains the argument for a 15th century composition.
\textsuperscript{90} Guy Tassin, 'La Tradition du Nom Selon la Littérature Islandaise des XIIe et XIIIe Siècles,' \textit{L’Homme} 21, no. 4 (1981): 60.
the Durrenbergers of 1300–1350⁹¹ are more convincing in light of internal evidence, which McCreesh has used to suggest an even more narrow dating of c. 1330.⁹²

Aside from their appearance in this saga, the primary characters of Hávarðr, Bjargey, Þorbjörn, and Óláfr do appear, if briefly, in Landnámabók, as do certain characters who seem to be the basis for one of the Ljótr-s and his two young slayers.⁹³ Both of the oldest extant versions of Landnámabók, Sturlubók and Hauksbók also reference a ’saga Ísafirðinga,’⁹⁴ along with mentioning a ’saga þeira Þorbjarna ok Hávarðar ens halta.’⁹⁵ The current academic consensus is that both of these references describe one or possibly two now-lost sagas.⁹⁶ While there is no evidence for their existence aside from these mentions, certain errors in geography and the names of individuals within the extant Hávarðar would suggest it is not the original form of the saga, and is likely derived from at least one earlier text. Notably, both Sturlubók and Hauksbók predate even the earliest suggested compositions of Hávarðar. Hauksbók, named for its compiler Haukr Erlendsson, has been dated on the basis of paleographical evidence by Stefán Karlsson to c. 1302-1310.⁹⁷ Its predecessor, Sturla Þórðarson’s Sturlubók, is dated towards the end of the author’s life, c. 1275-1280, and is the oldest surviving recension of Landnámabók.⁹⁸ Both reflect influence from an

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⁹⁴ Land, 190, S 150; 191, H 121. ’Saga of the Ísfirðingar.’
⁹⁵ Ibid., 159, S 117, H 89. ’Saga of Porþór and Hávarðr the lame.’
⁹⁶ Putnam, ’Gestr the Wise,’ 38. Cf. Húv, lxxxv. Pórólfsson and Jónsson specify this as one saga, not two, but assert such a text did exist.
earlier, lost version called *Styrmisbók*, which Jón Jóhannesson dated to c. 1220. In his stemma, *Sturlubók* descends directly from *Styrmisbók*, while *Háuksbók* is influenced by both earlier versions. Jón Jóhannesson also suggested the *Háuksbók* and *Sturlubók* variants to be significantly expanded by inclusion of extant saga material, which would suggest a conscious decision on the part of Sturla, maintained in Haukr's later version, arguably reflective of the importance of these sagas to an Icelandic audience. Haukr himself makes plain the weight attached to this material, with Wellendorf detecting a note of pride in the epilogue to *Hauksbók*, the compiler declaring to his reader that his is the longest recension of *Landnáma* yet.

The sagaman’s use of at least *Hauksbók* may be suggested by the confusion surrounding Bjargey’s brothers in *Hávarðar*. Where *Sturlubók* is consistent with itself in presenting the lineage of Bjargey as the daughter of Valbrandr, son of Eyvindr kné, the later *Hauksbók* once refers to her as Valbrandr’s daughter, and once as Valbrandr’s sister and Eyvindr’s daughter. When comparing the relevant passage in both recensions, it seems likely to be a case of error on the part of the scribe or his source material, as in all other respects they are identical (differences in passages in italics):

\[
\begin{align*}
\text{Eyvindr kné fór af Ógðum til Íslands} & \quad \text{Eyvindr kné fór af Ógðum til} \\
\text{ok Þuriðr rúmgylta kona hans; þau} & \quad \text{Íslands ok Þuriðr rúmgylta kona} \\
\text{námu Álptaðr ok Seyðisfjørð ok} & \quad \text{hans; þau námu Álptaðr ok} \\
\text{bjöggu þar. Þeira son var Þorleifr,} & \quad \text{Seyðisfjørð ok bjöggu þar. Þeira}
\end{align*}
\]

Further supporting this is her return to 'Valbrandsdóttir' in her next appearance in Hauksbók, only two sections after this initial appearance. The sagaman of Hávarðar, however, likely did not have both texts to compare during his own writing, and may have been working from recollection alone. Certainly, Jakob Benediktsson sees in Hávarðar a likely innovation in the aforementioned question of Bjargey’s family, indebted at least initially to the Hauksbók variant. In accounting for the difference between recensions, Benediktsson theorises:


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102 Ibid., 187, S 148. ‘Eyvindr kné travelled from Ìgðum to Iceland, and Þuríðr rúmgylta his wife; they took ownership of Álptafjörðr and Seyðisfjörðr and lived there. Their son was Þorleifr, who was their firstborn, and Valbrandr, father of Hallgrímr and Gunnar and Bjargey, who married Hávarðr halti. Their (Bjargey and Hávarðr’s) son was Óláfr.’

103 Ibid., 189, H 119. ‘Eyvindr kné travelled from Ìgðum to Iceland, and Þuríðr rúmgylta his wife; they took ownership of Álptafjörðr and Seyðisfjörðr and lived there. Their son was Þorleifr, who was their firstborn, and Valbrandr and Bjargey, who married Hávarðr halti. Their (Bjargey and Hávarðr’s) son was Óláfr.’

104 Ibid., 191, H 121.

105 Ibid., 187, n.11. ‘Valbrandr is in Hávarðar saga declared the brother of Bjargey, and his two sons are called by other names, but this without a doubt incorrect. Sturla has here followed after an earlier model of Hávarðar saga. Hauksbók skips the sons of Valbrandr, probably by the influence from Styrmisbók.’
We cannot say for certain how much, if any, of Hávarðar is based on possible earlier sagas, only that the sagaman, clearly not a native of Ísafjörður, has adapted elements of a story, known at least to Landnámabók, for his purpose. What this purpose was, and why it compelled the sagaman to alter or compile a differing account of what appears to have been known to men like Sturla and Haukr cannot however be simply explained away by a desire to produce an entertaining and ironic pastiche of so culturally important a genre. We must therefore turn to a detailed literary analysis of the text itself, and its place within the longer tradition of the íslendingasögur.

While it is impossible to tell to what extent the circumstances were altered by the time of Hávarðar’s composition, the current critical view of Hávarðar sees the text as a 'parody of a typical saga'.\textsuperscript{106} While the definition of a 'typical' saga remains elusive, we may find some basis for this assertion in the words of Andersson, who suggests that Hávarðar 'has none of the earmarks of a classical work, but is characteristic of a late stage given to hyperbolic imitation.'\textsuperscript{107} This assertion seems to stem largely from subjective distinctions in quality between the older, 'classical' sagas on the one hand, and the later 'post-classical' sagas on the other. Classical sagas, such as Njála, Hrafnkels saga, and Egils saga, reputedly show higher quality in composition, partly because they are closer to the saga period, and partly as a function of what critics assume to be an authorial concern with historicity and realism limiting or controlling the narrative voice of the saga. To quote Arnold in his attempt to clarify this distinction:

\begin{small}
\textsuperscript{106} Hreinsson, Comic Sagas, xxii.
\textsuperscript{107} Andersson, 'The Displacement of the Heroic Ideal in the Family Sagas,' 582.
\end{small}
[t]he hallmark of quality according to the traditional standards of saga scholarship is largely signified by a sensitivity to historical probability on the part of the saga author and hence also by the subordination of romance influences to a realist or credible presentation of narrative events.\textsuperscript{108}

Elsewhere, Viðar Hreinsson elaborates that the post-classical sagas differ from the high sagas of the thirteenth century in their innovative use of continental motifs, aware of an apparently 'untapped potential of the saga narrative'\textsuperscript{109} and using the medium to provide some specific authorial lesson or commentary critical of their society. By contrast, in the earlier sagas, one sees a skilful fusion of 'an abundance of oral material ... with the painful experience of decades of civil war ... the resulting works contain a kind of surplus of meaning, a significance that by far surpasses a simple retelling of past events.'\textsuperscript{110} Such a distinction seems heavily indebted to the old notion that the earliest sagas represented, first and foremost, a native historical endeavour – one which the sagaman writing believed to be innately true. Contemporary experience may influence the form and the amplification of that truth, but authorial voice and its intent are kept to a minimum: the audience is trusted to share the author's point of view.

Thus, a 'post-classical' saga can be defined as one which is characteristically less concerned with controlling the influence of romantic or mythological material, and less likely to attempt to present its material as plausible, historically or realistically. Such a definition is reductive, however, and weakened as a result of what John Martin

\textsuperscript{108} Martin Arnold, The Post-Classical Icelandic Family Saga (Lewiston: Edward Mellen Press, 2003), 143. 
\textsuperscript{109} Hreinsson, Comic Sagas, xv. 
\textsuperscript{110} Ibid.
sees as its negative (a post-classical saga is what a classical saga is not) and tautological (post-classical sagas are sagas with post-classical characteristics) features.\textsuperscript{111} As Arnold readily concedes, the definition of a 'classical' saga is itself circular and based upon arbitrary assumptions concerning style and content,\textsuperscript{112} in essence, one cannot say what constitutes a post-classical saga. One can only assert some sagas are not classical sagas, while recognizing the criteria for this are almost entirely based on value judgements of what is the 'necessary' amount of realism and historicity. Quite aside from the risk posed here of backsliding into the view of post-classical sagas as degenerate or decadent sagas, this only serves to further cloud any attempt to define the 'typical' saga, as Martin notes when he asks:

If the lack of 'realism' and historical interest is a key indicator of 'post-classical' character in a saga, as Arnold indicates (230-2), how does one measure that lack? Is there some critical mass of 'unrealistic' or 'ahistorical' matter upon which the reader can fix? If so, how much of that mass does a werewolf story as in the opening chapters of 	extit{Egils saga} provide?\textsuperscript{113}

In the absence of any demonstrably quantitative, unprejudiced definition of a 'typical' saga, we are forced to look more generally at the aforementioned negative qualities, or 'lack' that are applied to the post-classical sagas as a whole. It would perhaps not be unfair to view the critical discomfort with 	extit{Hávarðar} largely as a function of its historical errors, its relative brevity and lack of subplots, and its 'unrealistic' material,

\textsuperscript{112} Arnold, \textit{The Post-Classical Icelandic Family Saga}, 139.
\textsuperscript{113} Martin, 'The Post-Classical Icelandic Saga,' 621.
all of which suggest (rightly or wrongly) a narrative voice (and interests) the apparently classical sagas lack.

It cannot, for example, be disputed Hávarðar has a number of glaring historical and geographical errors – confusing Óláfr Trygvasson for Óláfr Haraldsson, the presence of multiple Ljótris, etc. However, the same holds true even in the most celebrated sagas of the 13th century. Earlier views of the sagas as primarily historical in intention have in recent years given way to an analysis of saga as literature, and with good reason. While the sagas are more historically conscious and representative of realistic social behaviours in their characters than the average 19th century historical novel, the sagamen are still shaping that history for a larger literary and social purpose. We cannot on the one hand call the sagaman of Hávarðar an amateur for playing fast and loose with chronology and, on the other, ignore Njála’s sagaman who, in spite of his supreme skill, occasionally displays a shaky grasp of Icelandic geography,114 and in some cases ‘grossly distorts the legal history of Iceland.’115 Most notably, Njála awards its titular character the honour of a key legal reform, the creation of the fifth court, that elsewhere is attributed to Skapti Þóroddsson, and situates this creation at a chronologically inappropriate moment before the Conversion.116 Critics of the saga have extended a variety of explanations for so blatant an error on the sagaman’s part, but it would be unwise to disregard even in part the

114 Lars Lönnroth, Njáls Saga: A Critical Introduction (Berkeley: University of California Press, 1976), 201-3. For the most part, it must be noted that the sagaman’s knowledge of Iceland is extremely detailed, though ‘somewhat imperfect’. As regards events occurring in Norway, his understanding of the land falters, as when implying the distance between Guðbrandsdalir and Hlaðir to be much shorter than it in fact is.
115 Lönnroth, Njáls Saga: A Critical Introduction, 188.
116 Njála, ch. 97.
overall literary significance of *Njála* purely on the evidence of historical inaccuracy (or indeed for the occasional confused geography).

We shall discuss the possible causes for and significance of *Njála*'s departures from history in more detail below in chapter IV. It is important here to bear in mind that total historical accuracy was never the intention of the sagamen. Indeed, we may apply G. Turville-Petre’s assertion that ‘it was not the author’s purpose to write a work of history, but rather to use a historical subject for an epic in prose’ in a broad sense to the entire *íslendingasögor* tradition. Just as we may look instead for the reasoning behind the author’s choices in *Njála*, and excuse those errors that do not detract from the logical sense of the sagaman’s purpose, we should likewise be cautious in our criticism of Hávarðar’s own inaccuracies so they distract us from the purpose of the saga. For example, that Hávarðar’s author makes errors about the geography of the Westfjords is not disputed, but nor should it or other inaccuracies be the central point upon which critical opinion and understanding of the saga rests. Instead, an unbiased critical examination must take this evidence and move to interrogate what, in the absence of hometown pride or local politics, drew the sagaman to this material, and whether the events of the saga in fact express some deeper truth about Icelandic life before and after independence.

Further in this vein, Hávarðar and other so-called post-classical sagas should hardly be seen as an abandonment of impartial historicity in favour of conscious instruction. To imply there was no conscious instruction on the part of the classical sagamen seems wholly unconvincing. Even at the peak of classical saga writing, the *íslendingasögor* appear to be acting as *exempla*, as part of a narrative tradition that both engages with elements from Germanic narrative literature and joins these to a
literary mode both wider and older, stretching back to the Classical period.\textsuperscript{117} The interaction of fictional and historical elements, although occasionally the source of some alarm by commentators, was on the whole not as controversial for the original audience. Bowersock, considering the development of Graeco-Roman historical narrative, remarked:

... fiction did not seem to be a problem. In the first century B.C., Cicero could proclaim Herodotus with equanimity as the Father of History and then go on to denounce him as the author of innumerable fabulous tales. History had simply become the plot – what happened or what was said to have happened. It was different from biography ... it was the received account of the past that reached back into mythical times without a break.\textsuperscript{118}

Rather, the construction of the narrative serves an important and didactic function: the expression of a broader truth that both transcends the narrative and bestows upon the narrative an element of that truth. As Paul Veyne has recently and concisely explained, 'Men do not find the truth; they create it, as they create their history.'\textsuperscript{119} While the \textit{íslendingasögur} have been clearly differentiated into classical and post-classical phases by virtue of proposed dates and theories of style, to draw too sharp a distinction presents the risk of removing them from that broader truth. Again, Bowersock provides a useful parallel when he notes of his Classical material:

\textsuperscript{118} G. W. Bowersock, \textit{Fiction as History: Nero to Julian} (Berkeley: University of California Press, 1994), 7.
Prose fiction needs to be considered in a broad context, broader than the novel alone. To talk, as some do ... is to suggest that these works somehow have a separate, self-contained world of their own, whereas they ought to be seen as part of something larger, which is the Graeco-Roman empire.\footnote{Bowersock, Fiction as History, 15.}

Indeed, the idea of authorial initiative as a post-classical innovation seems questionable at best when one looks closely at those most sophisticated classical sagas. The instability of such a definition is nowhere made more clear than by Viðar Hreinsson, citing the older Hrafnkels saga freysgoða, 'regarded among the best', as an example of self-aware didacticism: the sagaman 'can be seen consciously inserting ideas explicitly and telling the story with a particular instructive or ethical aim.'\footnote{Hreinsson, Comic Sagas, xv.} Comparatively Hreinsson says of the post-classical material that it can now be seen to exhibit not 'decadence and degeneration into escapism' as previously thought, but a 'more premeditated design and self-conscious sense of authorship',\footnote{Ibid.} leading one to wonder just where the difference lies. Hreinsson and previous critics were certainly correct in indicating a stronger ironic presence within the post-classical sagas, but largely avoid discussing to what end this is deployed. To leave Hávarðar as merely a parody of a typical saga is to leave it unexamined, a grave oversight that results from becoming too bound up in the idea the later sagas lack the sophistication of, and innate 'truth' contained within, the earlier sagas, tending instead towards slapstick self-parody.

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\footnote{Bowersock, Fiction as History, 15.}
\footnote{Hreinsson, Comic Sagas, xv.}
\footnote{Ibid.}
Certainly there is something of folklore and mythology in this brief saga, but this should not perhaps be viewed as negative, or a mere entertaining embellishment, detracting from the realism and gravitas of a proper saga text. In some places, most notably the early episodes concerning Bjargey and Sigriðr, there is a use of motifs both subtle and surprising; these two characters, in their essentially understated way, cast shadows of the supernatural. Their words and actions could be seen to signal two key themes of the narrative as a whole. The relationship between Sigriðr and Óláfr not only brings the saga’s tension to a head and sets the scene for Hávarðr’s later action, but may in fact both bring into focus and, in the last meeting between the two, challenge aspects of the underlying assumptions of personal action and personal honour in a society at once intensely competitive and increasingly communal.

Likewise, Bjargey’s ‘prophecy’ hints not only at the ultimate outcome of the suit, but at the fundamental reason why Hávarðr’s vengeance will be so successful and so complete: its broader, communal good for the district, which as a result receives sanction from the community.\footnote{Indeed, as seen below in Þorgerðr, the community from the outset looks to Hávarðr for their support, and his son is praised for behaving in such a way as to suggest every man of good character and station owes a duty to aid the community.}

Likewise, where the stock motifs and fantastical elements are presented with the broadest strokes, as with Hávarðr’s return to poetry-reciting hero and his prayer for victory over Þorbjörn, the sagaman again appears to be deploying these tropes to an end beyond merely the expectations of formula or their entertainment value. These moments serve also to reinforce the message of Hávarðar: to signal to the audience the importance of Hávarðr’s actions, and to confront them with the question of why Hávarðr is granted a seemingly-miraculous restoration of his strength, and the
origin of this strength. Contained within the saga’s core is a deeply political dissection of the conflict between power and rights, and of the relationships joining man and community in an Iceland firmly under the Norwegian crown and faced with increasing ecological and economic stress. The matter of this saga – situated in the earliest days of Icelandic independence – invests Hávarðar with the energy and rights of the res publica in his vindication of his and others’ rights within the Commonwealth.

In placing his story deliberately in this early period, the sagaman of Hávarðar is, like his peers, drawing on a tradition that identifies the Icelanders as being the keepers of a unique tradition of independence and individual freedom. It was the threat of a growing Norwegian monarchy that caused the flight of this first generation, and thus the Icelandic identity in part depends on their status as free and independent men. As Patricia Boulhosa notes, the sagas, though written after the Icelandic submission, preserve this concern with identity in the expression of how the original Icelanders positioned themselves in relation to Norwegian aristocracy:

When members of the first generation of Icelanders go to Norway, they encounter a society which conflicts with the traditional values they have retained. In consequence, this encounter not only reaffirms the Icelanders’ claim to be the guardians of their ancestors’ traditions, but also affirms their identity as Icelanders. The accounts of the travels of Icelanders to Norway have this double function, at the same time connecting Icelanders to their past and traditions, and confirming their independent identity.\(^\text{124}\)

Hávarðr's journey to Norway is itself superficially only a minor episode in the saga; this tension is instead expressed in the conduct of and response to Þorbjörn's oppressive rulership over, rather than leadership of, his pingmenn. As Boulhosa further notes, in contrast to the formerly-powerful Norwegian kings and chieftains who 'lost their status and lived under a kind of vassalage...Icelanders, then, were represented as the keepers of the ancient individual freedom,'\textsuperscript{125} a freedom which, in the world of Hávarðar, is integral to the Icelandic social identity, and must be maintained with diligence.

Even following Icelandic submission, this concern with status and independence was felt no less keenly. The official joining with Norway and loss of independence itself was, as Boulhosa notes, a continuous process rather than a discrete break,\textsuperscript{126} and the Icelanders were often quick to point back to the status of their ancestors as setting them apart as a noble and independent people. Crucially for them, in the Gulaþingslög and Ólafslög, the special status of Icelanders was affirmed in the granting of hóldsréttr, as opposed to the bóndaréttr of other foreigners. The significance of this distinction was not lost to later generations:

To the thirteenth- and fourteenth-century Icelanders, the existence of an eleventh-century law stating that Icelanders in Norway had the rights of a hóldr might have meant the recognition or confirmation of their ancestors' high-born status, or, most importantly, of their status as a people who were born with óðal rights.\textsuperscript{127}

\textsuperscript{125} Ibid., 193.
\textsuperscript{126} Ibid., 209.
\textsuperscript{127} Ibid., 194.
So too, in sagas like *Hávarðar*, do we see a belief in this noble and above all independent lineage as forming the basis of Icelandic society, a lineage that, even in the thirteenth century and beyond, still reflects what it means to be Icelandic.

With this in mind, we shall attempt to extract the 'instructive, ethical aim' of *Hávarðar* and give it its real voice. Beneath its rough surface lies a largely unexplored well of meaning, and a deeply political text: a careful examination of the Commonwealth's delicate structure, and not merely a pastiche or ironic send-up of the saga genre. The saga's essential structure is an insightful commentary on the overbearing, individualistic pride that characterised men like Þorbjörn, and the dangers of such 'big men' who in the waning days of Icelandic independence conducted themselves as lords rather than leaders. The events of *Hávarðar* are not so much a comedy of absolute good triumphing over absolute evil, but a commedia in which a community vindicates itself. To this end, the sagaman very consciously plays with and at times subverts the stock tropes and expectations of his audience to pose a critical examination of the systemic weakness of the Commonwealth. The saga asks questions of the relationship between individual and society, the role and form of heroism, and the potential for wider social damage caused by the clashes of strong, irreconcilable personalities. We shall also look closely at the decision of the sagaman to take as his heroes the typically most vulnerable figures of Icelandic society – the very old and the very young – and whether this is solely a moment of comedic irony, as has been long believed, or a commentary on the fundamental nature of the rights of the community and the relationship between strong and weak. In doing so, we shall
hopefully also rehabilitate a saga text long thought to be lacking in merit, if ’fluently written and entertaining’.128

Óláfr, Þorbjörn, and the Nature of Heroism

Both Gehl and Andersson examine Hávarðar in the context of what they see as a traditional ethos of heroism. Where Gehl sees the saga as one of the purest representations of this old style, Andersson, however, criticises what he sees as ’well-worn conventions’, saying of the saga that ’it is difficult to see in Hávarðar a serious embodiment of a venerable ideal.’129 Hávarðr’s connection with older ideals of heroism seems improbable to Andersson given the exaggerated circumstances of his seemingly-miraculous regeneration, and the supposed shift in character that sees a formerly cautious old man become filled with vigour and heroism exactly when the narrative demands it. In short, he is not what is expected when one thinks of a heroic, valorous character.

In this, Andersson is not entirely wrong. Hávarðr doesn’t look like an old-fashioned hero: if anyone does, it is Óláfr. Where Hávarðr appears content to keep to his own business and avoid Þorbjörn, his son is strong-willed, and goes out of his way to assist the farmers of his district, finding and returning the herds when no other man could do so. He is not one to shy away from danger, whether that means refusing to flee before the approach of Þorbjörn, or wrestling a draugr not once, but twice. Indeed, while it may not be the same sort of heroism as Sigurðr’s or Beowulf’s, even

128 Ibid., xxii.
129 Gehl, ’Ruhm und Ehre bei den Nordgermanen,’ 7; Andersson, ’The Displacement of the Heroic Ideal in the Family Sagas,’ 582.
Óláfr’s selfless rescue of the herds is nonetheless of critical importance to the district. What seems like merely another good deed would, to an Icelandic audience, be much more: in his study of fodder and grass utilisation in Iceland, Sturla Fridriksson proposed that approximately nine sheep were required to feed and sustain one average Icelandic.130 Thus, when the young son of Hávarðr takes it upon himself to find the missing herds, he is single-handedly saving his district from almost certain famine.

Everything about Óláfr is a testament to his formation by his parents: his upstanding nature and heroic impulses, and his manful defence against verbal and physical attack from his enemies. Outnumbered in his final moments, Óláfr acquits himself so well, killing one and sorely wounding two others, that his reputation soars even in death. Even Þorbjörn acknowledges his valour:

Spyrjask nú þessi tíðendi um allan Ísafjarð, ok þótti öllum inn mesti skáði at Óláfi með þeirri vörn, er menn heyrðu hann haft hafa; för Þorbirni ok vel, at hann sagði jafnt frá sem farit hafði ok bar vel Óláfi soguna.131

Herein lies the complication, however. Óláfr stands by himself among the Ísfjarðar, Óláfr bears all the signs of an older heroic ethos, and Óláfr dies. There exists in Óláfr a struggle to balance the demands of an older ethos with the realities of the more modern society he inhabits. Andersson strikes close to Óláfr when he notes:

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131 Háv, 307. ‘This news was now reported all around Ísaþjoðr, and everyone thought Óláfr was the greatest loss, when men heard of the defence he had put up. Þorbjörn also behaved well, in that he said just how things had fared, and supported Óláfr well in the story.’
The situation of the Germanic hero is morally simple. The situation of the saga hero is more complicated; his morality does not lie in the adherence to a few rigid principles but in his social instincts and his response to various social contingencies. He lives in a world of interaction and of limitations imposed by society on individual assertiveness. The highest values in this society are flexibility and moderation.\(^{132}\)

The young Óláfr’s fatal flaw lies in his inability to reconcile these complications in the final instance. Although moderate to a point, his sense of personal honour precludes the necessary flexibility, and his social instincts are not yet as fully developed as those of, for example, his father. When Hávarðr expresses his desire to move further away from Þorbjǫrn, Óláfr only consents out of respect for his parent’s wishes. While we shall examine the possible motive behind Hávarðr’s suggestion in more detail below, for the time it is worth noting Óláfr’s own perception of the move’s implication: ‘Litit er mér um at hafa þat í yfirbœtr at flýja fyrir Þorbirni, en þó vil ek, at þú ráðir...’\(^{133}\)

Indeed, like Gunnar Hámundarson or Björn Arngeirsson, Óláfr will walk into clear danger outnumbered rather than be seen to retreat. In his final words to Sigriðr, Óláfr heroically remarks that while he seeks no quarrel with Þorbjǫrn, ‘mun ek ok skammt renna fyrir honum einum’, and that should they meet, ‘skaltu nökkut hraustligt eiga til at spyrja, ef þess þarf.’\(^{134}\)

\(^{132}\)Andersson, ‘The Displacement of the Heroic Ideal in the Family Sagas,’ 593.

\(^{133}\)Háv, 302. ‘It is little consolation for me to flee from Þorbjǫrn, but nevertheless I want you to decide...’

\(^{134}\)Háv, 305. ‘And I will (only) run a short distance from him alone’ [ed: ‘I will not run far from him alone’]; ‘you shall have something bold to hear about, if necessary.’
It is significant then that Óláfr is surrounded by a pattern of heroic motifs and actions. Rather than being simple, stock adornments to a flat character and a simple tale, Óláfr’s penchant for verse, his repeated battles with the draugr Þormóðr, and especially his strange relationship with the mysterious Sigriðr firmly set him up as a heroic character not entirely at home in the mundane realities of Icelandic farming life. As a result of this characterisation, his tragic fall serves two purposes: firstly, to portray fully the depth of Þorbjörn’s unfairness and his pride, which brooks nothing but absolute deference to his perceived, almost aristocratic self-ideal, and secondly, in his avenging by Hávarðr, to form the central interrogation of the nature of heroes and society in a vulnerable, struggling contemporary Iceland.

In this light, it would perhaps be unfair to say the sagaman treats Óláfr harshly. His deeds and even his death are praised, and his courage, comparable to Gunnarr’s or Björn’s, certainly speaks for itself. He, like his father, has a strict moral code, and their shared preternatural ability to compose verse on the spot is indicative of an heroic nature. Although he has not achieved his father’s understanding of the complexities of social relationships on the district level, this seems to be a function of his age rather than purely the sort of bull-headedness that will lead other Icelandic warrior-heroes, like Grettir or Egill, into trouble. Although he is technically an adult, the reader is more than once reminded of his relative youth, including one pointed mention in his final conversation with Sigriðr prior to his fatal encounter with Þorbjörn. Remarking on Óláfr’s refusal to avoid meeting the man, Sigriðr remarks ‘þetta er hraustliga mælt, at þú áttján vetra myndir eigi undan leita þeim manni, er jafnvígr er hverjum
We are also told that his youth lacked the usual parental difficulties and temperament of those aforementioned old-fashioned heroes. In contrast, Óláfr was mild, well-behaved, and his relationship to his parents was not combative in the slightest – indeed, it was almost doting: ‘þau Hávarðr ok Bjargey unnu Óláfi miki; hann var þeim ok hlýðinn ok auðráðr.’

By all accounts, Óláfr truly seemed to be living up to his reputation as a promising young man, and if given the opportunity, it is likely he would have grown to be a leading man in his district. He is, as it were, cut off in his prime, never given a chance to acquire the social wisdom of his father, or to temper his otherwise commendable sense of honour with a broader awareness of its place, and the role of his actions, as being set within the matrix of relationships that constitutes district life. Although tragic, it is in some ways an inevitable death, given the character of Óláfr’s opponent; indeed, it is the linchpin in the sagaman’s construction of Þorbjǫrn that he cannot bear such an outstanding and essentially lovable man as a near neighbour and constant point of comparison. In addition to providing Hávarðr’s motivation, the slaying of Óláfr serves to bring into sharp focus the behaviour of Þorbjǫrn, and the threat that this reckless chieftain poses to the very ideals that form the foundation of Commonwealth-era ethos.

Þorbjǫrn’s conduct towards those who are supposed to look to him for support, and his expectation for their behaviour echoes and even exceeds the most negative stereotypes of the godi, whose ambitions and feuds often left the bondi class as collateral damage. In commenting on the options for less influential or wealthy bœndr

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135 Háv, 304-5. ‘That is boldly spoken, that you, at eighteen winters [of age], would not flee from that man, who is equal in combat to any man...’
136 Ibid., 292. ‘Hávarðr and Bjargey loved Óláfr greatly; he was to them both obedient and yielding.’
for recourse in the face of ill-treatment from one's godi, Miller refers to a hierarchy of behaviours, the most basic of which were avoidance and 'lumping it'. Overbearing saga chieftains, clearly expects those around him to turn to 'lumping it' in the face of his behaviour, and by and large the families of his district see this as their only alternative. He certainly considers the aged Havarðr to pose no threat, and so feels he is free from any need to pay compensation in the wake of Óláfr's death. In this self-assurance that he will not be taken to account legally for those he has slain, parallels may be drawn to the more famous Hrafnkell freysgodi, but even here, Þorbjörn far outstrips his counterpart in unfairness, refusing even to make a serious offer of compensation. This is perhaps why Þorbjörn has often been viewed as simply archetypically evil – his behaviour makes him seem almost larger than life, when considered as a representation of Icelandic godi-thood gone wrong.

Of course, Þorbjörn must be somewhat larger than life; his unfairness must be complete, and there must be no room for his redemption or any chance of reason prevailing. Through Þorbjörn, the sagaman is making a much deeper statement about power. Let us return briefly to Hrafnkell: here, both men seem to believe in a higher authority than the law, but the nature of this authority ultimately differs. Unlike Hrafnkell, Þorbjörn's proud refusal to temper his actions or compensate those he harms is not bolstered by belief in the unwavering support of a god. He does not express even the most basic awareness of the social repercussions of his actions. Instead, his sense of entitlement and self-assurance comes from overweening personal arrogance. This difference means that while Hrafnkell is able to see the sense in

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137 Miller, Bloodtaking and Peacemaking, 244-5
138 As we shall see, there is at least a suggestion Þorbjörn believes himself to be protected by some supernatural influence. However, his behaviour does not substantially change following Sigriðr's departure.
reform following his exile, Þorbjörn’s belief in his own inviolability will not be set aside. Þorbjörn perceives himself as occupying the role of something beyond a simple goði, and the sagaman plays on this in his construction of the society of Ísafjarðar as being somewhere between the standard goði–bondi relationship and an earlier, settlement-era structure. Notably, the word goði is never once used to describe Þorbjörn, and of the bondi class it is said only that ’váru þeir einir bœndr í þenna tíma í Ísafirði, er landnámamenn váru.’ Yet Þorbjörn is a chieftain, hofðingi mikill, and the other farmers are bound to him as such and treat him as their chieftain.

Yet, while Þorbjörn certainly embodies all of the negative possibilities of a chieftain, he also notably lacks even the most basic positive traits, as made clear by Þorgerðr of Bakki when she seeks out Hávarðr’s aid in dealing with the draugr of her husband. Upon being asked why she had not sought out her chieftain, whose duty it is to aid his followers, she remarks ’einskis góðs vænti ek þangat; læt ek vel yfir, ef hann gerir méð ekki illt.’ Although he holds a position of power in Ísafjarðar, then, it is clear Þorbjörn holds his authority purely through his own oppressive power, not through any good or even practical qualities of positive leadership. His relationship to the Ísfirðingar is that of a tyrant: Þorbjörn demands absolute deference, treats those around him as resources for his own household, places himself above the law, and cements his authority with the threat of force, rather than by carrying out the duties expected of a goði. He rewards service, but only when deference is clearly maintained: Óláfr’s deeds, and his relationship with the mysterious housekeeper Sigriðr, transgress this boundary, challenging Þorbjörn.

139 Háv, 302. ’They [Hávarðar and his family] were the only bœndr in Ísafjarðr, who were settlers.’
140 Háv, 298. ’I expect no good from there; I’ll be well done by, if he does me no ill.’
At least part of the danger for Óláfr stems from his rising reputation as the person to go to in Ísafjörður for help. As Óláfr’s star rises, so does Þorbjörn’s ire:

'gerðisk hann nú svá vinsæll af byggðarmönnum, at allir biðja honum góðs útan Þorbjörn; hann grimmask við hann fyrir allt saman, þat er aðrir lofa hann...' Yet, as his fame grows, so too does the sense that Óláfr in some way stands apart from the rest of the district, ultimately thrown into sharp relief in his dealings with the monstrous Þormóðr. Indeed, Óláfr’s first battle with the draugr exists on a level with that of Grettir against Glám, or Beowulf and Grendel. There are minor differences in the latter case, but these midnight wrestling contests against monstrous opponents share the same formulaic sequence. We may best describe the pattern as follows, with occasional notes:

1) hero is alerted to an otherworldly predator making destructive nightly visits to the hall

2) hero pledges support and journeys to hall

3) the approach of night causes hero’s host(s) to flee from the main hall, where the hero abides either alone (Gret/Háv) or some distance from his band (Beo)

4) with hero feigning sleep, predator enters hall by cover of night and is fooled by the ruse

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141 Háv, 296. ‘He was now so popular among the local men, that all wished him well except Þorbjörn; he became furious with him for everything, which others praised him for...’
5) predator’s attempt to claim hero is stymied when he realises his opponent’s strength, either by struggle to remove a blanket, which tears (Gret/Háv), or when opponent leaps up to meet his grip (Beo)

6) opponents wrestle, and predator is unable to escape, though he might explicitly wish to (Gret/Beo); the fighting pair may tumble outside into the yard (Gret/Háv)

7) predator is driven out of the hall; if not killed (Gret), he will flee sorely wounded either to his immediate demise (Beo) or eventual undoing (Háv)

No little ink has been spilled over the connection between Grettir and Beowulf, most notably in Chambers’s introduction, but also by Joan Turville-Petre and, more recently, Andy Orchard. It would not be unfair to say there has by now been a certain amount of critical exhaustion over the question of their relationship, and this is not the place to revisit it. Our hope here is to recognise the type of scene, and how the setting and action as such characterise the hero. This is important for the construction of Óláfr himself and the audience’s reading of that construction. Unsurprisingly, given their proximity in time and location, the similarities between Grettir’s contest and Óláfr’s are much closer. Both sagamen even seem to use the same, perhaps stock phrases, to describe the events, as with the torn blanket, or the word-for-word repetition of ‘Ljós brann í skálanum...’ to set the stage. It would

143 Grettis, 119; Háv, 298. ‘Light burned in the hall’
certainly not be beyond reason to suggest that the one influenced the other, given the similarities and the popularity of Grettis saga.\textsuperscript{144} At the very least, we can say with some certainty the two appear to originate from the same monster-hunter tale type, with all of its literary topoi.

There is then a conscious decision on the sagaman's part to associate his young hero with the famous Grettir, and through him with the tradition of monster hunters. As we know from Grettis saga, however, this association is both a blessing and a curse, enhancing one's reputation, but inviting uncertainty and even fear. The life of the monster hunter is after all a solitary one, existing in the liminal space between the civilised world of men and the shadowy wilderness inhabited by the monsters.\textsuperscript{145} While such deeds are explicitly praised by the community, they do not translate well into the more mundane life of the real world, and the exceptional strength and strong will of these heroes has equal potential for social disruption. There is perhaps some insight, then, in the arrogant declaration of Vakr, reacting to his kinsman’s compliments on Óláfr's handling of the draugr problem: 'Hræddr hefir þú orðit, er þú lofar glóp þenna; mun þat hans fremð mest at fásk við áptrgongumenn.'\textsuperscript{146} While it may seem odd to dismiss out of hand a man who can wrestle revenants, the point remains: the monster hunter's life is out of step with that of Icelandic reality.

Of course, as seen in the rescue of the flocks, Óláfr's reputation is not solely derived from the isolating feats of the monster hunter; here he positions himself as a

\textsuperscript{144} While it is not impossible that, alternatively, the sagaman of Grettis drew from Hávarðar and not vice-versa, it seems unlikely, both in light of the aforementioned cultural significance of the former, and the questions of dating for both sagas.


\textsuperscript{146} Háv. 302. 'You have become afraid, when you praise that fool – most of his fame will come from dealing with revenants.'
valuable member of district life. The problem for Óláfr lies in balancing the conflicting demands of that district life with a personal ethos, informed by older heroic notions of individual action which will lead him into conflict with Þorbjørn. Andersson illuminates the incompatibility of these two ideals when he notes:

The difference between the heroic ethic and the morality of the family sagas is perhaps to be explained by the supposition that the heroic lays reflect the values of a warrior class while the sagas reflect the values of Icelandic society at large. A warrior class allows some scope for individual aggressiveness, a normal society does so to a lesser degree. The family sagas, despite all the heroic modes and gestures borrowed from tradition, portray a normal society. They tell the stories of strong individuals who disrupt the social fabric, but despite the respect paid many of these strong personalities, the sagas are ultimately opposed to social disruption.¹⁴⁷

Óláfr may to an extent show signs of the family saga morality – certainly he is capable of action within the confines of normal society and winning esteem for it – but the large part of his action is subsumed in this heroic ethic. Perhaps it is a function of his youth that he is inflexible and headstrong, unwilling or unable to see the danger of his exchanges with Þorbjørn. Perhaps, like so many other young men of the family sagas, he might have found an outlet for his aggression abroad and returned home better equipped and better advised to deal with the troublesome Þjóðrekssons. Perhaps, had he better understood his father’s reasons for moving nearer to the power

¹⁴⁷ Andersson, 'The Displacement of the Heroic Ideal in the Family Sagas,' 593.
base represented by his kingroup, he might have seen the wisdom in Sigriðr's plea for avoidance, and met Þorbjorn on more favourable terms. Perhaps, had he turned to the community, this well-loved young man might have found allies and garnered support in opposing the ójafnadarmanaðr. Such is not the life destined for Óláfr, however; his courage, however heroic, is tragically outmatched by the stronger and more aggressive Þorbjorn and his supporters.

**Sigriðr's 'Spell'**

The crisis between Óláfr and Þorbjorn ultimately comes to a head in their conflicting relationships to, and interests in, Sigriðr – though perhaps it might be fairer to say it is her interests in them. Initially, Þorbjorn is more than willing to praise Óláfr. It is only when his troublesome kinsman Vakr implies some interest in Óláfr on Sigriðr's part the trouble begins. Rumours of seduction are spread as a result of Vakr's ill counsel, and Þorbjorn's aforementioned anger at the young man's growing fame is compounded by other reports: '...ok þat er hann heyrir talat um byggðina um þangatkvámur hans til fundar við Sigriði.'\(^{148}\) We are informed early in the saga of Þorbjorn's habit of taking young women from families around the district, and of how he treats them: 'hann tók dœtr manna eða frændkonur ok hafði við hónn sér nokkura stund ok sendi síðan heim...'\(^{149}\) In doing so with Sigriðr, Þorbjorn also takes control of her many possessions, and insists these 'standa fyrir henni ok ekki fram ganga'\(^{150}\) while

\(^{148}\) Háv, 296. '...and that he heard of [Óláfr's] journeys to meet Sigriðr talked about around the settlement.'

\(^{149}\) Ibid., 291. 'He took the daughters or kinswomen of men and had them "to hand" for some time, and afterwards sent them home.'

\(^{150}\) Ibid. 'be kept for her and not go out from there (in lending)'
she remains with him, in effect taking on the typical role of male guardian over a young, unmarried woman. Although, as Jochens notes, Þorbjörn has no legal rights over who may or may not see Sigríðr,\(^\text{151}\) he is perfectly willing here, as we have seen elsewhere, to disregard the law when it inconveniences him. Thus, Sigríðr’s only kinsman, Þórálfr of Lónseyri, is quickly overruled and threatened when he offers to perform his duty as guardian: ‘Þórálfr hafði boðizk til at taka við Sigríði ok ávaxta fé hennar, en Þorbjörn vildi þat ekki ok sýndi þar um enn ójafnað sinn ok bað hann ekki orð til leggja.’\(^\text{152}\)

It seems unlikely that Þorbjörn’s enmity towards Óláfr stems entirely from a desire to control Sigríðr’s wealth, however. Þorbjörn has, through the threat of force, become Sigríðr’s *de facto* guardian, and his position is unassailable while she remains at Laugaból. In order to marry Sigríðr and claim her possessions, Óláfr would have to go through Þorbjörn, and it is highly unlikely that Þorbjörn would permit such a match. Nonetheless, the rumours of seduction disquiet Þorbjörn; his interest is in Sigríðr herself, and not merely her wealth. We may at first be tempted to see in this a sexual interest in Sigríðr – after all, the sagaman makes it clear that Þorbjörn is prone to abducting young women, keeping them for his enjoyment, and then sending them back home again.

Even this seems an incomplete explanation, however. Doubtless there is a sexual or romantic aspect to his interest in her; the farmers of the district certainly read the matter as such. Thus, when it becomes clear Þorbjörn has no designs on


\(^{152}\) Háv, 294. ‘Þórálfr had offered to take in Sigríðr and increase her assets (through interest), but Þorbjörn did not want that, and showed his ójafnaðr behaviour there once more, and ordered him not to speak about it (ever again).’
marrying her, having arranged a match with the sister of Gest Oddleifsson, her relatives finally take her from Laugaból, and along with the other men of the district price her goods for lending. Yet in spite of his marriage and his publicly-sworn agreement to deal fairly with the men and women of his district, Þorður promises hard treatment to those involved in her decision to leave his household. That one of these men should happen to be Óláfr seems to be the last straw, as Sigríðr herself notes: ‘hefir lengi fátt verit með ykkr, en þó ætla ek, at nú hafi ekki um batnat, er þér virðuð mér féit á Laugabóli.’

The final encounter between Óláfr and Þorður has been called by Jochens an example of ‘the old topos’ of the illicit love visit, albeit having ‘undergone interesting changes’, and as such stands as one of only two examples ‘not accommodated within the pattern’ of this topos. Not only is Þorður’s relationship to Sigríðr substantially different from the expected guardian role, but here the violence is perpetrated towards the visitor, Óláfr, rather than by Óláfr.

To this, it may be added that Þorður lacks even the protective motivation of the usual guardian in Jochens’s topos, attempting to drive off a disreputable interloper.

· Þorður here is the interloper: as is evidenced by the presence of weapons in the prow. With the foreboding warning of Sigríðr, Þorður’s journey to Lónseyri has all the trappings of a hostile raid. Following as it does immediately from the liberation of Sigríðr and the leasing of her possessions, the role of unwelcome visitor has suddenly shifted from Óláfr to Þorður, signifying a substantive change in the dynamic not only between the two rivals, but also between both men and Sigríðr. That Þorður’s

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153 Ibid., 304. ‘there has long been little between ye, and I still think that now that has not improved, when you valued my goods at Laugaból.’
154 Jochens, ‘The Illicit Love Visit,’ 374. The other concerns the visits of Þormóðr to Þóris in Fóstbrædra saga.
raid should also follow on the heels of his own marriage further suggests that his concern over physically losing his housekeeper to Óláfr has reached a critical point.

All of this leaves the audience to ask – who is Sigríðr, and what is her real importance to Þorbjörn? Parallels may indeed be drawn to the traditional saga forbidden love plot, but beyond the note of two men coming to blows over one woman, several divergences have already been observed. Certainly, other standard topoi: the marriage in absence, the betrothal or marriage of the woman to another man, the woman choosing or being deceived into choosing the hero's rival, and so on, are absent from this example. Is Sigríðr then merely another status symbol, an extreme example of Þorbjörn doing as he pleases, in the arrogant certainty of being allowed to do so? Does he value her purely for her possessions, physical enjoyment, or for political gain? Sigríðr herself does not appear in Landnamabók, despite being in Hávarðar a woman of high birth, stórrar ættar. It is more than likely she is the sagaman's creation, as her apparently high-born family is also not mentioned in any source. Her close kinsman Þórálfr is nevertheless said to be ekki mikilmenni – not a great man – and thus likely not of the same stock as she, adding further mystery to her origins. Aside from Þórálfr, we have nothing and no one to connect to Sigríðr – she appears from nowhere, and will disappear again, never to be found.

Sigríðr demands analysis for her role in setting the stage for the saga's feud between Hávarðr's kin and supporters and the Þjóðrekssons. Yet, she remains an elusive character, ill-defined with only a few lines of speech, the longest and most important of which is the warning that accompanies her plea to Óláfr, and carries with it implications of prophecy not only as to his fate, but to her own. With so much left unsaid, it is understandably tempting to see something more in Sigríðr than a
character created purely to be the object of Óláfr’s romantic attention. Her very existence ties the young man’s fate to her, as it does Þorbjörn’s, and the mystery surrounding her circumstances piques the imagination. Is there perhaps something supernatural about the mysterious Sigriðr? In a saga saturated with veiled references to the supernatural, Sigriðr almost invites such a reading of herself. Her mysterious entrance and exit, her desire to protect Óláfr and the means by which she communicates this, and Þorbjörn’s fascination with her at the very least raise the suggestion of a woman beyond a normal housekeeper.

Of course, the saga critic must be cautious in offering such a reading, mindful that an implication of the supernatural need not be construed as an explicit acknowledgement of it. With the notable exception of Hávarðr's regeneration, which we will treat in depth later, none of the possibly 'magical' moments or characters transgress the usual understated and indirect treatment of the supernatural that is the norm among saga narrators. That is to say, there is nothing so blatantly magical or miraculous within Hávarðar as to deny alternative explanation. The sagaman here, as with his more apparently accomplished peers, keeps his miracles mundane, his prophecies as predictions, and even his described witches are more the stuff of hearsay and accusation than magic. Implications abound, but in his cautious way, the sagaman ensures it is his audience making the assertions and shaping the narrative. It is tempting, for example, to follow the usual reading of divine aid in Hávarðr's final battle with Þorbjörn, that the Christian God, hearing the hero's prayer, causes his foe to slip:
Ok er Hávarðar sér þat, kom honum í hug, at hann hafði heyr sagt útan ór lóndum, at þar var annarr siðr boðaðr en norðr í lónd, ok með því ef nökkurk kynni honum þat at segja, at sú trúa væri betri ok fegri, þá skyldi hann því trúa, ef hann sigraði Þorbjǫrn ... Ok er Þorbjǫrn ætlaði at kasta steininum, skruppu honum færtnir, ok varð honum á hát á grjótinu, svá at hann fell á bak aprt, en steinninn fellr ofan á bringspalir honum, ok verðr honum ósvipt við.\textsuperscript{155}

Equally likely, however, is the much more mundane explanation that Þorbjǫrn, exhausted from swimming and trying to take his stand on an uneven outcropping of rocks in the sea, lost his footing on the wet and likely seaweed-covered stone while trying to balance his own weight and that of the rock he was trying to hurl at Hávarðr. Add to this the weight of sodden clothing, hanging wargear, and a heavy load being swung over one’s head, and the average Icelander might be more inclined to see an unwise foot placement or even mere ill luck as the cause of Þorbjǫrn’s slip; the Hand of God need not even give him a poke, much less a shove.

In the hyper-realistic framework of a family saga, the deployment of even a hint of the supernatural is jarring: this is part of its intended effect. In confronting such moments, the viewer must engage with the implication: is divine power acting here, and does that mean Þorbjǫrn’s demise is not only divinely approved, but mandated? Similarly, to what extent do Bjargey’s ‘prophecies’ represent actual prophetic statements, the result of supernatural vision of the future, as opposed to the sort of

\textsuperscript{155} Háv, 326. 'And when Hávarðr saw that, it came to his mind that he had heard it said that there was another religion proclaimed abroad, different from the one in the northern lands, and if anyone were able to tell him that this faith was better and fairer, then he would believe in it, if he overcame Þorbjǫrn...And when Þorbjǫrn intended to cast the stone, his feet slipped, and it was slippery for him on the stones, so that he fell onto his back, and the stone fell onto his chest, and stunned him.' [ed: lit. 'he became stunned/stunted by it]
informed predictions that Miller sees the famous Njáll deploying? In both cases, resolution occurs exactly along the lines of the prophecy-prediction, and while Bjargey lacks Njáll's reputation for second sight, her strange behaviour with Þorbjörn and her preparation for the vengeance, spanning several years, adds a certain gravity to her prediction. Of course, the word 'prophecy' is never used, by her or the narrator, and as with the aforementioned example of Njáll, a sceptical reader might point out she is banking on her carefully calculated behaviour and her appropriation of almost gnomic language to create a prediction from the raw materials of observation and suggestion. Rebuked by Þorbjörn, Hávarðr is already seething, and, in spite of his age and injury, each encounter with his foe brings with it an increased level of what a modern reader might call adrenaline. The groundwork is being laid, with kin and potential allies secured; considering his reputation, it is not unreasonable to assume Þorbjörn will soon bring himself to bay – cut off from all but his own, relatively small, affinity. All Bjargey will need to do then is give her husband her final approval in the form of a subtle push. If some think it a prophecy, all the better: it merely means that Þorbjörn's death and the avenging of Óláfr will be seen as fate.

Nevertheless, even the most sceptical reading of Hávarðar must deal with the real possibility of supernatural influence in moments like these, be it bag-waving, well-timed prayer, viewing remote objects, or mysterious disappearances. The narrator himself stands at the usual remove from the action – reporting the reports, as it were – never lending his weight one way or another to whether these implications are to be believed. This ambiguity when dealing with the supernatural serves to heighten

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narrative tension, drawing the attention of the reader to specific, important moments while never losing the storyteller’s insight that the mysterious only retains its power while it retains its mystery, ironically aided by the relatively high degree of realism and detachment required of the islendingasögur mode.\textsuperscript{157} How these supernatural elements are interpreted, and what questions are raised, will in turn affect the interpretation of the overall narrative. As such, the viewer should turn a critical eye to the broader narrative significance of such ambiguity.

In a saga saturated with the suggestion of the supernatural, we should recognise elements of Sigriðr's character as reminiscent of certain fornaldarsögur figures. Her name, composed of the elements sig (battle) and fríð (beautiful) may conceal a valkyrie-like character, especially in the context of her mysterious origins, and Þorbjörn’s fixation with controlling access to her and keeping her in charge of his household. Hilda Roderick Ellis certainly proposes the existence of a class of supernatural women as protective spirits, more appropriately called disir, but embodying the same conception.\textsuperscript{158} These supernatural women guard the lives and fortunes of the households or men they favour or to which they are bound. They can be mortal, as Brynhildr or the famous valkyrie Sigrún, wife of Helgi. They can also be kept regardless of their will, if one holds their possessions. We can see this in the Völundarkviða, where the mortal valkyries Ólrun, Hlaðgudr, and Hervör, daughters of King Hlöðvé, are brought home by three brothers who find them spinning linen by a

\textsuperscript{157} It is of course worth noting that 'saga realism' does not map directly onto modern ideas of realism: draugar and fylgjar for example, are less of a problem for the original audience – even a Christian or sceptical one – than they would be for a modern reader. Even laying aside questions of consensus on their existence, as purely literary devices these familiar scenes exist to advance the narrative. As with Óláfr’s draugr trial, they invite comparison with other saga episodes and figures, allow for character development, and increase narrative tension.

\textsuperscript{158} Hilda Roderick Ellis, The Road to Hel: A Study of the Conception of the Dead in Old Norse Literature (New York: Greenwood Press, 1968), 134-5.
lakeside, having taken their magical swan cloaks. If we see her in this light, Þorbjörn's relationship with Sigriðr makes sense. By his own admission, he has been in many battles, and killed many men, always won, and never paid compensation. If Sigriðr's supernatural qualities have been protecting him and his house, a sudden change in her allegiance to Óláfr is a threat. Now, Óláfr's heroic deeds, such as his battle with the evil spirit Þormóðr, are no longer cause for Þorbjörn to praise the young man, but a source of suspicion.

Perhaps the best argument for for Sigriðr's supernatural nature is in her strange prophecy to Óláfr shortly before his death, her final words, and her odd disappearance. Þorbjörn has been away on an errand when Óláfr, driving his errant flock towards home, meets Sigriðr at Laugaból. The reader is told little of their discussion, until Sigriðr suddenly remarks:

.Skip ferr þar handan yfir fjǫrðinn, ok sé ek görla, at þar er Þorbjörn Þjóðreksson ok Vakr, frændi hans; ek sé, at vápn þeira liggja í stafni fram. Þar er ok Gunnlogi, sverðit Þorbjarnar, ok er annathvárt, at hann hefir illt gõrt, eða ætlar hann, ok vil ek, Óláfr, at þú finnir ekki Þorbjörn... 159

The detailed nature of Sigriðr's viewing implies this is no simple gaze; its similarity to other instances of what Boberg terms the motif of 'm[agical] power to see distant

159 Háv, 304. 'A ship comes over the fjǫrð there from beyond, and I see fully/clearly, that Þorbjörn Þjóðreksson is there, and Vak his kinsman; I see, that their weapons lie there in the front of the prow. There is Warflame, Þorbjörn's sword, and it is either that he has done ill, or he intends to. And I wish, Óláfr, that you not find Þorbjörn...'
objects' suggests a supernatural gift. In observing this motif in *Landnámabók, Hrólf's saga kraka*, and *Porsteins saga Vikingssonar*, Boberg’s examples appear to associate the viewer's vision with an innate ability or affinity for seiðr specifically. In *Hrólf's saga*, the viewer is the völva Heiðr, whose powers are used to locate the two boys sought by Fróði. In *Porsteins saga* it is Ógautan, an ominous figure who, while male, is nonetheless in possession of a magic bag reminiscent of a völva's skin-bag or indeed the 'certain' bag Bjargey waves at Þorbjörn, which leaves him in a distinctly uncomfortable state of mind. Ógautan arrives with his similarly named compatriot Gautan, his origin and history is unknown, and he will, like Heiðr, use his supernal vision to locate two fugitives:

Ógautan mælti þá: Þú ert bráðlátr, Jökull, því at ek er nývaknaðr, en þó má ek segja þér til Vikingssonar. Þú munt vita, hvar vatn þat er, sem Vænir heitir. Þar stendr í hólmr ok skáli. Þar eru þeir Vikingssynir.\(^{161}\)

There is of course no way of being certain Ógautan arrived at this information by magical means, aside from his own attempts at making it appear so with his bag and his demand to be left undisturbed for three days. Like Sigríðr, Ógautan's knowledge can be explained in more mundane ways, but also like Sigríðr, there is just enough of a whiff of the otherworld about him and his 'vision' to raise the question.

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\(^{161}\) *PorV*, 411. ‘Ógautan then said, “You are impatient, Jökull, for I am newly-awoken, but yet I may tell you about the Vikingssons. You will know where that lake is, which is called Vænir. An island stands there, and a hall. There are the Vikingssons.”’
In keeping with the more indirect and sceptical portrayal of alleged or implied magic-users in the *Íslendingasögur*, Sigríðr’s vision is just beyond the normal, both literally (the distance of her sight a fjörd) and in its narrative action: there being no trances, no bags, no empowering solitude. It is nevertheless remarkable she should be able to, at such a distance, recognise not only the passengers, but their equipment and even their moods. While a suitably non-magical explanation may be offered (being familiar with the household, she recognises the ship, and with recent events in mind she may make an educated guess as to its purpose), it is the ambiguity that becomes important, supplemented by her fey parting with Óláfr and her subsequent disappearance not only from the saga, but apparently from Iceland itself. Along with Bjargey’s later prediction and Atli’s dream, Sigríðr’s sight suggestively implies a degree of prophecy about both of them: “...en ef vér finnumsk, skaltu nokkut hraustligt eiga til at spyrja, ef þess þarf.” Sigríðr svarar ok kvezk ekki mundu at spyrja.’

The Durrenbergers follow the traditional route of translating Sigríðr’s response as 'Sigríður answers and says she will not ask'. It is worth noting however that *spyrja* may also be understood as 'to hear of, be told about' or 'to discover, learn', as for example it is used when the news of Óláfr’s slaying makes its way around the district. Here, such a reading adds an ominous image of Sigríðr replying to the boast only by telling her young man 'I won't hear it' (i.e., I will be gone/dead). It may seem a small distinction, but the ambiguity of the reply serves to heighten the overall tension of an already ambiguous scene on Sigríðr’s part. Read this way, Óláfr’s imminent demise is

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162 Háv, 305. ‘...but if we find each other, you shall have a valiant thing to ask/hear about, if that is needed.” Sigríður answers and says she will not hear/ask.'
extended to encompass Sigriðr herself – if he goes now, she will not survive to hear of his conduct.

Following their parting, Sigriðr apparently leaves the saga, but when and how she does is a matter the narrator remains tight-lipped about. The last connection anyone has to a living Sigriðr is, pointedly, her last meeting with the then-living Óláfr, news that apparently bodes ill for Þorbjörn:

Þorbjörn kom á Lónseyri ok spurði at Sigriði. Honum var sagt, at hon hefði ekki fundizk, síðan hon gekk í brott með Óláfi um morguninn hin. Var hennar þar viða leitat, ok er svá sagt, at aldri fannsk hon síðan. Fór Þorbjörn þá heim ok settisk um kýrrt í búi sínu.163

Both Sigriðr's sudden disappearance, indicative of her death, and Þorbjörn's uncharacteristically subdued response to this news are telling, the mysterious circumstances only raising further questions about Sigriðr and her role in this tripartite relationship. The audience may, as Jochens does, see in this tragic relationship the influence of courtly French poetry and continental romances164, as was likely the case. However, the northern sources cannot be ignored, particularly if we consider the probable response of the original audience. Even with the addition of foreign influence and motifs the relationship between Óláfr and Sigriðr in particular evokes comparisons to the doomed lovers of the islendingasögur and fornaldarsögur. Just as Bergþóra and Signý echo each other in their insistence on the rightness of

163 Ibid., 307. 'Þorbjörn went to Lónseyri, and asked after Sigriðr. It was said to him, that she had not been found, after she went away with Óláfr in the morning. She was widely looked for, but such was said, that never after was she found. Þorbjörn then went home and sat quietly in his house.'
164 Jochens, 'The Illicit Love Visit,' 374.
dying with their husbands (despite their vastly different circumstances), the audience might naturally hear faint echoes of Sigrún and Helgi in their tragic union culminating in the hero’s howe as Sigríðr follows the young hero out of the saga only a few paragraphs after his death.

By further heightening the tension and shock surrounding the death of Óláfr, who was until his death a rising star in Ísafjörður, the sagaman intensifies public disquiet and antipathy surrounding Þorbjörn. Þorbjörn is rapidly becoming a man of such arrogance and ill-will that he cannot be contained by society, an ójafnaðarmaðr in extremis. It is not that he is simply overreaching, as overbearing leaders often do, but that his conception of his own entitlements has reached a critical point. The ultimate check on individual ambition comes from one's peers, roughly equal to the party in question who, as a result of their own ambition, will step in and attempt to limit both too great an ambition and the obvious flouting of the social contract – preferably improving their own standing and influence in the process. The internecine feuding of a district's leading affinities and the destruction of those who are starting to reach too high is in its complex way one of society's many tools at maintaining an apparently even social order, and as such it is what drives the action of the islendingasögur. In this case, however, there are apparently no other parties locally willing or capable of rivalling the Þjóðrekssons. There is no obvious avenger to take up this particular feud; the narrator has gone to lengths to show his audience the effects of Hávarðr’s age and injuries.

The resultant void leaves the district in a precarious situation: Óláfr was the only character in the first portion of the saga with the potential of checking Þorbjörn. As the first narrative arc ends, it leaves an unresolved tension between an aggressive
individual power attempting to assert complete mastery over a district and a community that must either find the means to resist in some measure, or acknowledge a complete dependence on that individual and accept absolute subordination to him. Having acknowledged that Hávarðar is the least likely person to take up the feud, the responsibility nevertheless must devolve on him. His return to the world of feud and local politics does not merely escalate the feud but expands it; at least, as we shall see, on one side.

**Old Age and Vengeance**

That the sagaman should choose as his subject a local story about an aged father avenging his promising young son reflects a conscious departure from the norm of 'promising young man builds reputation for himself'. At first glance, Hávarðr seems hardly suited to the protagonist's role of grappling with Þorbjǫrn and vindicating the district. The saga's opening chapters would seem to be preparing an audience for the saga of Óláfr, charting his life from youth to fame and the many conflicts he stumbles into, à la Egill or (more likely, given his easier nature) Óláfr pái. Oddly missing, however, are the usual saga elements of the early genealogy from the noble ancestor down to the saga's central figure: Hávarðar's brief father-son genealogy tells us little of the titular character's ætt. Óláfr's sudden death, while not entirely unexpected, leaves the audience with only old Hávarðr as a focus, and he is hardly what they might expect.

He is, after all, despite his antecedents, a reasonably tractable, quiet old man. As Ármann Jakobsson has noted, such characters do not lend themselves well to fame:
'nice old men also need more effort to become memorable saga characters, as they are less likely to cause conflict, battle, and death – the typical ingredients of a saga narrative.'\textsuperscript{165} When old men appear in the sagas, as they do with regularity, the most memorable are Jakobsson's 'nasty old men', or else paragons of wisdom and givers of advice, like the aged Njáll or indeed the Hávarðr the reader expected to see almost from the beginning. Their action or nonaction may serve either to eulogise the dignified way in which they are still able to contribute into their twilight, or to condemn the stubborn way they hang on, providing nothing of value if the district is lucky, and chaos if it is not. These qualities however, for good or ill, are always inextricably linked to the advanced age of the character. Uniting these old men is an assumption or characterisation of weakness, an implicit statement they are essentially incapable of action.

Jakobsson points out that while the sagas themselves have relatively few 'nasty old men' in relation to the elderly as a whole, old age is still viewed negatively. When the elderly are not a source of irritation to their children and families, they are often ignored. This holds true even when, as the sagaman of \textit{Eyrbyggja saga} notes, they are dispensing useful advice:

Kerling ein gómul var í stofunni; sú var fóstra Þórodds ok þá sjónlaus; hon þótti verit hafa framsýn á fyrra aldri, en er hon eldisk, var henni virt til gamalóra, þat er hon mælti; en þat gekk þó mart eptir, sem hon sagði.\textsuperscript{166}


\textsuperscript{166} \textit{Eyrb}, 171. 'An old woman was in the house; she was the fostermother of Þórodds and was by then blind; she seemed to have been foresighted in her youth, but when she became old, that which she said was held to be dotage from her old age; but it often turned out afterwards as she said it would.'
Rarely is the physical body portrayed in such intimate detail in the *islendingasögur* as when it is highlighting the effects of age, especially when the person being described was formerly powerful or otherwise virile. Blindness and frailty are characteristic focal points, contrasting the once-vigorous man or woman with their helpless present. The most notable example of this is Egill’s self-description in verse near the end of his saga. Egill’s unusual appearance is remarked on by both the sagaman and Egill himself more than once over the course of the sagas; it is now theorised he may have presented the symptoms of Paget’s disease. Egill was never unaware of his own ugliness, but his verses on old age focus on his failing body, rather than his deformity:

Vals hefk váfúr helsis.

Váfallr em ek skalla.

Blautr erum bergis fótar

borr, en hlust es þorrin.  

On the phallic subtext of *bergis fótar borr*, the 'bore of the foot/leg of pleasure', little more evidence needs to be provided.

Nor does age automatically bring respect, here or in other Medieval and even Classical literature. By itself, seniority is a sad state, especially for those who were


168 *Egil*, 294. ‘I have become weak in neck, I fear falling on my head, soft is the bore of the foot of pleasure, and my hearing is gone.’

renowned and active in their prime. In his *Iliad*, Homer touches on the tragic plight of the old warrior in the gift of a two-handled urn from Achilleus to Nestor, the Danaan advisor too old to join his troops in battle. Fittingly enough for *Hávarðar saga*, the remembrance of the veteran parallels the mourning of Patroklos, a hero who died young, in his prime:

This, aged sir, is yours to lay away as a treasure in memory of the burial of Patroklos; since never again will you see him among the Argives. I give you this prize for the giving; since never again will you fight with your fists nor wrestle, nor enter again the field for the spear-throwing, nor race upon your feet; since now the hardship of old age is upon you."^{70}

When Hávarðr ponders his own old age with Þorgerðr, his words recall Nestor's as the latter receives the prize. Hávarðr acknowledges that, while he was once able to wrestle monsters and win fame for himself, the time has now come to give way to the next generation of heroes: 'Þat er mitt ráð, at þú biðir Óláf, son minn, ok væri þat ungra manna at reyna sik svá á karlmennsku; myndi oss forðum slíkt gaman hafa þótt.'^{71} Likewise, Nestor accepts the gift from his younger peer for the most part gratefully, remarking both on the diminished role age has given him, and on the honour granted to him:

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^{71} Háv, 298. 'My advice is that you ask Óláfr, my son. And it should be up to young men to test their manhood so; such things would have seemed like a game to us in the old days.'
This was I, once. Now it is for the young men to encounter in such actions, and for me to give way to the persuasion of gloomy old age...I accept this from you gratefully, and my heart is happy that you have remembered me and my kindness, that I am not forgotten for the honour that should be my honour among the Achaians.\textsuperscript{172}

Even in his thanks, however, there lies an element of complaint to Nestor’s words. This is in keeping with the portrayal noted by Jakobsson, and elsewhere by Minois, of a figure who, while respected and admired for his past, is nonetheless also 'long-winded, opinionated and vain, and highly critical of the young.'\textsuperscript{173} It is also worth noting despite the esteem Nestor is at times accorded by his peers, the old man’s advice is often ineffectual or even drastically unwise. In Book 11, barely 30 lines after Nestor is described as 'the best of all of [the Greeks] in counsel'\textsuperscript{174}, he will launch into a 150-line rambling speech, beginning with a complaint of Achilleus that contrasts with Nestor's own vision of himself in his youth. Lamenting his fallen old age, Nestor regales Patroklos with his former exploits and, having quite forgotten the young messenger's original purpose, convinces him to take the course that will ultimately see Patroklos dead.

The Greeks were not alone in their criticisms of the perceived weaknesses of the elderly, either. Ármann Jakobsson turns to Cardinal Lotario de’ Conti, later Pope Innocent III, and his \textit{De miseria humanae conditiones} as being central to high

\textsuperscript{172} Ibid., 467, ll. 647-649.  
\textsuperscript{174} Lattimore, \textit{The Iliad of Homer}, 251, l. 626.
Medieval Christian thought on age. Cardinal Lotario’s work would remain influential for centuries following its creation, as testified by its tenacity in the written record: over 700 manuscripts of the text survive. The portrayal of the elderly is blunt, and at times grotesque in physical depiction, but the larger part of the discussion concerns itself with the temperamental and psychological flaws of the elderly:

Si quis autem ad senectutem processerit, statim cor eius affligitur et capud concutitur, languet spiritus et fetet anhelitus, facies rugatur et statura curvatur, caligant oculi et vacillant articuli, nares effluunt et crines defluunt, tremit tactus et deperit actus, dentes putrescunt et aures surdescunt. Senex facile provocatur et difficile revocatur, cito credit et tarde discredit, tenax et cupidus, tristis et querulus, velox ad loquendum et tardus ad audiendum, set non tardus ad iram; laudat antiquos et spernit modernos, vituperat presens et commendat preteritum, suspirat et anxiatur, torquetur et infirmatur. Audi poetam: ‘Multa senem circumveniunt incommoda’ et cetera. Porro nec senes contra iuvenem glorientur, nec insolescant iuvenes contra senem, quia quod sumus iste fuit, erimus quandoque quod hic est.

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176 PL Vol. 217: 706. ‘If any, however, will have progressed to old age, at once his heart is weakened and his head is shaken, his spirit is weak and his breath fetid, his face is wrinkled and his stature bent, his eyesight is poor and his limbs stagger, his nose leaks and his hair falls out, his touch trembles and his strength departs, his teeth rot and his ears become deaf. The old one is easily provoked, and with difficulty deterred, believes quickly and disbelieves slowly, is stubborn and greedy, sad and querulous, quick to speaking and slow to listening, but not slow to wrath; he praises the ancient and spurns the modern, condemns the present and commends the past, sighs and is anxious, is twisted and infirm. Hear the poet: ‘there are many disadvantages around the old one’ and so on. Further, neither should the elderly boast against the young, nor should the young become insolent against the elderly, because that one was what we are, and because we will be what he is.’
The prevalence, however, of what might be called 'wise old men', in contrast to Jakobsson’s nastier variety, might lead us to question the assertion that old age in the Medieval period was generally viewed negatively. It must be remembered that Innocent’s *De miseria* was very popular, and remained a focal text for later thinkers into the Renaissance. Nor was this purely the result of his position of papal authority: concerning the elderly at least, the author seems to have been reflecting contemporary thought. Unable to work, and unable in many ways to care for themselves, the elderly were largely reliant upon family and community to care for them. This perceived burden was keenly felt by all involved, resulting in considerable tension on both sides.

Indeed, this tension is all the more pointed in the sagas, given the economic realities of an Iceland prone to scarcity and famine as its population attempted to continue continental European farming practice near its climactic limit. If we accept Bishop Gizurr Ísleifsson’s census of circa 1095 as showing 4500 farmers, the population of wider Iceland at the time may be extrapolated to between 50,000 and 105,000. Sigurður Þórarinsson proposes an estimation of about 70–75,000;177 more recent estimates are slightly broader, controlling for error by estimating both a minimum and maximum number, and suggest a range of 40–100,000.178 This population was entirely rural, and depended upon farming and herding, and this in an island in which only a quarter was habitable by humans, and that quarter was already showing signs of significant ecological strain.179 Population demographics are even more hazy after this, but by the time of the first formal census in the latter half of the seventeenth

century, Iceland’s population can be estimated to have been about 55,000 – a noticeable decline from even Byock’s estimates of 60,000–70,000.  

Most of this loss can be explained by crisis events like the arrival of the Black Death at the beginning of the fifteenth century, which accounts for a loss of two-thirds of Iceland’s estimated population, from 120,000 to 40,000. In the years between the Settlement and 1400, the population of Iceland fluctuated, but trended generally upwards, even as the soil eroded further, rendering more of the country barren. An increase in volcanic activity further put strain on this system, as farms were abandoned and formerly settled land was lost by resulting tephra fall and the creation of lava flows. From its first eruption in 1104, which caused the abandonment of farms in Þjórsardál and up to 70km away, until 1389, the volcano Hekla erupted seven times. Aside from the 1104 event, eruptions in 1158 and 1300 caused significant damage, forcing the abandonment of farms and, in the 1300 event, resulting in over 500 deaths in the winter. In some cases, the impact of these eruptions is now believed to have been less extensive than previously expected: the abandonment of some sites such as Þjórsárdalur is now considered to be ‘a more complex process than previously believed.’ At other points, however, volcanic activity appears to have significantly affected both the landscape and its inhabitants. In 1362, Óræfajökull erupted on a scale unseen in Europe since Vesuvius, resulting in the devastation of Litla-Hérað: at

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least 30 prosperous farms and 17 churches of varying size were destroyed in the
creation of the area now called Oræfi, 'the wasteland'.

In the midst of this activity, the beginning of a climactic cooling period in the
13th century saw shorter growing and grazing seasons, longer winters, and an increase
in glaciation and winter ice floes. As Richard Tomasson notes, although the climate of
Iceland may generally be taken to be relatively mild, made temperate by the Gulf
Stream, the growing season is only four or five months on average, and even the
warmest month in the Icelandic year, July, has an average temperature in the low
fifties Fahrenheit. The situation would have been slightly better in the Settlement
period when the climate was warmer, but it is likely that with the period which
culminated in the so-called 'Little Ice Age', average temperatures deteriorated and
were unlikely to reach Settlement levels again until the nineteenth or twentieth
century. Indeed, analyses of the Greenland icecap has prompted a reevaluation in
recent years of the older belief that the climate began to deteriorate in the 13th or 14th
centuries: it may instead have begun as early as the first half of the 11th century.

It is not overly dramatic then to say the Iceland both of the sagas and the
sagamen was one balanced on a knife’s edge. The population was in large part
dependent on farming and grazing animals for survival; while earlier theories that
fishing was not a significant food source in early Iceland are losing ground in light of

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183 Pórarinsson, 'Population Changes in Iceland,' 521.
184 Tomasson, 'A Millennium of Misery,' 407.
185 Gustaf Utterström, 'Climate Fluctuations and Population Problems in Early Modern History',
Record from Iceland, Part I: Data to A.D. 1780', Climatic Change 6 (1984): 149; Páll Berghóðsson, 'An
186 Karlsson, The History of Iceland, 45. See also W. Dansgaard et al., 'Climatic Changes, Norsemen,
more recent archaeological evidence,\(^{187}\) the exact role played by fishing, and the degree to which it was exploited in the Commonwealth period, is less certain.\(^{188}\) Gunnar Karlsson, for example, suggests that it was not until the movement of the wealthiest families to farms in coastal areas that a system of mixed fishing and farming arose, and even here 'farming was seen as the basic occupation and, in most cases, it determined people's main residences.'\(^{189}\)

This does not, however, mean that fishing was not in practice in the preceding centuries, as, in addition to the aforementioned presence of fish bones at sites like Granastaðir,\(^{190}\) more recent evidence supports the movement of processed fish from coastal areas to inland sites predating the later commercial fisheries: 'Analysis of marine fish bones, recovered from all of the inland Mývatn sites...indicates that ninth- and tenth-century inland sites were being provisioned with preserved marine fish caught and processed elsewhere.'\(^{191}\) Dugmore et al. further observe that in northern Iceland, fresh-water fish such as trout (Salmo trutta) and charr (Salvelinus alpinus) 'provided a major supplement to domestic animal production.'\(^{192}\) Most recently,
excavations of the Stóra-Seyla site in Skagafjörður turned up a significant number of fish bones, amounting to 36% of all archaeofauna discovered at the site.\(^{93}\)

A possible explanation for the relative delay with which Iceland on the whole shifted to the sort of large-scale fishing economy it would later be known for may be twofold: a failure to discover the most productive fishing grounds and seasons, coupled with an emphasis on traditional livestock farming as a marker for social status. Of Commonwealth-period fishing sites, few were located along the Grindavík-Snæfellsness coastline in the southwest, which would later become the most profitable and productive areas for fishing.\(^{94}\) Combined with this, it appears that for much of the Commonwealth period, livestock farming remained the clearest indicator of social position, and a successful farmer was a respectable man:

The economy of the Viking Age North Atlantic settlers was flexible but based around stock raising supplemented by limited barley growing and often extensive use of wild species... Pasture was the ultimate source of wealth and power, and the correlation of cattle, good grazing, and chieftainship is clear in both the historical and archaeological record.\(^{95}\)

Pasture brought with it additional problems related to the growing of fodder, and the cultivation of cereals was also limited by the climate. Even the most resilient


\(^{94}\) Karlsson, The History of Iceland, 47-8.

cereals like barley are very close to their growing limits: the preconditions for even fast-growing barley are stringent, and extremely vulnerable to anomalous precipitation or drop in temperature. The growth of grass for fodder is also sensitive to temperature in both winter and summer; taiga and tundra regions expand or contract as a result of even short-term variations, and a long or harsh winter will limit the following growing season substantially. All that would be required for a crisis would be a poor growing season, and the sagas and annals preserve for us several mentions of these, along with their effects.

The Skarðsársbók recension of Landnámabók, for example, records several notable famines in the years 975-6, 1057-8, and 1118, the first of which was of such severity that the compiler of Skarðsársbók refers to senicide and infanticide, along with the consumption of 'many abominable things...which ought not to be eaten.'

While it must be acknowledged here that we should be cautious about accepting Skarðsársbók’s account given its seventeenth-century period of composition, records of famine in the North Atlantic in 975-6 exist in both Norway and the annals of Anglo-Saxon England. Further, Reykdœla saga references a vetr mikinn, or great winter, the effects of which led the hofgoði Ljótr to suggest the local farmers 'bera út börn ok drepa gamalmenni.' Jón Jóhannesson likewise suggests that at times periods of poor weather or short growing seasons could cause an increase in starvation and vagrancy.

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196 Páll Bergþórsson, 'Sensitivity of Icelandic Agriculture to Climatic Variations,' Climatic Change 7 (1985): 120. See also Páll Bergþórsson, 'An Estimate of Drift Ice and Temperature in Iceland in 1000 Years.'
197 Berghorsson, 'Sensitivity of Icelandic Agriculture to Climatic Variations,' 111-2.
200 Reyk, 169. 'carry out [leave to die of exposure] the infants and kill the elderly.'
on par with or even exceeding the later crises of the Black Death and the famines during Danish rule:

However, the great number of beggars in Bishop Guðmundur's day has no parallel in Icelandic history, either before or after... There is ample evidence that the years around the turn of the century (1200) often brought spells of great hardship and famine that caused people to break up their households and take to the road, and many died of starvation.201

While Iceland's isolation protected it from the ravages of the Black Death in the mid-14th century, the Icelandic annals do record the spread of plagues in the 15th century and beyond, along with their devastating effects. The 15th-century Nýi annáll, for example, records the year 1403 as a year of significant death due to a plague that would last for an estimated 19 months, in some settlements causing a mortality rate of over 50%.202 While this epidemic would eventually recede, the annals also record a resurgence of plague towards the end of the 15th century which may have diminished the populations of some farms by 60%, at a time in which a significant number of farms remained abandoned from the previous outbreak.203

Taken together, all of these factors create an environment in which farmers, even prosperous ones, must work ever harder for ever diminishing returns from the land. In a society that equates action with esteem on the one hand, and is faced with dwindling resources and increased famine on the other, those who, like the aged Egill,

201 Jón Jóhannesson, A History of the Old Icelandic Commonwealth, 212.
203 Ibid., 114-5.
are unable to work, become useless: a burden on their relatives and/or district. This emphasis on activity in a society in which everyone must work, men, women, and children included, renders the inexorable advance of time a fearsome spectre in and of itself.

Carol Clover sees at the centre of conceptions of men, women, and children an intense stress between the hvatr, or bold and vigorous on one hand, and the blauðr, the soft on the other hand. Rather than a strictly gendered binary, this hvatr/blauðr dynamic forms the primary means by which Icelanders fixed their honour relationships:

Let me take this a step further and propose that to the extent that we can speak of a social binary, a set of two categories, into which all persons were divided, the fault line runs not between males and females per se, but between able-bodied men (and the exceptional woman) on one hand and, on the other, a kind of rainbow coalition of everyone else (most women, children, slaves, and old, disabled, or otherwise disenfranchised men).204

This emphasis on vigour and virtus means that the individual is always in a precarious situation. While the system gives men an advantage, classing women as blauðr by virtue of sex initially, no individual is immune from falling on the spectrum towards blauðr, and anyone can, by their actions, be hvatr. Every interaction presents the opportunity to rise and fall.205 We have spoken earlier of the constant undercurrent of

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204 Carol Clover, 'Regardless of Sex', 13.  
exchange in every interaction, and the social repositioning that results when one party is able to 'get a leg up' on the other. This hvatr/blauðr binary can often be seen to be tied in with that: when Dueling-Ljótr is able to bend Þorbjörn of Rauðasand to his will and take full control of the land they formerly shared, his sons are shamed by the apparent ease of Þorbjörn's capitulation. Ljótr is easily the more hvatr of the pair, and his ability to act with impunity makes Þorbjörn of Eyri appear blauðr as a result.

Even time itself is against the Icelander in such a dynamic. From Hrafinkels saga, Clover refers to the housekeeper's proverb that one becomes more cowardly and weaker with age, svá ergisk hverr sem eldisk. The use of argr, banned in the laws, draws sharp attention to the attitude towards old age: the very old, who cannot take care of themselves, are as cowards, soft creatures who must by their nature yield. It is a position viewed with a mixture of pity and scorn; one who has outlived their vigour and yet clings on wholly dependent on the care of others. For the formerly hvatr, it is doubly shaming, as past glories become cause for despair; old age cannot be defeated by feats of might alone.

The intense frustration of this position is best illustrated by the feeble Egill Skallagrímsson, whose attitude in his final years is perhaps the most pointed and intimate portrayal of the pain of aging in saga literature. Derided for his blind stumbling by the working women of the household, Egill is reminded by Grimr 'Miðr hæddu konur at okkr, þá er vit várum yngri.' For the remainder of the saga, Egill futilely contends with his age. He devises plans to stir up disagreement and disorder among his fellow Icelanders, only to be easily outmanoeuvred by his children. He

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'measuring up' against other men in ch. 2, he also examines this idea of interpersonal competition in a broader, more global context.

206 Egil, 294. 'Women laughed less at us, then when we two were younger.'
insists upon his rights to go and act as he pleases, won by years of bold feats, only to be moved from his place by the orders of the household women, the traditionally blauðr characters. His only victory comes in secretly burying his wealth, using his legacy as a means to stir up the district one final time by keeping them guessing, and sending them running at every report of Anglo-Saxon silver washing up.

The societal perception of the elderly is thus characterised by a mixture of pity, soft scorn, and an expectation of compliance. This compliance is also expected of the very young, those who have not yet fully achieved the level of activity that will provide for their independence. It is therefore necessary to look at how the characters in Hávarðar defy their typal expectations, as well as convincing the audience to accept miraculous regenerations, and allowing children to topple champions. In taking his story from a well-known account of an old, limping father avenging his young son, the sagaman of Hávarðar saga is very consciously choosing a traditional archetype to serve his purpose. The motif of the helpless father mourning a son known or presumed slain presents a powerful image of the struggle between age and the unyielding demands of honour. Having already lost his power, the old father is reliant on his children. When these are taken away, the father is left to the mercy of the strong; those who are often, as is foreshadowed in Hávarðar, the ones responsible for the loss.

It would seem this trope is an apparently Germanic one: the old man who, mourning his son, gives up on life and/or actively wills himself to die is deeply embedded in that literature. In addition to the examples in the islendingasögur considered below, we may see echoes of this same motif in the poetry of the Anglo-Saxons, several centuries earlier. A particularly striking example appears in Beowulf. The old man’s sad state of mind is described in intimate detail. This extended simile is
a strikingly unusual moment in the poem, which otherwise holds largely to the conventional practice of avoiding explicit and lengthy psychological description:

Swā bið geōmorlic gomelum ceorle
tō gebīdanne, þæt his byre rīde
giong on galgan; þonne hē gyd wrecce,
sârigne sang, þonne his sunu hangað
hrefne tō hrōðre, ond hē helpe ne mæg
eald ond infrōd ānige gefremman.

Symble bið gemyndgad morna gehwylce
eaforan ellorsīð; ōðres ne gŷmeð
tō gebīdanne, burgum in innan
yrfeweardas, þonne se ān hafað
þurh dēaðes nŷd dāda gefondad.

Gesyhð sorhcærig on his suna bûre
wīnsle wêstne, windge reste
rēote berofene, – rīdend swēfað,
hælað in hoðman; nis þær hearpan swēg,
gomen in geardum, swylce ðær iū wēron.

Gewīteð þonne on sealman, sorhlēoð gæleð
ān æfter ānum; þūhte him eall tō rūm,
wongas on wīcstede.207

207 Fredrick Klaeber, R. D. Fulk, Robert Bjork, and John Niles, ed., *Klaeber’s Beowulf: and the Fight at Finnsburg* (Toronto: University of Toronto Press, 2008), 84, ll. 2444-2462A. ‘Such is mournful for the old man to abide, that his son ride young on the gallows. Then he utters the speech, sings sadly,
Hávarðr's situation will ultimately prove an inversion of the expected outcome, but prior to his regeneration his mourning is similar not only to that of Hreþel, but also to Egill of Egils saga and Þórarinn, father of Þorsteinn in Þorsteins þáttr strandarhöggs. Before considering the reason for Hávarðr's difference, it is thus necessary to look at what appears to be a pattern of lamenting fathers and impossible vengeances.

In the wake of his own son’s death, the early depiction of Hávarðr is comparable to the more famous example of the aged Egill Skallagrímsson, locked in his bedchamber. Like Óláfr Hávarðsson, Bǫðvarr Egilsson was more than a son to his famous father: he was a reminder of the latter's own youth. His introduction even mirrors that of Óláfr. Of Bǫðvarr, the sagaman stresses:

Bǫðvarr, sonr Egils, var þá frumvaxti. Hann var inn efniligstí maðr, fríðr sýnum, mikill ok sterkr, svá sem verit hafði Egill eða Þórólfr á hans aldri. Egill unni honum mikit. Var Bǫðvarr ok elskr at honum. 208

In comparison, of Óláfr it is said:

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when his son hangs to the benefit of ravens, and he may not give any help, old and wise. Ever is called to mind the death of the son each morning; another he does not care to wait for, an heir in the city, when that one alone has, by death’s compulsion, experienced deeds. He sees, full of sorrow, in his son’s home a wine-hall deserted, a windy resting place bereft of joy – the riders sleep, heroes hidden (in the grave); there is not there the song of harp, the men in the yards, such as there once was. He departs then to bed, a song of sorrow sings one man for one man; it seems to him all too roomy, the field and the dwelling place.’

208 Egil, 242-3. 'Bǫðvarr, Egill’s son, was then in his prime. He was the most promising man, handsome, great and strong, such as Egill or Þórólfr had been at his age. Egill loved him greatly. Bǫðvarr was also fond of him.'
They had one son, who was called Óláfr; he was young of years, and the most doughty of men. He was greatly grown, and handsome. Hávarðr and Bjargey loved Óláfr greatly; he was obedient and yielding to them.\footnote{Háv, 292. "They had one son, who was called Óláfr; he was young of years, and the most doughty of men. He was greatly grown, and handsome. Hávarðr and Bjargey loved Óláfr greatly; he was obedient and yielding to them."}
Despite the absurd image of going to battle against the sea itself, these stanzas hook into a larger theme throughout the poem, and are striking in how openly they portray the vulnerability and frustration of the notoriously quarrelsome and closed-off Egill. The fear and bitterness of his own helplessness are plain from the start; he already blames himself for his favourite son's death. Now he must grapple with the very physical limitations time has placed on his ability to give proper social commentary on the worth of Bǫðvarr's life. The Sonatorrek episode is deeply tragic, and not just for the loss of a son. Egill's inability to exact vengeance, and his acknowledgement of his own weakness pave the way to the frustrated old age discussed earlier, and ultimately to his death.

Where the superlative Egill's vengeance is denied to him by age and the nature of his foe, Þórarinn's actions and his treatment within the þáttr provide a different, more critical view of old men in Icelandic society. Egill's tragic decline almost inspires

\[210\] Egil, 249. ‘You know, if then wrong/fault with sword I could have avenged, all of the time of the Ale-Smith would be (over). If I could slay (them), I would go to be a match in battle with the brothers of the wind and wife of Ægir. But I did not reckon I had the might to contend with my son's bane, because before the eyes of everyone the lack of support of an old thane becomes known.’
pity as he lashes out against a society he views as soft and ungrateful; Þórarinn's angry behaviour in his old age, while every bit as absurd, can only call up disapproval and outright revulsion. If Hávarðr represents an inversion of the form of aged hero-father mourning his son, Þórarinn is perhaps the clearest example. Both Hávarðr and Þórarinn were famous vikings in their youth. Of Hávarðr, the audience is told 'hann hafði verit víkingr mikill inn fyrra hluta ævi sinnar ok inn mesti kappi...' Likewise, Þórarinn is introduced with the line 'hann hafði verit rauðavíkingr í æsku sinni.' Both are now physically impaired in their old age: Hávarðr's old wound causes him to limp, and Þórarinn's eyesight is weak. Both are reliant on their sole son, a paragon of virtus and an even-tempered, honourable man.

Where the two men differ most sharply is in their nature; like Egill, Þórarinn is notoriously intractable. He is 'eigi dældarmaðr, þótt hann væri gamall.' The audience is not told how he conducted himself in his youth (it would be likely he was intractable then as well), but the emphasis seems to be that a man of Þórarinn's age and infirmity has no business being difficult. Hávarðr, however, is a highly respected and even-tempered man in his district, despite not being a holder of one of the nascent godorð occupied by the likes of Þorbjörn. To his fellow farmers, Hávarðr represents what a leading man should be in old age, and in testimony to this they seek him out for aid, in spite of his age and disability.

Although Þorgerðr of Bakki appears only briefly in the saga, and speaks a mere two times, her appearance is nevertheless crucial to understanding the broader social position of Hávarðr and Þorbjörn, as viewed by the families of the district. Directly

211 Háv, 292. 'He had been a great viking in the first part of his life, and the greatest champion...'
212 ÞorSt, 69. 'He had been a great viking in his youth.'
213 Ibid. 'not an easy man (to deal with), although he was old.'
following the dinner time conversation between Hávarðr and Óláfr, Þorgerðr’s words mirror many of the complaints about Þorbjörn that father and son have only just finished articulating. Her plea is carefully and respectfully worded, and the use of ‘bóndi’ for Hávarðr echoes his reference to ‘Þorbjarnar bónda’.214 A tricky word at best, given its social connotations, bóndi here appears to be used as a term of respect, signifying something along the lines of ‘Master’, or denoting the head of a household or body of people.

Certainly, Hávarðr seems to be using it this way in reference to Þorbjörn, albeit with a likely note of sarcasm; he is later remarked by Þorbjörn to be the latter’s þingmaðr. Þorgerðr’s use of bóndi not only recalls this, it also subtly undermines Þorbjörn’s position when coupled with a request for aid which, as Hávarðr notes, should be part of a goði’s duties: ‘...eða hví ferr þú ekki á Laugaból? Er þess vánum hofðingjaf, at þeir láti skjótt til slikrar heraðsstjórnar koma sitt sveitargangi.’215 If there is any confusion over whether Þorgerðr’s choice of words are a simple formality, it should be quickly remedied with her aforementioned reply. Hávarðr is the one to go to for aid or advice; the best one can hope for with Þorbjörn is to be left alone.

Even Hávarðr’s vengeance, though far-reaching, is marked by propriety and relative restraint, qualities which set him apart from the other grieving old fathers of the sagas. We will discuss later and in more detail the ‘rightness’ of Hávarðr’s actions, given his inclusion of the innocent (of this slaying, at least) relatives of his foe. For now, however, it is enough to observe the old viking is interested primarily in ridding his district of the Þjóðrekssons who have been running roughshod over all others, and

214 Háv, 297.
215 Ibid., 298. ‘...but why do you not go to Laugaból? It is fitting for a chieftain, that they act speedily on such district matters brought to them by parties in need.’
only when it becomes clear that all other avenues have been closed off. Regardless of how much Bjargey, Hávarðr, and even the reader may be hoping for the death of Þorbjörn, Hávarðr sets off to the þing planning for one final attempt at bloodless compensation for his son’s death, with the words of his wife in his ears:

Þess get ek, at nú verði nokkurir veitandi at þínu máli, ok mun þat gera Gestr Oddleifsson. Ok ef svá ferr sem ek get, at hann komi sættum á með ýkkr Þorbirni ok hljóti hann at gjalda þér fé mikit ... Ok ef svá berr til, áðr greitt er féit, at Þorbjörn gerir þat nokkut, er þér er í móti skapi eða raun at, þá skaltu skunda á brott sem mest máttu. Ok ef þér verðr þá léttara en þér þætti ván á, þá skaltu ekki sættask á þetta mál, því at þá er ván, þó at ólikligt sé, at hefnt verði Óláfs, sonar okkar. En ef þér léttisk þá ekki, þá skaltu ekki ósáttr fara af þinginu, því at þá mun ekki hefndin verða.\textsuperscript{216}

In contrast, Þórarinn’s attempt at vengeance is not only pathetic, it is repulsive. Were this the act of a mourning father with no other means of securing justice, it might inspire pity, but the sagaman deftly removes any chance of this with Bjarni’s offer of compensation: ’Þá mælti Bjarni: “Ek vil bjóða þér til Hofs, ok skaltu sitja þar í øðru øndvegi, meðan þú lífir, ok mun ek vera þér í sonar stað.”’\textsuperscript{217} Þórarinn, after

\textsuperscript{216} Ibid., 309-10. ‘I think, that now some helpers will come to your suit, and Gestr Oddleifsson will do so. And if things go as I guess, that he achieves a settlement between yourself and Þorbjörn, and [Þorbjörn] is obliged to pay you a large amount of money...And if it turns out, before the money is paid, that Þorbjörn does something which is offensive (lit. ‘against your disposition’), or painful to you, then you should hasten away as quickly as you can. And if you feel better than you expected, then you should not settle the suit, because then there is hope, though it looks unlikely, that Óláfr, our son, will be avenged. But if you do not feel better, then you should not leave the þing without a settlement, because then there will be no revenge.’

\textsuperscript{217} PorSt, 77. ‘Then Bjarni spoke: “I wish to move you to Hof, and you shall sit there in the other high seat, while you live, and I will be to you in place of a son.”’
much grumbling about the promises of chieftains, agrees to this offer, and then immediately reneges:

'En sá maðr, er handsól tekr af sílikum manni sem þú ert, má þó vel una sínum hlut, hvat sem at dæma er. Mun ek ok þessi handsól taka af þér, ok gakk þú nú hingat til mín í rekkjugólfít, ok verðr þú nær at ganga, því at karl skelfr nú allr á fötum fyrir elli sakir ok vanheilsu, en eigi trútt, at mér hafi eigi í skap runnit sonardauðinn.'

Bjarni gekk nú í rekkjugólfít ok tók í hón Þórari karli. Hann fann þá, at hann þuklaði á saxi ok vildi þá leggja at Bjarna.  

Bjarni easily avoids the feeble attempt on his life, and his response, 'allra fretkarla armastr' makes apparent the negative view of Þórarinn's pathetic attempt at vengeance. The drive to avenge must be tempered: Bjarni's offer is exceedingly generous and seems to sufficiently readjust the relationship between the two men. In fact, it does so literally: in recompense for the 'loss' of Þórsteinn, Bjarni offers himself í sonar stað, taking on the obligations of caring for Þórarinn as he would his own father. In many ways, this offer echoes that made by Hrafnkell freysgoði for the slaying of Einarr, which is also seen as being extraordinary in its generosity:

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218 Ibid. "But that man, who makes a bargain with a man like you are, may nevertheless be well content with his lot, however it is judged. I will take your offer, so now come here to me in the bedchamber - but you will have to come close, because this old man is now all shaky on his feet because of old age and poor health, and I am not free from being affected by my son's death." Bjarni went now into the bedchamber and took old Þórarinn's hand. Then he noticed, that [Þórarinn] was groping for a short blade and wanted to strike Bjarni.'

219 Ibid. lit. 'most wretched of all old farts'
More importantly, Bjarni has not only offered (apparently sufficient) compensation, but Þórarinn has also agreed to bind himself to it. In his own words, he agrees to take *handsal*, classifying this as a formal, legal arrangement. To take Bjarni's hand as a pretext to backstabbing – rather literally as it turns out – is craven, and cannot be justified by the need to avenge. If Þórarinn was ever a great viking, he is certainly no longer so: although the act may claim the name of vengeance, the means by which he goes about it removes any possibility of restoring honour. All that remains of this great warrior is a pathetic old man, fumbling for a weapon he cannot even see to swing.

No more is said of Þórarinn. Perhaps there is little more worth saying about him: his pathetic and disgraceful attempt at vengeance has made him completely irrelevant. He even loses his son a second time, Þorsteinn accompanying Bjarni to Hof and, apparently, never returning to his father's farm. The last lines of the *þáttr*, which began with Þórarinn's old age, are devoted to Bjarni's, and provide the ultimate contrast to the *armastr fretkarl*. Where the former was intractable and difficult, the reader hears that Bjarni 'helt virðingu sinni, ok var hann því vinsælli ok betr stilltr sem hann var ellri ok var allra manna þrautbeztr ok gerðist trúmaðr mikill inn síðasta hluta

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220 *Hrafnkell*, 107. “I am not aware,” said Sámr, “that Hrafnkell has ever before offered anyone such terms as he offered you. Now I want ride up with you to Aðalból, and we will go humbly to Hrafnkell, and find out, if he will hold to the same offer. He will, in some way (or another), behave well.”
ævi sinnar.'

His death is given the standard note of Christian approval, on a pilgrimage to Rome, and Bjarni is rewarded with a long lineage full of bishops, wise men, and great chieftains. Þórarinn, meanwhile shares in none of these honours, and instead finishes his life in the company of slaves, as befits a completely blaudr character.

Hávarðr's attitude towards his old age sets him apart from the other former heroes and mourning fathers of this type. At the saga's outset, Hávarðr shows none of the pressure seen by Clover to perform. When the widow Þógerðr of Bakki seeks him out to deal with her former husband, Hávarðr passes the task to his vigourous son: 'Þat er mitt ráð, at þú biðir Óláf, son minn, ok væri þat ungra manna at reyna sik svá á karlmennsku; myndi oss forðum slíkt gaman hafa þótt.'

Old Hávarðr is keenly aware of his faded glories, but there is no bitterness in him. He avoids becoming one of Jakobsson's 'nasty old men' by consciously acknowledging the shift in roles within his household and guiding Óláfr into activity.

Where Þórarinn and Egill still understand themselves as warriors in a warlike society, Hávarðr does not: he recognises that he is old, and that people like him are becoming fewer. This is not to say, however, that the Hávarðr of the saga's outset is a pushover, although the original audience may be inclined by the text to see this initially. Indeed, Hávarðr's willingness to avoid conflict even becomes a point of anguish for his son, who sees his decision to move away from Þorbjörn as cowardly and potentially shameful. What the young Óláfr does not appear to understand is the

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221 PorSt, 78. '[Bjarni] held his honour, and he was the more beloved and moderate the older he grew, and was of all men the best in (dealing with) difficulty and became a great religious man in the last part of his life.'

222 Háv, 298. 'My advice is that you ask Óláfr, my son. And it should be up to young men to test their manhood so; such things would have seemed like a game to us in the old days.'
subtle planning behind Hávarðr’s reasoning: the shoring up of his own powerbase in the event of a Þjóðreksson feud. The old man is very much aware of the growing strife between Þorbjörn and his own family, and correctly judges Þorbjörn’s significant power.

While Hávarðr’s move may have the appearance of a weary farmer yielding to his oppressive chieftain and trying to create peace through distance, Hávarðr’s choice of land also increases his own strength. In explaining himself to Óláfr, Hávarðr closes his counsel by pointing out the proximity to members of his kingroup: ‘ok erum vit þá nær frændum okkrum ok vinum.’ While it may seem cowardly to the Óláfrs in the audience, Hávarðr’s move can widely be seen to be the wisest choice, given his options. Unable to oppose the overbearing chieftain himself, Hávarðr seeks not only to shift himself further away from Þorbjörn’s sphere of influence, but also to solidify his own (admittedly minor) power base by moving closer to his kin group. In this way, he guarantees himself support, both in law and in combat, should any feud arise (as will in fact be the case).

The Use and Extent of Feud in Social Readjustment

In a society that holds the view that one becomes weaker and more cowardly as they age, svá ergisk hver sem eldisk, Hávarðr stands as one of the few old men capable of coming out of the enforced retirement typified by the ‘bed-going’ motif.224 That he does so not only for personal vengeance, but to end the arrogant tyrannising...
of a family that has unbalanced district relations is not only important, but may go some way towards explaining the sagaman’s choice to couch that return to activity in so spectacular and unusual a mode. At its core, Hávarðr’s regeneration is tied to this. His rights are what make him strong, and enable him to pursue his vindication and eventually the district’s vindication. In his escalating encounters with Þorbjørn, the sagaman connects Hávarðr’s returning virtus to the legal process. These interactions are flagged by increasingly more powerful, though short-lived, flashes of activity on Hávarðr’s part, foreshadowing his ultimate return to heroic form. Were it not for his mistaken belief in his own invulnerability based on an assumption the district is cowed, Þorbjørn should almost certainly have seen this coming; it is clear the sagaman expects his audience to. These sudden moments of emotion and reaction are characterised by standard saga tropes, repositioning Hávarðr’s behaviour as more and more hvatr: bold, active, vigourous.

Why then, must Hávarðr go through a three-year process of attempt, rebuke, embarrassment, and return to bed? On the one hand, as a purely narrative device this standard cycle of three serves to further exemplify Þorbjørn’s unyielding and arrogant character. He is given every chance to make even the minimum effort to offer compensation and temper his behaviour, but simply uses the time to play the ójafnaðarmaðr on a bigger stage. On the other side of the equation, the process attests to Hávarðr’s good will in attempting to achieve a peaceful settlement, while simultaneously establishing the coming violence as a last resort. There is no reason to believe that Hávarðr is merely going through the motions: in contrast, he is doing everything that might be expected of a farmer in his position. He is also attempting to
minimise the risk of having his own reputation suffer as the result of failed or improperly prosecuted claims, especially given his presently small support network.

Mindful of the social implications, he first seeks Þorbjörn out at home rather than make an ill-advised appearance at the þing that would not only risk insulting and embarrassing the more powerful man, but would portray Hávarðr himself negatively: as shameful, greedy, and arrogant. While there is no legal compulsion to make private overtures for compensation before seeking public arbitration, to not do so results in disapprobation. When in Njála Móðrígja secretly advises his daughter on how to divorce her husband Hrútr, who is at that moment one of the district’s wealthiest and powerful men, and then lodges a suit for the recovery of her dowry at the next Alþing, the action backfires spectacularly. Forced to back down in the face of a challenge from Hrútr to holmgang, Móðr is said to leave the þing with ‘the greatest shame’, and the entire affair will later become the subject of children’s play-acting. Notably, there is no mention either by the narrator or any of the assembled onlookers that Hrútr might be playing a little unfairly; one of Iceland’s most capable young men, only a few years back from fighting in Norway, against an elderly man. Rather, the only commentary coming from the assembly is a general surprise that the matter was not discussed privately, ‘...ok ætluðu allir, at þeir myndi tala um mál sín, en þat varð ekki ’225, and a chorus of cheers and jeers when Móðr backs down from the challenge. As Miller notes, age is superseded by Móðr’s offence not just to Hrútr, but to the community itself in his publicising of the very personal case and its intimate grounds.226

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225 Njála, 27. ‘...and all thought, that they would speak about their suit, but that did not happen’ (emphasis mine).
226 Miller, Why is Your Axe Bloody, 29-30.
Móðrør has conducted himself poorly regardless of the details in his case, and received his just reward for it. In contrast, Njála’s next legal dispute seems almost set up to provide the counterexample. When Hallgerðr’s first husband Þorvaldr is slain by Þjóstólfr, her foster-father and a member of Hóskuldr’s household, the brothers find themselves at risk of yet more sensitive litigation: not only has a killing been committed, but its repercussions will risk affecting the now-widowed Hallgerðr’s future prospects. This time, however, Hrútr will not resort to arms to force resolution, as Þorvaldr’s father takes the route of higher sociability and approaches Hóskuldr at his home first. When Ósvífr seeks out Hóskuldr for compensation, it is Hrútr who comes to his defence when the latter attempts to assert that he has no legal obligation to pay. Hóskuldr is fully aware of the difference in standing between the two parties, and is apparently hoping this, coupled with a repudiation of Þjóstólfr, will insulate him from liability, but as Hrútr makes clear, there are larger concerns that must be addressed:

Náit er, bróðir, nef augum, ok er nauðsyn at drepa niðr illu orði ok bêta honum son sinn ok rifka svá ráð fyrir dóttur þinni, því at sá einn er til, at þetta falli niðr, því at þá er betr, at fátt sé um talat.\(^{227}\)

If the case goes to an arbitrated settlement, it is unlikely Hóskuldr will be able to avoid putting up compensation regardless of his personal liability, given his daughter’s involvement and Þjóstolfr’s relationship to her. Moreover, by dragging the

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\(^{227}\) Njála, 39. ‘The nose is near to the eyes, brother, and it is necessary to strike down evil words and compensate him for his son, and so mend your daughter’s standing; because that is the only way that this (suit) is dropped – and that is then better, that this is little talked about.’
case into the public sphere, both Æskuldr and Hallgerðr's reputations will suffer, as will the latter's future marriage prospects. Ósvífir has done the respectable and honourable thing by first seeking Æskuldr out at home, and by keeping his demands simple: he wants a fair and impartial arbitrated settlement. To Hrútr, this action, coupled with the strength of his case, entitles him to just that: 'Æskuldr vælti: "Vill þú þá gera um málit?" "Pat vil ek," segir Hrútr, "ok mun ek ekki hlífa þér í gerðinni..."'

The private offer or demand of compensation is not merely a courtesy, either: it is largely standard practice and one step in an organised chain of resolution, regardless of whether or not hostilities are actually expected to end. Thus the race in Njálal of Skarphédinn and the Njálssons to slay Lýtingr before Æskuldr Hvitanessgoði can come to Njáll and seek a settlement for Lýtingr's killing of Æskuldr Njálsson; thus the visit of Þorbjörn to Hrafnkell in the opening of Hrafnkels saga; thus Bjarni's offer to Þórarinn in Þorsteins þáttr stangarhögg, and so on. The difference between a private settlement initiated by the guilty and one sought by the victim, however, lies in the conduct of the seeker. When the victim's party seeks out the slayer or his kingroup's leader for compensation, as do Hávarðr, Ósvífir, and Þorbjörn for Óláfr, Þorvaldr, and Einarr, they are forced into a position of deference, the assumption being they are incapable of exacting vengeance or forcing the case into a more favourable arena. As such, it is crucial this imbalance of power be acknowledged; offence will, as Þorbjörn learns in his rejection of Hrafnkell's offer, damage the standing of both parties and often mean walking away with nothing at all. Ósvífir knows the deck is stacked against

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228 Ibid. 'Æskuldr spoke: "Will you then arbitrate the settlement?" "That I will," says Hrútr, "But I will not favour you in the arbitration..."
him, 'eigi er þat jafnsætti, at bróðir þinn geri um...' However, he is mindful he is getting a settlement, and as a further benefit, he can see that his conduct and his case have apparently secured Hrútr's sympathy, with its subtle (yet notably not so subtle as to be unnotice) rebuke of Höskuldr promising favourable terms. Ösvífr has done well for himself.

Hávarðr, like Ösvífr, knows himself to be in a position of weakness, and to be dealing with an intractable opponent. As such, he approaches Þorbjörn tactfully, announcing his intent while leaving the terms open and thus avoiding insult through overreach or arrogance: "Svá er mál með vexti, Þorbjörn," mælti hann, "at ek em kominn at heimta bœtr eptir Óláf, son minn, er þú drapt saklausan." Þorbjörn, however, does not have a Hrútr to rein in his pride, and nor does he appear to have even a passing concern for the opinion of society that even someone like Hrafnkell must have been considering when he made a substantial and arguably well-intentioned offer. Þorbjörn's offer of the horse Dött is not simply insincere or insulting, it is an expression of his presumed position in society. If Hávarðr takes the offer, it in effect announces that Óláfr's life has been valued as worth that of a worn-out, chaff-fed horse, and that this is a generous estimate. The narrator laconically reiterates that Þorbjörn has once again shown his unfairness here, but this cannot be taken as anything other than a wry bit of understatement. Höskuldr insisting he is not liable for Þorvaldr's death is unfair; Þorbjörn's response moves beyond this. It offends all social norms, and thrusts the action out of the private and into the public sphere.

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229 Ibid. 'This is not a settlement on equal terms, if your brother arbitrates...'
230 For more on the significance of Hrútr's rebuke, an opportunity that Ösvífr could not have missed, see Miller, Why is Your Axe Bloody, 41-3.
231 Háv, 308. "'The case stands so, Þorbjörn', he declared, 'that I have come to get compensation for Öláfr, my son, who you killed without cause.'"
It is only when Þorbjörn responds with insult and proves personal reconciliation impossible that Hávarðr 'goes public' by taking his suit to the Alþing, but as the sagaman shows, even this is done hesitantly and only at the insistence of Bjargey that he will find support there. There is, after all, a pragmatism in Hávarðr's pessimistic assertion that any attempt to press a suit by himself will only end disastrously. In theory at least, Hávarðr has recourse to the law, as does any other freeman. In practice however, the courts seem to be the domain of the powerful and wealthy: those who can afford supporters or, through negotiation and alliance, supplement their own supporters with other leading men and their þingmenn. A man of Hávarðr's current standing is clearly among the 'supporter' group and not the leading party, as evidenced by Þorbjörn's reference to him as 'my follower', 'þingmaðr minn'. He is not expected to come to the þing unless summoned by or accompanying a chieftain, and would be unable to bring forth a suit without the support of a chieftain, usually his own. His earlier reactions to Þorbjörn then, while clearly unsatisfactory to the younger, heroic Óláfr, are in keeping with the usual understanding of how to handle such an overbearing chieftain: he can either lump it, or avoid him by either moving his home or his allegiance.

To take the case to the Alþing is, from Hávarðr's prospective, risky at best. Even a favourable judgement is only as valid insofar as it can be enforced by the victor and his supporters, and as the audience has seen, no one person or grouping in Ísafjarðr are willing or capable of doing so. The law has already failed Hávarðr when opposed by Þorbjörn; Þorkell, the only other legal authority in the area, hesitated and then avoided enforcing it in a driftage dispute previously. Conflicts over things like

232 Ibid., 312.
beached whales are a common occurrence in the sagas, reflecting the struggles of maintaining a household in an ecologically overtaxed Iceland. Driftage, both in maritime carcasses and wood, represented a substantial boost to a farmer’s supply of food and materials, and the law was very clear about a landowner’s rights to anything that should wash up on his shore.\textsuperscript{233} Beached whales, dead or alive, represented such a point of concern to Icelanders that they were given their own terms in the legal codices: whale driftage was referred to as \textit{hvalreki}, and a drifting or stranded carcass was \textit{reka\textasciitilde{h}valr}.

In \textit{Hávarðar saga}, as elsewhere, the reader sees the tension that arose when it was apparently unclear who owned the driftage in question. In this case, however, there is no doubt – the gathered men declare immediately in favour of Hávarðr. Unsatisfied, Þorbjørn’s party seeks the lawman’s judgement, as apparently do Hávarðr and his men, no doubt eager for official recognition. Even Þorkell, who is used to allowing Þorbjørn do as he likes, is aware of how one sided the matter is, hesitant though he may be to admit it: ‘Þorkell svaraði ok heldr lágt: “Þeir eiga hval víst,” sagði hann.’\textsuperscript{234} His evasive choice of wording is notable, as is his sudden declaration in favour of Þorbjørn after the latter comes against him, sword drawn. Þorkell clearly sees, as the men of the district do, the whale to be Hávarðr’s by right. Before a bullying chieftain and \textit{ýjafnaðarmaðr}, however, the law personified by Þorkell is reduced to mumbles and technicalities. Further, when threatened with violence, it sides with the mighty; Þorbjørn’s pressing of the issue, with its naked threat, is enough

\textsuperscript{234} Ibid., 300. Þorkell answered and spoke lowly: ‘They own the whale, truly,’ he said.'
to overturn it. Justice remains as ever a personal matter – when none can enforce the law, it becomes essentially useless.

In a situation likely all too familiar to some Ærendr, the reader must ask the same question that Hávarðr is doubtless asking himself: do I take the risk of publicly pursuing this case, counting on the self-interest or good will of others to support me? It is at best a chancy prospect, and a failure to find support will leave Hávarðr with two options: to take personal vengeance, or to let the matter drop, leave Óláfr unvalued, and hope Þorbjörn will be satisfied by his inaction and not cause further trouble, as the rest of the Ísfirðingar have clearly done. To further complicate matters, the proposed arbiter Gestr Oddleifsson is, while not quite as closely related to Þorbjörn as Hrútr to Hóskuldr, nevertheless bound up with the Þjóðrekssons in a marriage alliance. It is perhaps only a function of Gestr’s reputation and Bjargey’s gnomic ‘prophecy’ that give Hávarðr enough hope to risk the dangerous proposition that is a public suit against the local big man.235 In doing so, he will need to align himself to a powerful party and a new chieftain for support, not only in guiding him and helping advance his claim, but for protection should things go wrong.

Steinþórr of Eyri is not merely a great name introduced to legitimise Hávarðr’s actions by throwing the weight of his saga-fame behind them, although, like Gestr, his presence does have its very considerable effect. He is also Þorbjörn’s foil, in more ways than Hávarðr himself ever could be: he is a göði as a göði was meant to be, mindful of the concerns of his þingmenn and building his success on his support of

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235 See Putnam, ‘Gestr the Wise’ for a more detailed examination of Gestr Oddleifsson in his appearances across the sagas, with a special focus on his reputation for fairness and his gift for prophecy. On his portrayal in Hávarðar, Putnam largely sees Gestr as a reduced version of the Gestr Oddleifsson seen elsewhere, with his most salient characteristics magnified and emphasis placed largely upon the importance of his being known as a famous(ly noble) leader.
them. While there is no explicit declaration from Hávarðr that he is switching allegiances, from the moment of his meeting with Steinþórr at the Alþing there is an implicit suggestion that the latter is now acting as chieftain to the former, at least in the contemporary sense of a godi–bóndi relationship. Little introduction is necessary between the two, Steinþórr apparently knows at least the main facts: who Hávarðr is and what happened to his son. He is doubtless aware of the father's purpose, and of the social ramifications of being seen to assist him, but there is no hesitation when Steinþórr accepts Hávarðr's request: '[þ]at lofa ek vist, ok ver hljóðr ok fáskiptinn; eru þeir sveinarnir jafn glensmiklir, en þér harmr mjók í hug. Ert lítt víð kominn, gamall ok til einskis fœrr.' By taking him into the booth, where a chieftain's supporters congregate and house during the Alþing, he is taking Hávarðr into his party, with only the warning not to get into trouble or fights with the more boisterous members of Steinþórr's contingent. Over the course of the þing, Steinþórr steps up to provide Hávarðr advice and to encourage his (unofficial) follower to take up his claim, again suggesting that Gestr will ensure a fair arbitration. When the Alþing concludes with matters even worse than before, Steinþórr is the one given the last words with an open-ended offer of future aid: '[e]f þú þarft, Hávarðr, lítillar líðveizlu við, þá kom til mín.' In a fantastically elliptical statement, Steinþórr cements the bond between himself and Hávarðr; although he may later protest that he did not anticipate the latter's eventual request, this cannot be read as anything but

236 Mindful of the narrator's comment that 'there were no bonders in that time in Ísafjörður, but landtakers were there', the question of personal allegiances, chieftains, and þingmenn is a thorny one. It is clear however that these characters are being set up to mirror as closely as possible the established stratum of Icelandic society, divided in spite of its outward equality.

237 Háv, 311. 'I will certainly permit that, but be quiet and little-meddling; the lads are always full of gibes, and you are grieving (lit. 'much grief is in your mind'). You are in a bad way, old and capable of nothing.'

238 Ibid., 315. 'If you have need, Hávarðr, for a little help, then come to me.'
sardonic. It is clear from the outset that the feud is not resolved, and there is only one way in which it will be resolved. If there is to be blood after this failed arbitration, Steinþórr clearly anticipates he will be involved in one way or another, and with just short of a wink and a nudge, he conveys to Hávarðr his willingness to provide support if the latter decides on hefn.

Failed arbitrations, slayings, and blood vengeance within the saga tradition make it tempting to see the Commonwealth as a chaotic, lawless world. Such an assumption, while understandable in part, stems from an error in understanding the literary intent of the sagas, which necessarily place an emphasis on such events. These are not, as once thought, simple chronicles or the equivalent of local newspapers, but stories, and specifically they are stories dealing with crisis moments. Almost all narrative genres require conflict to a greater or lesser extent. These stories are in many ways at odds with the historical reality, as Byock notes: 'the first 300 years of Iceland's medieval independence ... were characterized by the almost total absence of the murderous pitched battles that routinely took place in Scandinavia and elsewhere in the medieval world.' And indeed, with the notable exception of the battle at the Alþing, most of the killings until the events of the samtíðarsögur are small-scale cases of localised feud, and even this should not be taken to represent daily occurrences. The events of Hávarðar and other sagas are fictionalised accounts, representations of the uniquely difficult situation rather than of standard practice, and thus the overrepresentation of violence and disorder is unsurprising.

We have no reason to believe arbitration was anything other than effective in the majority of cases. In a practical sense, that disputants readily turn to arbitration,
either of their own volition or with minimal coercion, suggests a broad confidence in its equity and efficacy. Even where one or both parties show initial hesitance, the act of protest seems to be largely for social display. The process is almost formulaic – one or both sides show a willingness to contest their right by arms, whether they actually wish to or not, and in doing so avoid allegations of cowardice. The intervention of the arbitrator is twofold, testifying publicly to the perceived wisdom and good will of all parties by showing compromise to prevail over violence, while smoothing over any reluctance with offers of assistance or friendship where necessary. When tensions begin to run high between Hávarðr and Þorbjørn during their settlement, Gestr steps in to offer the latter assistance in payment, and the former honour and aid in old age:

Vil ek gera fyrir víg Óláfs þrenn manngjöld, en fyrir ójafnað, þann sem þú hefir gört þeim Hávarði, þá vil ek gera þér, Hávarðr, haust ok vár, at þú komir til mín, ok skal ek söma þik gjöfum ok því heita þér at gera aldri forverkum við þik, meðan vit lifum þádir.

That the arbitration fails here is not an indictment of the system itself, but of Þorbjørn. All is going well, and it seems the arbitration will be successful until Þorbjørn's seemingly impulsive act of violence. In a scene heavy with subtext, he

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240 Miller, Bloodtaking and Peacemaking, 271-2. Miller will take this even a step further in his analysis, convincingly suggesting that not only were parties often expected to act hesitant to settle, but that members of one’s party were often brought with the implicit understanding they would play the role publicly of hawk or dove as the situation required. This in turn showed the commitment of the principal to vengeance or else his praiseworthy forbearance, even if he was not necessarily eager to take up the axe in actual fact.

241 Háv, 313. ‘I wish to award for the slaying of Óláfr the price of three men, and for the other unfairness, which you have done to Hávarðr, then I wish to do this for you Hávarðr: that you come to mine, in autumn and spring, and I shall honour you with gifts and this promise – to never treat you meanly, while we both live.’
offers to finish his portion of payment by throwing a bag containing the dead Óláfr’s teeth into Hávarðr’s face, and causing him to bleed. The destructive response of Þor bjørn illustrates the key flaw in dealing with those who have become 'too big' for peaceful resolution:

The ideology, the [compensation-]model, requires balance, but it does not, or rather it cannot, specify what is to be balanced against what. There are at least two sides that have very different views of what it means to get even.  

This is, as Miller goes on to explain, why arbitrators are so important, but they are only effective insofar as both parties can be convinced that the settlement, while not being as much or as little as they had hoped for, is nevertheless setting 'the pans of the balance back to even.' Here, says the sagaman, lies the problem. Compensation already has its problems, as the sagas show time and again. It creates conflicting incentives, both to accept peace and to plan for a future violation of that peace; indeed, it is often (particularly in Njála) a means to pay for violating the peace again. The primary advantages of accepting compensation (and we cannot emphasise enough just how valuable these advantages were, as seen in how readily parties turned to arbitration in spite of any drawbacks) are that it buys at least a temporary peace, and that it resets the relationship between the two parties to something resembling their pre-conflict levels. But what happens when one party has gotten so large, so out of control, that the possibility of 'being even', regardless of its

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242 Miller, *Why is Your Axe Bloody*, 77.

243 Ibid., 78.

244 See Miller’s examination in Ibid., 79-87. While this thesis will touch in passing on some of these contradictions, Miller takes an in-depth look at some of the flaws of this compensation mode.
reality, is unpalatable or even impossible? Earlier, the audience saw Óláfr being priced by Þorbjörn as worth a broken-down old horse; now, he is being forced to publicly acknowledge his victim as being as valuable as three free men. He is also being forced to bow to the will of the community and in effect say 'I was wrong, I cannot kill whomever I wish with impunity', in spite of his earlier assertion to Hávarðr that he never pays compensation for his victims. To Geitr, Hávarðr, and those assembled around them, the settlement looks fair; to Þorbjörn, it is a financial loss and a loss of face, and he must get his own back.

To add the teeth to the purse makes a damning statement that is at once an attempt to shame Hávarðr, an assertion of Þorbjörn's invulnerability, and to mock the act of compensation. This money will only buy peace if Hávarðr is willing to be seen to sell his son's corpse. He will in effect be 'carrying Óláfr in his purse,' the teeth themselves and Hávarðr's own blood making the figurative literal as they scatter and mingle with the silver. We can both take our payment, Þorbjörn says, but what I take in blood and corpses, you must settle for having in silver. The point is not lost on Hávarðr, either; Þorbjörn's 'gift' and his free use of force in the shedding of Hávarðr's blood constitute an immediate breach of the settlement and pile further insults on to Þorbjörn's implicit assertion that his will supersedes the community's right. Shedding blood at the Alþing is, after all, not just a breach of peace in a hallowed space, but an attack on the system itself; here where the law should be strongest, Þorbjörn insists it has no real power over him. There will be no peace; Hávarðr knows this, the community knows this, and almost immediately their actions begin to bear this out.

245 See Theodore Andersson and William Ian Miller, Law and Literature in Medieval Iceland (Stanford: Stanford University Press, 1989), 46. The view of compensation money as having an almost totemic relationship with the dead is observable throughout the sagas, and is explicitly mentioned as 'carrying the dead in [one's] purse' twice in Grettis, ch 23-24.
As Hávarðr’s strength begins to return, with his sudden flash of activity in striking the retainer (but, notably, not drawing blood) and the seemingly fantastical leap, Þorbjörn’s support and power begins to wane in equal measure. The Þjóðrekssons are already a largely solitary power, needing only each other for support, but when Gestr Oddleifsson repudiates Þorbjörn, he does more than take his sister and some possessions. His abandonment leaves the family isolated, his withdrawal of goods and kindred a withdrawal of his support, and his last words to Þorbjörn leverage the full weight of his reputation for prophecy and insight on the mind of the audience: “kann ek ok eigi at sjá á manni, ef eigi iðrask þú þessa nökkurt sinn eða þínir frændr.” ... Sagði Gestr, at svá mun hann annarra skamma verri bída ok sér makligri.246

With each failed attempt at peaceful resolution, Hávarðr grows stronger, and Þorbjörn becomes more at odds with the wider community in the continued reference to the nameless ill-will growing at his unfairness. By the time Gestr breaks off relations, popular antipathy has come to be a real force, coinciding with Hávarðr’s third recovery. Further, while Hávarðr has been back and forth from retirement symbolised by his taking to bed, Bjargey has been working quietly behind the scenes, laying the ground for vengeance and preparing the support network for her husband’s ultimate action. When he does finally emerge from the chrysalis of his bed, it will be into a society waiting to support him, first in the form of his kingroup that helps him take the actual vengeance, and later including Steinþórr, his family, and supporters when the action begins to shift away from Hávarðr’s feud to the effect on the community at large. Notably, however, from the time in which Hávarðr leaves his bed

246 Háv 314. "And I don’t know how to see into a man[‘s character], if you and your kinsmen don’t regret this some day."... Gestr said, that [Þorbjörn] would suffer a worse shame, and a proper one for him."
to take action until the final resolution at the þing, he will never not be situated publicly, acting in unity with a larger, broadly based group and always with the approval of and advice from other leading men.

One gets the sense, then, following the disaster at the Alþing Hávarðr is doing more waiting than he is mourning, the gap in time between being something of a held breath as everyone waits for the right moment. Certainly, Bjargey never takes seriously the claims of her husband’s grief-poem, uttered from bed. Knowing the time she and her husband have waited for has arrived, Bjargey waves off his poetic response with the air of a woman has done enough biding for the both of them:

’Þat er vist,’ segir hon, ‘at þetta er allmikil lygi, at þú hafir aldri sofít á þrimr árum, en þó er nú upp at standa ok gera sik sem vaskastan, ef þú vill hefna Óláfs, sonar þíns, því at eigi verðr hans hefnt um aldr þínn, ef eigi verðr á þessari nótt.’

Hávarðr’s response is immediate. From the moment he emerges from his chrysalis, the saga itself shifts gears to reflect Hávarðr, the pace accelerating as first Þorbjørn and his party, and then the remnants of the Þjóðreksson family in this area of influence are removed piecemeal.

This sudden flurry of violence presents a problem, however. With Þorbjørn’s demise, one might expect the saga to be ending already: blood has been taken for blood, and Óláfr exchanged for Þorbjørn. Yet, the vengeance of Óláfr represents only

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247 Ibid., 319. ‘It is certain,’ she says, ‘that this is a very great lie, that you have never slept in three years – but nevertheless it is now (time) to stand up and gird your loins (lit. ‘make yourself the most manly’), if you want to avenge Óláfr, your son, because he will not be avenged in your lifetime, if it it doesn’t happen this night.’
the midpoint of the saga. That Hávarðr’s action extends beyond Þorbjǫrn and his immediate party has been taken by some as a sign of an overall lack of concern within Hávarðar to maintain the tone and realism of a true family saga. Now regenerated and triumphant over his foe, Hávarðr must appear to some in modern audiences as a swaggering braggadocio, carrying his cause far beyond the bounds of vengeance and dragging in Þorbjǫrn's local relatives who, although as reprehensible and unfair as their relative, are at the very least innocent of this particular crime. The action begins to tend towards the comic or the romantic as his party competes to outdo each other in bold deeds, and two little boys, Grímr and Þorsteinn, even join the troop of youths and the old man who leads them. The audience might even be tempted to suspect everything following Þorbjǫrn's demise as a case of the sagaman being caught up in his own stoffreude, lavishing attention on feats of arms and poetry.

That Hávarðr has not lost control of himself in a quest for glory, however, is obvious from his careful selection of targets. Nor is this simply a case of bloodlust or forestalling revenge by exterminating all of the Þjóðrekssons. If it were so, the audience might have seen substantially more blood being shed, and Hávarðr would never have accepted turning the feud back to the legal sphere while Þorbjǫrn's relatives elsewhere were still capable of holding him accountable. In effect, he would become just another Þorbjǫrn, and the sagaman is not going to let that happen to his unlikely hero. The situation Hávarðr finds himself in is somewhat more complex than the usual feud: his son has come to signify something bigger, and his opponent is no usual ójafnadarmaðr. Þorbjǫrn is, as the saga has shown, the head of an aggressive and otherwise uncontested power in Ísafjörðr. To remove him may even the score temporarily for Hávarðr, but its effect on the tyranny of the Þjóðrekssons, apparently
just as willing to hold themselves above the law as their leader, is limited. Within the district, this means it is necessary to deal with the threat of Þorbjörn's brother Ljótr at Mánaberg with his supporters, and to send a clear message to those of the Þjóðrekssons outside of Ísafjörður to warn them off. In a way, Óláfr's value has grown from useless mare, to three men, to the district itself. Ironically, Þorbjörn was right: Hávarðr cannot possibly suffer having to carry such a weight in his purse, and only when Ísafjörður is avenged can the loss of Óláfr be compensated.

Even in the midst of dismantling the Þjóðreksson power structure, Hávarðr and his compatriots are careful to moderate their vengeance. Þorbjörn's thralls are excluded from vengeance; they had no relation to the case at hand, and their only crime would be being in the wrong place at the wrong time because of their service to Þorbjörn. To kill them would put the lie to any claim Hávarðr is only doing what is right and necessary, and would achieve nothing in exchange for the moral and legal high ground: 'Hávarðr kvað ekki at hefníðara Óláfs, sonar síns, þó at þeir dræpi þrælana...' Likewise, the use of fire to deal with Ljótr at Mánaberg is vetoed outright by Hávarðr in favour of a riskier suprise attack. Burning, after all, brenna inni, is usually given the utmost condemnation in the sagas. It is, as Miller notes, an indiscriminate killer not only of able men, but of the young, the old, male and female, thrall and free man, and it requires much less courage than a direct attack. By the time of the Sturlung Age and its conflicts, the revulsion once felt for brenna inni no longer restrained men as it once had; and attempts were occasionally made at justifying the burning in of one's enemies, but in Iceland where fires were hard to start

248 Ibid., 328. 'Hávarðr said it would not avenge Óláfr, his son, if they kill the thralls.'
249 Miller, Why is Your Axe Bloody, 222-3. Miller is speaking with special reference to the burnings in Njálæ, and observes in n.6 the sparsity of successful attempts at brenna inni in Iceland in the family sagas, but here, as in other cases, no attempt is made – it is outright rejected.
and even harder to stop, the potential harm to one's reputation and the very real danger of escalation significantly outweighed the potential justifications.\textsuperscript{250} The law was unequivocal on the use of fire. The penalty for \textit{brenna inni} in \textit{Grágás} was full outlawry; simply \textit{asking} someone to accompany oneself to burn a building with people or another person's property inside was technically an offence meriting lesser outlawry.\textsuperscript{251}

Given the explicit mention of women in Ljótr's household, and their actual presence in the scene to follow – not only is the \textit{húsfreyja} awake, she and her women are out and about and will witness the action – Hávarðr's out of hand dismissal of burning once again protects the validity of the legal defence he will eventually have to present. Likewise, after slaying Ljótr, Hávarðr quickly moves to offer the dead man's bodyguards a chance to avoid a similar fate:

\textit{Þá mælti Hávarðr ok bað húskarla vera sem kyrrasta, sýna eigi illt af sér, – 'ella drepopm vér hvert mannsbarn á føtr ǫðru.' Þykkir þeim sá beztr at liggja sem kyrrastir. Var Ljótr fám harmdauði, þó at þeir hefði verit með honum. Eptir þat snúa þeir út; vildi Hávarðr þar ekki at gera fleira.}\textsuperscript{252}

\textsuperscript{250} Notably, a no less prominent representative of the Church than Bishop Heinrekr will attempt to justify the arson at Flugumýr in \textit{Þorgils saga ok skarða}, but the opposite viewpoint appears just as earnestly held at the time, given the use of \textit{brennuvargar} by his opponent Finnbjörn Helgason to describe those who burn their enemies.

\textsuperscript{251} \textit{Gg} la, 184-5, sec. 109; cf. Miller, \textit{Why is Your Axe Bloody}, 223 n.4. By the time of \textit{Jónsbök}, arsonists also include 'burners of ships, haystacks, and shielings', further emphasising the possibly catastrophic damage burning was seen to cause.

\textsuperscript{252} \textit{Háv}, 330. 'Then Hávarðr spoke and bade the huskarls be still, and to not show any hostility, – "or we will slay each man at the feet of the others." It seemed best to them to lie as still as possible. Ljótr was lamented by few, though they had been with him. After that, they went outside; Hávarðr wanted to do no more there.'
Aside from being a relatively rare moment of mercy in saga vengeance, Hávarðr's threat very cleverly redefines the loyalty relation between the húskarls and the attackers. As with all things, it is at its core an exchange: withdrawing loyalty from Ljótr in exchange for release from his feud. To strike at Hávarðr's party would mean the húskarls insist on their attachment to Ljótr, thus involving them in the retribution as Þorbjörn's húskarls were. Likewise, to refuse to take arms is to disavow Ljótr and his actions, excluding them from the feud and tacitly supporting Hávarðr's position by leaving their employer unavenged. Despite their nominal attachment to Ljótr's household it is clear from their reaction the húskarls feel little or no loyalty to the man himself. Recognising Hávarðr's offer for what it is, they choose to sever their ties and thus acknowledge the rightness of his death and Hávarðr's vengeance. Although Hávarðr acknowledges 'ekki verði hefndin jafnmikil sem ek vilda,' he also reaffirms the importance of controlled vengeance.

Following Mánaberg, Hávarðr allows the feud to return to the legal sphere and public judgement, rather than continuing a campaign that risks putting personal satisfaction above district stability. His arrival at the home of Steinþórr of Eyri reasserts the earlier establishment of a chieftain–follower relationship: the suit is handed over, and Steinþórr extends his protection to Hávarðr and his party until it is resolved. It is a shrewd move, and in spite of his protests to the contrary, it is perhaps one that Steinþórr may have been expecting for some time. Any surprise on Steinþórr's part seems almost to have been affected as he queries his guest about recent events, prompting Hávarðr first to outline the action, and next to explicitly request his aid: 'Steinþórr mælti ok spurði, hvert Hávarðr ætlaði at leita til trausts eptir

253 Ibid., 331. 'The vengeance has not been as much as I wanted…'
Is the audience really to believe that Steinþórr does not anticipate the answer that follows, as he looks over the band that has shown up early in the morning, and still carrying their blood-stained weapons and clothes? Is the audience to ignore as well the narrator’s careful mention that, as the scene shifts away, at Steinþórr’s home there are no fewer than sixty combat-ready men? Hávarðr has clearly not been the only one keeping busy: Steinþórr has taken care to assemble a sizeable defensive force in case of a reprisal before he can get the suit brought to arbitration.

From this point in the narrative, the action begins to split into two distinct strands of action; at the same time as Hávarðr and his men fend off a final attempt at reprisal, Steinþórr moves forward the lawsuit in pursuit of settlement. Steinþórr’s party has grown from some 60 to 300; as the narrator notes, he has summoned the full force of a goði’s influence in kinsmen, friends, and in-laws. Meanwhile, Hávarðr and his band resemble now more than ever a model of the wider district that is being fought and negotiated for by the powerful. Supplemeting the old man, his húskarl, and the valiant youths that are his nephews are two young boys and Atli, a miserly farmer whose reputation recalls Björn of Mørk: it will be to everyone’s great surprise that he acquits himself valiantly. Notably, this collection of mostly middling bœndr,

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254 Ibid., 333. ‘Steinþórr spoke and asked, where Hávarðr thought to look for aid after such mighty work.’
255 Ibid., 336.
256 It is necessary here to be brief with the introductions of these new characters, as much of their action until this point largely falls outside the scope of this research. It is worth noting in the case of Grímr and Þorsteinn that they appear almost miniature Hávarðrs in their unexpected and impressive defence against the overwhelming aggression of Ljótr the Champion. This is not likely due to coincidence – Landnámabók lists a Ljótr as the brother of Þorbjörn Fjóðrekksson, but here we have two. Given their circumstances, and the similarity of their deaths (arms cut off at the joint), it would appear the sagaman has, knowingly or by accident, included details from two distinct Hávarðar stories to further support his theme. Of Atli’s reputation for witchcraft, we should bear in mind the earlier discussion of ‘magic’ within Hávarðar; see above, 60-1, 76-87.
children, old men, and a miser are not directly part of the proceedings concerning them: in the legal action, responsibility is handed over to the chieftains and big men. Order has begun to be restored in this handover, but not before one final act of extreme ójafnaðr from the Þjóðrekkssons, a surprise attack while Steinþórr and his supporters are away at the þing attempting to arrange a settlement. Here again the incredibly damaging potential of ójafnaðr is realised, along with the need for response across all levels of society. Hávarðr and his men are forced to fend off reprisal from a group which views the log as nothing more than another means to destroy its enemies, even as Steinþórr and Gestr attempt to bring authority back to that same log.

Þórarinn and Dýri’s decision to seek monetary compensation at the þing, while at the same time sending a band to take blood compensation for the same offence, represents something of a problem given the feud-compensation model Miller refers to when discussing 'turn-taking'. A settlement may not (indeed, usually does not) preclude further violence, but as always, timing is key here. At least some acknowledgement of the law’s decision must be made, and the feud must go dormant, even if only briefly, before another 'turn' is taken. As always, the critic has recourse to Grettis saga’s dire rebuke that only a slave avenges himself immediately, and to Ljósvetninga saga to see ‘verði því meiri hefndin sem lengr er.’ This is especially important when one considers that the self-same compensation payment will often be used to finance the next string of killing, but caution is also necessary for the simple reason that to act in haste risks disaster. What constitutes a 'botched' turn is not

257 Miller, Why is Your Axe Bloody, 86-7.
258 Ljós, 20. ‘the avenging becomes greater, the longer it is.’
always clear, but the result is the same: the blundering party loses their opportunity for vengeance, loses their investment, and is now on the defensive.²⁵⁹

For Þórarinn and Dýri to attempt their turn at the same time as they move for peaceful resolution is significantly more than duplicity, then. They are also acting without restraint, violating the turn order, and effectively refusing to acknowledge the concept of arbitrated settlement even as they seek to profit from it. The two chieftains are well aware that once a settlement is declared, it is unlikely Gestr or anyone else will be able to remove themselves from it without being seen as a griðníðingr. Thus, even should the vengeance be botched, the loss is mitigated. This clearly transgresses the social right to revenge, as seen in the sudden shift in opinion of the narrator and those present at the settlement. When first introduced, Þórarinn was ‘miklu hygnastr ok spakastr’ of the Þjóðrekssons; ²⁶⁰ at the settlement he, along with Dýri, is said to conduct himself ‘at òllu drengiliga’. ²⁶¹ No sooner has the narrator reported this, however, than the survivors of the abortive burning and attack arrive, shamefully disfigured. Just as quickly as he has been praised, Þórarinn’s standing plummets: from the wisest and most thoughtful down to being with the rest of his kinsmen, ‘ólíkr ððrum mðnnum at ðllsku ok óðrengskap’. ²⁶² The alliterative resonance and the repetition of elements in these two lines casts in stark opposition just how far Þórarinn has fallen: from òllu to ðllsku, from drengiliga to ðødrengskap, and again from òllu to ólíkr ððrum mðnnum. From top to bottom; from being complete in his nobility to being despised for lacking the same quality. In trying to use their position to subvert the legal proceedings and increase their gain (or mitigate their loss), Þórarinn and

²⁵⁹ Miller, Why is Your Axe Bloody, 226.
²⁶⁰ Háv, 348. ‘considerably the most thoughtful and wise’
²⁶¹ Ibid., 354. ‘all manfully/completely nobly’
²⁶² Ibid. ‘unlike other men for evilness and meanness’
Dýri have inadvertently cost themselves much more. Gestr will not violate the settlement, even though it has essentially already been violated, but he will withdraw his all-important support, now and in the future. Effectively, this shuts out the Dýraþórðr chieftains from any future attempt to leverage their influence: the powers of Eyri in the east and Barðaströnd in the south are at present ascendant.

Yet, it is clear from the sagaman’s division of the action that none of this could have been achieved without the resistance of Hávarðr and his band. If we are to see in them a model for the often overlooked in the wider Commonwealth, then their final and successful resistance must be every bit as significant as the defence of Steinþórr and Gestr, their blow to Pórarinn and Dýri as effective. The action plays out almost as a reversal of the attack on Mánaberg: a surprise attack is mounted, and this time when fire is mentioned it is initiated by the group’s leader, and there is no dissenting voice. Both the surprise and the attempt at burning are quickly foiled, however: Hávarðr will not be taken unaware and unarmed in a bedcloset, and the action is forced out under the wall where the defence is easier. Once again, the sagaman plays with the implication of divine or supernatural favour on Hávarðr’s side with Atli’s dream, in which he reports shortly before the attack that ‘sá ek, at vargar runnu sunnan á völlum átján saman, en fyrrir vörgunum ran refkeila ein...ok veit ek víst, at þat er manna hugir...’263 Likewise, Þorgrimr follows his own uneasy sleep with a claim of scouting with his fetch: ‘Heima hefi ek verit um hrið á bœnum...’264 However, whether these claims reflect the internal reality of the narrative is left up to the audience, couched as always in the unverifiable words of individuals, here not known for their

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263 Ibid., 349-50. ‘I saw, that eighteen wolves ran together from the south into the field, and in front of the wolves ran a vixen...And I know for certain that they were the spirits of men.’

264 Ibid., 350. ‘I have just been up to the farmhouse for a while...’
good qualities. Certainly, there is no explicit supernatural influence in the melee that follows, regardless of the bickering words between Atli and Þorgrimr during a lull in their apparently rather uninspiring combat.

The result is a complete rout, with the aggressors unable to overcome the arms (and in Atli’s somewhat graphic case, teeth) of the defenders. Of the eighteen that came, the narrator tells us, three limp away, and again only as a result of the forbearance of Hávarðr. Þorgrimr, as representative of the Dyrafjǫrðr treachery, is given a suitably grisly end, and even those who are spared leave with permanent reminders of how society views a griðníðingr. Notably, when they come before the arbitrators at the þing, any shock at the treatment of the Dyrafjǫrðers is offset by the gravity of their offence: ‘ðottí ǫllum þetta mikil tíðendi, ok þó farit makliga. Þóttí mǫnnum Þorgrimr hafa dregizk til fjándskapar við þá, en orðin umskipti jafnlig.’

There is no attempt to settle for these men, or for Þorgrimr: instead, there is a sense they have not followed the procedure, and in their failure forfeited their turn. The last words of the suit and of the þing itself are Steinþórr’s as representative of Hávarðr, and he sums the matter up nicely: ‘þykkir mér þeir nú hafa af inn versta, látit menn sínar marga ok þar með drengskap sinn.’ The fight at Otradal is thus rolled up as part of the general settlement, the understanding being that these men will now be weighed against keeping the broken agreement of the Dyrafjǫrðers.

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265 Ibid. ‘That seemed to all (to be) great news, but yet it had gone fittingly for them. It seemed to everyone that Þorgrimr had drawn himself to hostility against (Hávarðr’s party), and had been fairly repaid (‘the exchange had turned out fairly’).

266 Ibid., 355. ‘it seems to me they now have it the worse, to have lost many men, and with their dishonour there.’
Returning to Order and Reaffirming Rights

With the action once again pivoting away from the legal sphere, all that remains for the sagaman and the audience is to consider what to do with Hávarðr. There is, according to the narrator, no disappointment with the terms of the settlement: everyone remarks that it seems to have gone well, given the circumstances. Even though the agreement was made under false pretences, and Hávarðr and his band could legally claim its violation freed them from it, they choose instead to obey. Nor could the sagaman have his character do otherwise, if Hávarðr’s actions until this point are to be presented as in defence of the law and of his legal rights as an individual and free man. Hávarðr has until now shown that his return to strength and his vengeance stem from a form of agreement with society: he was to do what was necessary to avenge Óláfr and restore the balance of power in the district, no more and no less. Having achieved this, his role as avenger is concluded and he must return to the private sphere, which he does through publicly passing on his arms and armour and sharing out his spoils before departing the area in keeping with the terms of his agreement. The responsibility for action is returned to the young and promising (his nephews), and to honourable chieftains (Steinþórr and Gestr).

However, even in winding down Hávarðr’s story, the sagaman cannot, it seems, resist one final parting image of power and the proper response to it by sending the

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267 Justifications for violating settlements while avoiding the title of gridnídingr seem not to have been too very difficult, on the whole. Contrast Hávarðr’s likely justification with that of Þorgeirr Starkaðarson in Njála for example, where the latter is perfectly able to assert that a settlement with Gunnarr is voided by the latter’s brother Kolskeggr’s attempt to pay for and thus regain land for their mother – land that had before been given in compensation for the death of Þorgeirr’s brother. The compensation amount remains the same, but the technicality is enough to free Þorgeirr from his settlement.
old man to Norway. From a quest for vengeance, Hávarðr has developed into something of a champion again, this time of the Icelandic system itself, having known when to go to law, when to pick up the sword, and when to put it back down again. Now he will have the chance to prove himself one more time, in the foreign system of Norway’s royal court. Where so many young men go to seek to make their fortune and earn a reputation for themselves back home, however, the old man goes to reaffirm his own by following through with his earlier oath and bringing something back with him to establish his legacy.

If anything, Hávarðr’s voyage perhaps represents the ideal interaction between an Icelander and the Norwegian monarchy. In the coming chapters we will see the drawbacks of attempting to court favour with Norway, but Hávarðr has no such concerns in mind. There is no indication he becomes a member, even temporarily, of the royal household. Rather, his relationship with Norway is brief, and limited in scope to matters of religion and business. That he goes there to receive Christianity is hardly surprising, given its role in the conversion of the Icelanders: as was made apparent in his first consideration of the matter, Christianity is at this point still a faith from elsewhere, 'out of the land'. Íslendingabók recounts the baptism of some of Iceland’s most famous Christians as happening at the hands of the missionary Þangbrandr, sent by King Óláfr Tryggvason: ‘...Hallr á Siðu Þorsteinssonr lét skírask snimhendis ok Hjalti Skeggjasonr ýr Þjórsárdali ok Gizurr enn hvíti Teitsson, Ketilbjarnarsonar frá Mosfelli, ok margir hofðingjar aðrir...’

268 Íslb, 14. ‘...Hallr þorsteinnsson of Siða had himself baptised quickly, and Hjalti Skeggja the White, son of Teitr, son of Ketilbjörn from Mosfell, and many other chieftains...’
Hávarðr's willingness to take the faith earns him the esteem of King Óláfr, but in contrast to the usual formula, the hero by and large seems uninterested in pursuing this relationship. Well aware he is first and foremost an Icelander, and with his life coming to its end, Hávarðr stays in Norway only long enough to be christened and arrange for the shipment of church-building timber back to Iceland. This again is hardly surprising: the scarcity of lumber in Iceland mandated supply from abroad for any considerable construction project. Already by this time Iceland is becoming increasingly locked into a one-sided trade relationship with Norway, making it further necessary Hávarðr look there for materials. Indeed, in more ways than one the journey appears to be one of expedience. Time is against Hávarðr and his family, in spite of his return to strength, and the joyful success that sees even Bjargey’s brothers acting as though they are ‘nú ungir orðnir í annan tíma.’ It is telling that Bjargey will never return to Iceland. Hávarðr's far-sighted wife, with her possible connections to the supernatural, will live long enough to accept the 'aðra trú sanna' with her husband. As with the passing of the sword Warflame to Hallgrímur, another heroic tale motif passes from the saga with Bjargey. Slowly, but surely, the action returns to the mundane scenes with which it began.

Thus, despite King Óláfr’s honour, Hávarðr sets out the following summer. Perhaps unusual for a saga so rich in folktale elements, the expected complaint of a king unwilling to lose so good a man is absent. Likewise, there is no detailing of gifts or favours from the monarch, as testament both to his generosity and to

269 Háv, 355. ‘now become young a second time’
270 While the relationship between kings and Icelanders can be rather perilous, for those who do find favour one of the largest difficulties can be in departing the king’s company and returning home, regardless of whether one is a warrior, poet, or simply a traveller who has found favour. Navigating the king’s displeasure at losing one’s company often requires finesse, as for example in Níðla, Bjarnar saga, Auðunar þáttir, etc.
Hávarðr’s worthiness. The aforementioned timber is the only cargo the narrator sees fit to detail, and the audience may safely assume it is transported at his own (considerable) expense. This was not a journey to curry favour with the monarchy: as an Icelander, Hávarðr’s place is and always has been in Iceland, and his reputation there will remain largely independent of the king’s regard. As much as it increases his renown to have been christened in the presence of important men like the King of Norway and his court, far more noteworthy still is the very physical presence of his church, a testament not only to his considerable resources but also to his eventual role as an early supporter of that faith in Iceland.  

In a final nod from the sagaman, Hávarðr is rewarded for passing this final test with an almost saintly awareness of his coming death, enabling him to reward his loyal kinsman and provide for the creation of what is likely one of Iceland’s first churches. It is a fate he accepts contentedly and without lament, having avenged his son, avenged his district, and rebalanced the scales. Although he dies without a line to carry on his name, the sagaman buries him and ushers him offstage with the standard reassurance that ’þótti verit hafa it mesta mikilmenni.’  

Here the saga ends, not merely an entertaining romp across a familiar landscape, but a measured and well-considered commentary, utilising elements of the comic mode, but firmly remaining within the established tradition and subject matter of the íslendingasögur. Hávarðr and his kinsmen are given extraordinary opportunities and tools, but the threat they face is a very real one. In the aftermath of the Sturlungaöld’s strife and the end of Icelandic independence, clear questions have

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271 Where other sagas are somewhat more muted in their opinions on the conversion of Iceland, the sagaman here appears to be firmly Christian in his tone (though, as we have seen, when it comes to the miraculous or to divine intervention, he leaves his audience to their own opinions).  
272 Háv, 358. ’he was considered to be the greatest man.’
arisen concerning the rule of law and the nature of power, foreign and domestic, that is becoming increasingly consolidated in the hands of fewer individuals. When one party becomes so powerful it is able to effectively ignore the rulings of the community and exercise its influence unilaterally in a system already under intense environmental, economical, and social stress, how does that system cope with the pressure? In Hávarðar's case, the intervention of góðgjarnir menn, along with the resistance of the community in defence of its rights is enough to overpower these individuals and prevent further damage to the district, but the reality is that this cannot always be avoided. Leaving Hávarðr to his well-earned rest, we now turn to Bjarnar saga to observe just how fragile a peace can be.
In the case of Hávarðar at least, ójafnaðr and the dangers inherent in the ability of powerful men to resist the Icelandic system of social order was straightforward, as was the response. In it, one intractable man’s overweening sense of entitlement and ambition to be the ultimate and unquestioned power in his district led him to oppress those to whom he should have been a support against others’ ójafnaðr; those who in turn would have been his real source of influence. That Þorbjörn’s death was necessary to restore social equity in his district should come as no surprise within a literature focused on conflict resolution and littered with examples of leading men, heroes and villains alike, being cut down for reaching too high, consciously or unconsciously. Only the means by which he was removed from the society he was destroying differs: instead of another powerful man or coalition initiating corrective action, a traditionally vulnerable member of the community (whose disenfranchisement was at least tacitly assumed) removed him, seeking the support and tacit approval of other leaders retroactively. The 'villains' themselves were as the audience would expect, powerful chieftains and leaders of family groups who, having achieved a degree of preeminence within their area, nevertheless sought to assert complete self-centred control, reaching beyond the accepted power of their place, even at the head of local society. In Hávarðar, the dangerous potential for destroying the checks and balances on power existed only in the Pjóðrekkssons. While Hávarðr
and his party had to make restitution for their own extralegal killings, at no point do
he and his band represent a genuine threat to the local or national system. Once the
Þjóðreksson power structure has been dismantled, order is restored, and the
punishment of the Ísafjörður heroes is significantly light, in recognition of the limited
threat they posed to traditional social norms.

_Bjarnar_, while still centred on interpersonal balance and restraint, is a more
complex feud, equally dangerous to the community. Unlike Hávarðar, in _Bjarnar_ the
feud embodies the highly personalised tension between two strong-willed men, each
with too highly-developed a sense of personal worth, using a weapon unavailable to
the community at large and frustrating the community's ability to control the two
disturbers of the local peace. These two are more evenly balanced socially – they do
not oppress their community in the first instance, but their feud disturbs the normal
pattern of social interaction in that community to such an extent a sort of
gravitational pull of violence develops, drawing others inexorably in. Episodes of
physical violence are predicated upon and compounded by explicit verbal (and in the
case of the carved _trénið_, symbolic) attacks on the individual through verse and
representation, wounding every time they are remembered and repeated. These poets'
verbal sparring matches shift their action from the public to the highly personal and
back: words justify wounds, blows bring on further retributive verse. The two

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273 _Bjarn_, 154-5. The description of the carving is intentionally vague, and the narrator only refers to
two figures, one of whom is wearing a blue or black hat and is bent over with the other leaning
forwards behind it. The apparent implication is one of sodomy, with the bent-over figure
representing Þóðr, as suggested by the community's comment that while the position of neither
figure was good, _en verði þess, er fyrir stóð_ – 'yet the one who was in front was worse.' Þóðr
identifies (correctly, it would seem) Björn to be the carver, and successfully sues him for raising a _níð_
carving on his land and composing a verse to accompany it.

274 Cf. J. L. Locke and B. Bogin, 'Language and Life History: A New Perspective on the Evolution and
Development of Linguistic Communication,' _Behavioural and Brain Science_ 29 (2006): 259-325. 'This
behaviour is not limited to the Icelandic system.
spheres, the representative and the physical, are inescapably linked, although only Björn and Þórðr have the use of a poetic arsenal:

After all, poetry-making is action, action with distinct martial resonances. In fact, the exchange of provocation and counter-provocation in poetry defers, yet paradoxically makes inevitable, the physical violence that will eventually erupt and result in the death of Björn when the conflict becomes translated from the poetic back to the martial arts.275

As suggested above, Björn and Þórðr are pointedly presented as the only two characters in their particular Icelandic context capable of inflecting poetry. All of the verses in Bjarnar belong to one or the other of them; other characters can only repeat their verses.276 These acts of repetition punctuate the action and drive further hostility between the poets following Björn’s stay with Þórðr, and are recited by an anonymous informant, as when Þórðr learns of the verse mocking his seal-bite injury ('spyrr Þórðr þetta ok heyrir kveðna vísuna'),277 or when the subsequent Kolluvísur reach Björn’s ears despite the apparent attempt to stop him hearing about them ('en eigi varð vísan á dreif drepin ok kom til eyrna Birni...').278 The community’s engagement in the poetic process inevitably results in immediate reprisal from the poets, first through responding verses and eventually through violence towards those who recite them, as

276 For example, Bjarn, 168. The Grámagga verses are revealed as part of a longer discussion between Þorkell Dálksson and his húskarl, but their role is limited to hearing, learning, and recalling the verses.
277 Ibid., 154. ‘Þórðr learned about this, and heard the verse recited.’
278 Ibid. ‘The verse was not suppressed, and came to the ears of Björn...’
in the slaying of Þorkell Dálksson. While Þorkell does not create verse himself, he is called upon by his húskarl to recall the Kolluvísur and thus makes himself a target for Björn:

Þeir eigask við lengi, ferr Þorkell undan, en húskarl eptir...Siðan lætr Þorkell at eggjask ok kveðr víalsa. Pá hleypr Björn fram at þeim ok kvað fleira mundu til verkefna en kenna Kolluvísur.  

That repeating the verses by other characters is without malice does not affect the response.

Björn's and Þórðr's saga presents the possibility of ójafnaðarmaðr-like behaviour not developing only among chieftains, but in any ambitious or strong-willed Icelander. The propensity for such dangerous behaviour, however, seems almost endemic among poets like Björn and Þórðr, forming a veritable sub-group of Icelandic heroes/adventurers. Alison Finlay, in introducing Bjarnar, proposes that 'a consistent theme of the poets' sagas is the tension between the hero's desire to marry and settle in Iceland and his ambitions abroad.' She cites as an example Gunnlaugr ormstunga, who attempts to have both at once, leading his own father to describe him as óráðinn ('unsettled', 'undecided'). While Björn is more considered in regard to his pending marriage than Gunnlaugr, the same restless drive for achievement and fame impels him to confrontation and unwise decision-making in Iceland and abroad.

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279 Ibid., 170. "They argued for a long time, Þorkell refusing and the húskarl pressing him...Eventually Þorkell let himself be egged on and recited the verses. Then Björn leapt out at them and said that there was more work to be done than teaching the Kolluvísur."

280 Alison Finlay (trans.), The Saga of Bjorn, Champion of the Men of Hitardale (Middlesex: Hisarlik Press, 2000), xxxiii.
Ultimately this drive, at the heart of the poets’ feud, will prove impossible for either poet or community to manage, and will produce a more truly tragic ending than that of Hávarðar.

Probably composed in the opening decades of the thirteenth century, Bjarnar is perhaps one of the earliest islendingasögur. Although not as well regarded today, the saga appears to have been relatively well-known during the saga-writing period. As Finlay notes, an interpolation in a fourteenth-century Gunnlaugs saga manuscript draws attention to Björn’s connection to Egill Skallagrímsson, suggesting both the lineage and the character remained of interest. Likewise, Grettis saga refers to the events of Bjarnar and directly names the saga as a source:

Grettir var jafnan með Birni, ok reyndu þeir margan frœkleik, ok visar svá til í sögu Bjarnar, at þeir kallaðist jafnir at íþróttum, en þat er flestra manna ætlan, at Grettir hafi sterkastr verit á landinu síðan þeir Ormr Stórólfssson ok Þórálfr Skolmsson logðu af aflraunir.

281 As is to be expected, the precise date of the saga is uncertain. Boer, for example, suggested a possible earlier dating, to the last decades of the twelfth century. Perhaps more convincing is Nordal’s suggestion of a range of dates with a TAQ of c. 1230. Jan de Vries takes a much more direct view than Nordal, specifying 1230, but Nordal’s view is more reflective of the range of possibilities that exist in saga-dating. RC Boer, Bjarnar Saga Hitdœlakappa (Halle: Max Niemeyer, 1893), xxxvii-xxxviii; Bjarnar, xc; Jan de Vries, Almordische Literaturgeschichte Vol. 2 (Berlin: Walter de Gruyter, 1967), 354. In contrast, the Complete Sagas of Icelanders edited by Viðar Hreinsson et al. proposes a late 13th century composition, but notes that ‘the saga’s somewhat unsophisticated structure and the absence of influence from other texts suggest an early date of composition...Most of the verses cited must also be older than the prose.’ Viðar Hreinsson, ed., The Complete Sagas of Icelanders, Including 49 Tales Vol. 1 (Reykjavík: Bókaútgafan Leifur Eiríksson, 1997), 255.

282 Finlay, Saga of Bjorn, xxiv.

283 Grettis, 187. ‘Grettir was always with Björn, and they competed in many tests of strength, and such is said in the saga of Björn, that they were called even at sports/contests, but this was thought by many men, that Grettir had been the strongest in the land after Ormr Stórólfssson and Þórálfr Skolmsson put themselves to trials of strength.’
Björn and Þórðr's story was clearly still of interest to saga writers and their audiences long after its original composition, and this cannot be attributed solely to Björn's relation to Egill. Although the opening chapters of Bjarnar are now lost, material from them is used in an expanded version of Snorri's life of St Óláfr in Bæjarbók, suggesting a continued interest in Björn's story. Certainly, Einar Ól. Sveinsson sees in them a good indication of the now-lost opening's content and themes:

There are, however, two lacunae in the texts, although parts of the opening chapters of the saga have been incorporated in the manuscripts of the Saga of St Ólaf. These chapters have been altered to some extent, but they give a fair idea of the content of the first chapters.284

What remains clearly reflects a fascination with the tensions and uncertainties of trying to balance ambition on the one hand, and jafnaðr on the other. It is, as Bjarnar shows, a problem facing not only goðar and the greater bóndi, but every Icelander of character and ability in a society prizing personal achievement, but offering only a limited and limiting arena for such achievement. In a society of easily wounded pride, any action or ability out of the ordinary requires a delicate rebalancing of the social mechanism to maintain the order necessary for communal survival. Neither Björn nor Þórðr are goðar, but both remain susceptible to ójafnaðr and óhóf, behaviours which, regardless of their status in the community, threatens that community.

At the same time, the tragedy of Bjarnar is not merely a failure of two men, but of the two communities they involve, consciously or not, in their actions. Although

284 Sveinsson., Dating the Icelandic Sagas, 25.
they fail for different reasons (as we shall see), both the Norwegian court system and
the Icelandic log prove ultimately ineffectual in moderating Þórdr's and Bjørn's
behaviour, or imposing a sustained settlement between them. The most notable
example of this inability to 'rebalance' the two men's social relationship is, of course,
the well-known verse-counting at the þing, in which line by line matching becomes, at
the pressing of the poets, the very literal focus of the decision. However, throughout
the later part of the narrative the góðgjarnir menn are few and far between, and when
they do appear their aim is largely limited to preventing the feud spreading from the
local to the national stage. The checks on Bjørn and Þórdr are ineffectual, as if the
community is confused by their 'weapons', allowing the scheming of the latter and the
proud overreaction of the former to reduce them to spectators as local society
disintegrates into factions.

As in Hávarðar, the faceless polity proves reluctant or incapable of standing up
to an ójafnadarmaðr, but here the situation rapidly becomes more complex than the
former saga's straightforward problem of how to deal with one overbearing leader and
his relatively few, equally-overbearing kinsmen. While Þórdr certainly is, as Finlay
calls him, an 'out-and-out villain', prone to cowardice although well capable of
aggression, and a pale imitation of the more traditionally-heroic Bjørn, the feud
between them is maintained and escalated by a shared inability to maintain any of the
many settlements through which they and the saga move. Bjørn is a sympathetic
figure, brave and noble, yet as we shall see, he is all too often blinded by his pride and
disdain for Þórdr, driving him to carry on the feud as much as his significantly less
sympathetic enemy.

285 Finlay, Saga of Bjorn, xi.
Once the underlying causes of Bjorn and Þórdr's initial enmity have been examined, it may then be possible to turn a critical eye to attempts at controlling their destructive behaviour and rebalance their social status as their enmity grows more threatening to the district over the course of the narrative. *Bjarnar* portrays and critiques the peacekeeping abilities of arbitrated settlements both within the Icelandic system and without. In Norway, in both the courts of Eiríkr and later King Óláfr, violence at least initially appears to be contained by the weight of higher authority. Indeed, Óláfr is even able to secure a settlement between the Icelanders that seems, by the admission of both men, to be acceptable. Óláfr is able to short-circuit both the feud and the ójafnadr of both men by inserting himself as an arbitrator-surrogate, in a manner distinctly mirroring the góðgjarðir menn in Iceland. However, while effective in preventing violence within his kingdom, Óláfr's settlement will ultimately prove ineffective, deriving its force from the personal authority of the saint-king himself. Further, despite his good will, Óláfr's decision is one underwritten by an inequality of power (moral and legal) between himself and others, rather than deriving from a communal will. The relationship between the disputants is not addressed in terms of its essential Icelandic dimension, and the effectiveness of Óláfr's judgement to affect their relationship in the long term is limited by the greater importance of the Icelandic arena, where Óláfr's influence is limited.

Following the return to Iceland, the onus will be on their local community to reintegrate the poets' complicated relationship into the matrix of Icelandic society, and the community will ultimately fail. Instead of integrating the two rivals into a binding system of deterrence through the mechanisms of arbitrated settlement, the community at large seems sluggish and baffled, incapable of restraining Bjorn or
Þórðr. Before turning to the failed attempts at resolution within their own community, it is necessary, however, to consider the effects of royal power on the poets’ relationship, its interplay with the early days of Bjorn and Þórðr’s feud, and why its initially promising results ultimately fell apart following the resituation of the narrative back to a purely Icelandic context.

Old Enemies in New Surroundings

As noted above, the original chapters of Bjarnar are lost, and what remains is a summary from Bæjarbók’s expanded version of Snorri’s saga of St Óláfr. While this introduces some uncertainty, if we accept Sveinsson’s assertion of the summary’s essential fidelity to its original, we may perhaps recover the significance of the original opening. While specific details have been lost, we may yet see something of the intentions of the Bjarnar author in what remains.

From the moment of his introduction, there is no attempt to disguise Þórðr or the role he will play in later events. Although clearly a well-known and accomplished poet,286 Þórðr has a mixed reputation. Explicit attention is drawn to the difference in opinion as a function of location and power:

var hann jafnan útanlands vel virðr af meira háttar mónnnum sakat menntanar sinnar. Þórðr var hirðmaðr Eiríks jarls Hákonarsonar ok af honum vel metinn.

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286 Jayne Carroll, ‘(Biography of) Þórðr Kolbeinsson,’ in Poetry From Kings Sagas I: From Mythical Times to c. 1035, Skaldic Poetry of the Scandinavian Middle Ages I, ed. Diana Whaley (Turnhout: Brepols, 2012), 485. Carroll notes that various redactions of Skáldatal record Þórðr as a poet in the service of four separate rulers: Eiríkr Hákonarson (d. 1023), Óláfr Haraldsson (d. 1030), Magnús góði Óláfsson (d. 1047), and Sveinn Úlfsson (d. 1076, and possibly a mistaken reference to Sveinn tjúguskegg, d. 1014). See also Finlay, Saga of Bjorn, 1, n. 2.
Ekki var Þórðr mjökk vinsæll af alþýðu, því at hann þótti vera spottsamr ok grár við alla þá, er honum þótti dælt við.\textsuperscript{287}

Perhaps most important to this description is the unusual final clause, \textit{er honum þótti dælt við}. Þórðr’s fame and esteem is greatest abroad, among the powerful members of another society for whom he composes verse. In such situations, poet and patron exist in a clearly defined power relationship; while it may be possible to achieve higher status relative to other members of that patron’s group, social positioning is dependent upon a king or jarl’s favour. In contrast, in Iceland social stratification remained more ambiguous until at least the late twelfth and early thirteenth century, when power began to concentrate in the hands of the nascent stórgoðar.\textsuperscript{288} During the earlier period, the acquisition of prestige and the process of social advancement was substantially more complicated, awarded by communal opinion and one’s maintenance of wealth and complex bonds of loyalty between self and peers, rather than awarded by a central authority.

Moreover, of these two factors, communal opinion appears within the sagas to carry greater weight, as illustrated by the ‘rich miser’ character who, like Otkell of \textit{Njálal} or Þórir of \textit{Hænsa-Þóris saga}, is contrasted with more noble men of otherwise equal standing. While wealth may allow these men to interact with the higher levels of society, their overwhelming unpopularity isolates them from both high and low. In \textit{Hænsa-Þóris saga}, this is made explicit in the early fortunes of the eponymous Þórir

\textsuperscript{287} Bjarn, 111-112. ‘He was always well-respected by important men abroad on account of his skill as a poet. Þórðr was a follower of Jarl Eiríkr and was much esteemed by him. Þórðr was not very popular among people in general, because he seemed to be mocking and malicious towards everyone he considered himself a match for.’

\textsuperscript{288} Byock, \textit{Medieval Iceland}, 6, 11.
who begins his saga life as something of a poor pedlar, travelling about and selling wares between districts. Although damaging to his social reputation, through huckstering Þórir’s fortunes improve over time until he becomes wealthy enough to settle down and involve himself in district politics. His social standing, however, does not match his wealth: ‘en þó at honum græddist fé mikit, þá heldust þó óvinsældir hans, því at varla var til ófokkasælli maðr en Hænsa-Þórir var.’

So when Þórir approaches a local goði, Arngrímr, with an eye to fostering the latter’s son, the offer is initially rejected out of hand. Although Arngrímr will eventually be swayed by the wealth promised to the boy Helgi, these initial concerns highlight the importance of reputation among leaders and big men: as Arngrímr notes, ‘Svá lízt mér sem lítill hófuðburðr muni mér at þessu barnfóstri.’ In Arngrímr’s case, this proves to be well-founded, and granting Þórir his protection will only inspire Þórir to treat his neighbours and fellow farmers worse than before, setting the stage for his disastrous feud.

To conduct oneself as a leader or a big man then, requires careful attention to social norms and relationships with superiors, equals, and dependants. Both Hænsa-Þórir and Þórðr are said in their sagas to have no great love from their peers – (ekki var/var ... eigi) mjökk vinsæll af alþýðu – although both style themselves as big men. Þórðr, while not obviously stingy like Hænsa-Þórir, is spottsamr, mocking, and grár, openly malicious or hostile. The connection between these two negative qualities is linked to Þórðr’s use of speech, and there is almost a threat implicit in the reference to

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289 Hæn, 6. ‘But though for him his fortunes increased greatly, he then remained nevertheless unpopular, for there was scarcely a man more unpopular than Hænsa-Þórir was.’

290 Ibid., 7. ‘It looks such to me as there is for me little honour in this fostering.’

Þórðr’s fame as a poet. Þórðr’s misconduct is not so much the usual hostility to other men of substance or arrogance to those he does not consider his equals, but destructive manifestation of the gift of poetry. Þórðr uses words much as Gunnarr will his atgeirr, as a means of dominating and controlling those in his area, the reader is told; Bjǫrn is merely the most recent target. As in Hávarðar, initially the response of the community is muted. No rival to Þórðr in poetic strength or social clout emerges, and there is no mention of a challenge to his behaviour. The only response from the common people is, following Byock’s pattern, ’lumping it’ or, as with Bjǫrn himself, moving or being moved ostensibly out of his oppressor’s reach: ’var hann því með Skúla, frænda sínum, meðan hann var ungr, at hann þóttisk þar betr kominn sakar áleitni Þórðar Kolbeinssonar en hjá fǫður sínum.’

In contrast to Þórðr, no reference is made to Bjǫrn’s poetic ability, but in all other ways he is exactly what a saga audience would expect from a potential hero. To complement his famous lineage, Bjǫrn is physically exceptional, ’snimma mikill vexti ok rammr at afli, karlmannligr ok sœmiligr at sjá.’ He has had trouble with Þórðr, but now that distance has been put between them, Bjǫrn has been able to develop positively, and appears to be on course to be everything Þórðr isn’t: a respected, important member of his (already-illustrious) kingroup in the area. Through Skúli, the narrative looks briefly to the future, confirming the boy’s good traits: ’hann sá með sinni vizku, hverr sœmðarmaðr hann myndi verða í þeira ætt.’ Yet there is also a subtly suggested restlessness in Bjǫrn, setting the scene for what will follow. In

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292 Ibid. ’Because of this, he was with his kinsman Skúli while he was young, because he seemed better off there than with his father, on account of Þórðr Kolbeinsson’s aggressiveness.’
293 Ibid. ’quickly grown great and strong of body, manly and seemly to look at.’
294 Ibid. ’He saw with his wisdom, what a man of distinction he would become in their kingroup.’
remarking that 'unði Björn alvel sínu ráði, meðan hann var með Skúla',295 Björn's pre-
saga development is characterised as positive and largely uneventful, but the very
blandness of his earlier years, ending on the suggestion of change, also plays on the
expectations of the reader who, having been introduced to Þórðr already, will assume
this peace cannot last. A man as promising as Björn will eventually be compelled to
establish himself if Skúli's prediction is correct, and in doing so will come into conflict
with Þórðr once more. Further, it can already be inferred that Björn is preparing, if
only inwardly for the moment, to leave the relative safety that Skúli has given him: his
place there cannot be permanent.

Before Björn can act on this ambition and leave the safety of Skúli however, the
narrator defers the action briefly, introducing Oddný and her developing relationship
with Björn. This serves two purposes, the most obvious of which is to complete the
introduction, in the normal style, of the saga's major players at the outset. Thus,
Oddný and her father Þorkell are introduced, and the usual attention is given both to
Þorkell's wealth and influence, and to Oddný's beauty and personality. Interrupting
Björn's introduction and his plans for departure in the next chapter, it also cleverly
pauses the move of Björn into the narrative proper, retarding the action for a moment.
The pause is brief, but allows for further development of Björn and Oddný, creating a
relationship which, when broken by Þórðr, will transform the antipathy of the poets
into full feud. It also presents something of an alternative to Björn's restlessness: the
possibility of a settled life in Iceland, through the suggestion of a betrothal to Oddný.
Most importantly, the community itself is allowed a voice once again, this time to
judge the young couple. The understanding even before the proposal is that they are

295 Ibid. 'Björn was completely content with his lot, while he was with Skúli'
*Jafnraði*, an equal match in terms of social standing and wealth, itself a legal requirement before a marriage arrangement may be contracted, and that Bjórn himself is, in contrast to the locally-unpopular Þóðr, ‘inn skóðuligst maðr ok vel menntr.’

Yet, conflict between this potentially home-making Bjórn and his own ambitions elsewhere is not long in coming. The possibilities of marriage between Bjórn and Oddný close one chapter; the desire to go abroad to Norway opens the next. The visitors from Norway captivate the young man, the narrator remarking that Bjórn is constantly in their presence and devoted to them prior to seeking out Skúli for his blessing to leave: ‘Bjórn var viðfellinn við kaupmenn bæði í fylgð ok þjónustu’. Of itself, this is hardly an unexpected move for an up-and-coming young man like Bjórn. The sagas regularly recount the adventures of Icelanders gone abroad for personal advancement, usually with an eye towards settling down later in life after achieving wealth and reputation. In one such example from *Njála*, the introduction of Glúmr Óláfsson makes explicit the connection between travel abroad and preparation for a settled, married life. Glúmr has been abroad on trading voyages for some time, and his purpose in doing so is made clear in conversation with his brother Þórarinn, when Glúmr declares that at last he has decided to put aside his travels. Although clearly

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297 Bjarn, 113. ‘The most impressive man, and well bred/accomplished'
298 Ibid. ‘Bjórn was pliant with the merchants both in following and service'
299 Notable examples include the journeys of Þórólfr in *Egils saga*, Gunnarr, Glúmr, and Grímr and Helgi from *Njála*, Eyvindr from *Hrafnikels saga*, and Auðunn’s from *Auðunar þáttr*. 
not expecting this, Þórarinn is quick in understanding the significance: "Hvat er þér þá i skapi?" segir Þórarinn; "villt þú biðja þér konu?" "Pat vilda ek," sagði hann...

Björn is no exception to this: the community may already see the pair as jafnræði, and consider him to be a distinguished and impressive member of the district, but Björn himself is clearly dissatisfied with his position. Norway represents for him, as it has for many others, an opportunity that cannot be ignored. Even during independence, Norway had a continuing, even dominant role in the Icelandic consciousness, providing what Jesch terms a 'continuing conversation' with Scandinavian life and thus, necessarily, Scandinavian authority. Although Norwegian visitors were still considered útleknzkr, foreigners, and thus strangers by law and by communal understanding, at least some ties to 'the old country' were recognised. Both Norwegians and Icelanders enjoyed some privileged rights by law beyond those afforded to 'regular' foreigners in each other's countries, which may account for some of the attractiveness of trade and travel between the two. This special relationship with Norway for Iceland and the Icelanders stems both from its role in the origins of Icelandic settlement and as the Commonwealth's chief trading partner, the latter position becoming increasingly dominant as the number of Icelandic ships dwindled during the thirteenth century. By the mid-thirteenth century Norway had become nearly the sole carrier of Icelandic import and export trade, making it the logical (if not only) place for foreign ambitions to be realised.

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300 Njála, 41. "What then is on your mind?" said Þórarinn; "Do you wish to seek for yourself a wife?"

"That I do wish," said [Glúmr]...'

301 Jesch, The Viking Diaspora, 74-75.

302 Ibid., 74, 78-79.

303 G. J. Marcus, 'The Norse Traffic with Iceland,' The Economic History Review 9, no. 3 (1957): 408.
This is turn created connections that would boost the prestige of the visiting Icelander and continue despite his return and resettling at home.

However, where men like Gunnarr and Glúmr delay the prospect of marriage until after this return, safe and increased in fame and fortune, Bjórn attempts to arrange his future before he ever leaves. The movement of the narrative back and forth between Bjórn's future fame abroad, and his future match at home neatly mirrors what Finlay later calls the 'conflicting and potentially irreconcilable goals'\(^{304}\) of the hero, a problem that plagues Bjórn throughout his time abroad. While not innately socially disruptive in the same way as feud or ójafnaðr, this sort of restless uncertainty carries with it a degree of internal imbalance that is portrayed within the sagas as undesirable and ultimately troublesome for the hero and those immediately around him, even when, as with Bjórn, he is otherwise well-behaved and well-intentioned. Indeed, in the later Gunnlaugs saga, both Gunnlaugr's father Illugi and his prospective father-in-law Þorsteinn indicate that such behaviour is to be met with disapproval. In the already combative and troublesome Gunnlaugr, the older men see the sign of an unsettled man\(^{305}\) with conflicting desires.

No such comment, however, is made here – all involved enthusiastically agree to the young man's plans – but this does not deny the conflict that must have been created by Bjórn's impending departure. The three year betrothal is a stock motif, and is present, as Finlay notes, across the saga-writing period.\(^{306}\) Such an arrangement generally forebodes trouble even when, as in Njála, the intended bridegroom returns.

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\(^{304}\) Finlay, *Saga of Bjorn*, 9, n. 19.

\(^{305}\) See *Gunnl.* 66–7. In the speech of both men, the term óráðinn, 'unsettled' or 'without counsel' is used – twice by Þorsteinn, and once by Illugi.

\(^{306}\) Finlay, *Saga of Bjorn*, 4, n. 9. Finlay observes the motif in Gunnlaugs saga, Grettis saga, Flóamanna saga, Sturlaug Saga starfsana, Njála, bóðar saga hreðu, and in Laxdæla.
to take it up; here, where the terms are laid out with incredible specificity, it acts nearly as a map for the future chapters and disasters. That an 'out' clause of a few years' time is a feature of these betrothals may seem purely a tool of narrative fiction to prepare audience and narrative for future conflict, especially when the couple in question are, like Björn and Oddný, admittedly in love. However, the danger inherent in such voyages makes such clauses realistic, and foreshadows the results of the internal conflict of this suitor as the tragedy will develop step by step. A betrothal arranged around an impending departure creates uncertainty, not only for the young couple, but for the family of the prospective bride. As Miller notes in the case of Hrútr and Unnr in Njálar, a betrothal of any length is a difficult proposition when there is no guarantee the suitor will return: from a purely pragmatic perspective, the marriageable years are finite, and fewer in number for women than men.\textsuperscript{307} The reader may, outside the narrative, understand Björn will return. Within the narrative however, especially at the outset of the journey, all involved are aware substantial risk is involved, implicitly made the greater by Björn's desire to win fame and wealth. Björn may not be as óráðinn as the likes of Gunnlaugr, but his journey is set in motion by a similar restlessness and desire for achievement that may involve threats above and beyond the ever-present risks of even the shortest voyage.\textsuperscript{308}

There is a clear reflection in the sagas of a belief that, in addition to preparing financially for the future or establishing a reputation, such journeys are potentially beneficial to the psychosocial development of a young Icelander, providing an outlet for that restlessness and desire for martial achievement that require suppression at

\textsuperscript{307} Miller, \textit{Why is Your Axe Bloody}, 26.
\textsuperscript{308} See Marcus, 'The Norse Traffic with Iceland,' 412-416. Marcus infers the dangers of sailing voyages from their documentation in the sagas and laws.
home. In Hrafnkels saga, for example, the promising young Eyvindr is said upon his return to have only become better for it: ‘Eyvindr hafði mikit við gengizt um menntir ok var orðinn inn vaskasti maðr.’ The reality as shown in Bjarnar, however, is much more complex. The journey will do little for Björn’s sense of pride or his inability to avoid escalation in the feud with Þórðr. Indeed, the qualities that make Björn so well-suited to a life in the various hirdir, his martial inclinations and powerful rhetoric, will in the long term frustrate any attempts at coexistence with his troublesome rival. However, the Champion of Hítardalr will also return to general praise from his neighbours, and in the later hosting of Þorsteinn will display a keen political sense and an understanding of the intricacies of hospitality and gift-giving among important people.

The beginning of Björn’s journey is thus at once promising and ominous, characterised by a conflict even before Þórðr ever arrives to complicate matters. Björn’s desire for honour and reputation compel him to seek his fortune abroad, even as a part of himself longs to be in Iceland. It is useful therefore to consider these foreign voyages – even as we must rely on the interpolated text of Bæjarbók – as a testing of sorts, firstly of Björn (his first of many), but also of the Norwegian system when faced with the difficulties of Icelandic feud. The situation of the Icelander abroad in the courts of jarls or (especially) kings is one characterised by an initial uncertainty on both sides. In Iceland, every verbal exchange represents an attempt to locate or adjust the power-positions of participants relative to each other.\textsuperscript{300} In

\textsuperscript{309} Hrafn., 125. ‘Eyvindr had greatly improved regarding his conduct and was become the boldest man.’

\textsuperscript{310} See Clover, ‘Regardless of Sex’; Miller, ‘Gift, Sale, Payment, Raid’; Locke, Duels and Duets, chs. 2, 4. Both Clover and Miller discuss in detail the uncertainty and fluidity of social positioning in Icelandic
contrast, in the Norwegian court what is being negotiated is the relationship of subordination or independence of the Icelandic outsider to the king or jarl, who represents an absolute authority. A degree of subordination is unavoidable: royal power and favour are the ultimate determiners of one's social positioning while a member of this society. Bjǫrn’s introduction and gift from Skúli serve to smooth this process over and give him an initially advantageous position at Jarl Eiríkr’s court, but both here and in his later sojourn with King Óláfr, distinction is drawn between the different power relationships of, on the one hand, these two court societies, and on the other, the Icelandic social world.

In addition to allowing for the further development of Bjǫrn and Þóðr as characters, these court episodes act as an interrogation of royal power and its ability to control chaotic elements like Bjǫrn and Þóðr’s feud. While likely altered somewhat to suit the saga of Óláfr (on which we must rely here), Bæjarbók is generally reliable, and certainly we may infer from later clues (the garter, references to the settlement orchestrated by Óláfr, etc.) the important details remain the same. In Bjarnar, both Eiríkr and Óláfr are faced with the difficult task of integrating and maintaining authority over two opposing (but useful and worthy) elements within their social ordering. Royal power may be seen here as acting in two stages: the initial establishment of relations and integration of the poets, and the moderation of their behaviour. In the first stage, the efficacy of integration is dependent upon the jarl/king’s ability to process intent and respond; in the second, successful moderation requires the jarl/king to be able to act authoritatively from a position as origin and

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311 Cf. Finlay, Saga of Bjorn, 14, n. 32.
interpreter of the law. As we shall see however, even absolute royal power will find its limits when attempting to control men like Björn and Þórr, capable of exercising influence over them insofar as they remain within the reach of jarl or king, but failing to establish a lasting accord, whose adjustments to the attitudes and relationship of the disputants might diminish the need for further outside coercion.

This should not necessarily be taken as a damning critique of royal power, however. That either Jarl Eiríkr or King Óláfr are able to integrate Björn and Þórr more or less seamlessly into their courts, even when the two Icelanders are openly hostile to each other, is remarkable. As noted above, the means by which an Icelandic foreigner attempts to enter into an honour-arrangement with the jarl/king involves a degree of uncertainty and friction even when, as Björn does, that person arrives with an ostensible token from a reputable patron (Skúli).312 As the head of the society being entered into, a jarl/king is responsible not only for interpreting the intentions of the visitor or the potential risks of accepting responsibility for them, but must also assign status and reward gifts or services. This is rarely a straightforward task, as in the following example from Auðunar þáttur:

Konungr tók vel kveðju hans ok spurði síðan: 'Áttu gersimi mikla í bjarndýri?' Hann svarar ok kvezk eiga dýrit eitthvert. Konungr mælti: 'Viltu selja oss dýrit við sliku verði sem þú keyptir?' Hann svarar: 'Eigi vil ek þat, herra.' 'Vílltu þá,' segir konungr, 'at ek gef þér tvau verð slík, ok mun þat réttara, ef þú hefir þar við gefit alla þína eigu?' 'Eigi vil ek þat, herra,' segir hann. Konungr mælti:

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312 This appears to be almost a northern trope, observed in Beowulf with Hroþgar, in Hrólf’s saga kraka with Hrófr Kraki, in The Wanderer with the nameless poet’s desire for recognition in a familiar court, and, as we shall see shortly, in Auðun with Haraldr.
Haraldr's threefold offer and Auðunn's short responses may at first seem impolite or even improper, but in fact the king is deftly attempting to navigate this initial meeting and ascertain the sort of relationship Auðunn wishes to enter into with him. Haraldr's initial assumption that Auðunn intends to create a relationship of sale is logical, if perhaps unflattering: Auðunn is a man of little means, and it is likely he intends to make a name and fortune for himself in the sale of the rare animal. The second offer is a more generous expansion of the first, but one which does not change the underlying relationship: a sale relationship is by its nature temporary, the connection between two parties concluding with the payment. When Auðunn once again refuses, the king adopts a different tack, subtly suggesting that his visitor intends to present him with a gift. In doing so, Auðunn's gesture will still demand requital, but this time the currency will be honour instead of money, and Auðunn will enter into a longer relationship with Haraldr.  

When Auðunn cagily responds again, the king is forced to ask directly for his intention, allowing his guest to define for himself what sort of relationship he seeks to create.

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313 Auðun, 362. "The king took the greeting well from him, and afterwards asked: "do you have a great treasure in a bear?" He answered and said that he owned a certain animal. The king spoke: "Do you wish to give us the animal in exchange for such as you paid for it?" He answered: "I do not wish that, lord." "Do you wish then," said the king, "that I give you twice what is fitting – and that will be just, if you have for it given all you own?" "I do not wish that, lord," said he. "The king spoke: are you wishing to give me that?" He answered: "No, lord." The king spoke: "What do you wish to do with it?"

314 See Miller, 'Gift, Sale, Payment, Raid'. Miller notes that, in Icelandic gift exchange, a temporary debt relationship is created tying recipient to giver until its requital. While an Icelander in Norway could not expect the sort of temporary honour-advantage over a king that he might have over a relative equal back home, some reward is always to be expected, as was generally provided to skalds for a eulogistic poem.
King Haraldr conducts himself well in this exchange, setting himself up as a gracious (and decidedly patient) authority in the face of Auðunn’s desire for independence. His questioning also goes some way towards suggesting the usual questions surrounding a new arrival into court from Iceland: in what way does the outsider wish to integrate himself, and for how long? Beyond this, what sort of element the new arrival will prove to be is not immediately apparent, and much of his past history and potential for friction with other members of the hird will be unknown, if there is no authority or report to inform the jarl/king. As maintenance of this sort of society depends entirely on that jarl or king’s control, the adoption of new followers is a potentially dangerous and always significant decision. In accepting both Bjǫrn and Þóðr into the hird, for example, Eiríkr and Óláfr place themselves in a position of responsibility for assuring peace between their two new followers, in order to assure wider stability and peace within the court. This situation forms, as noted above the crux of Bjarnar’s Norwegian arc: an interrogation not only of the potential for development in Bjǫrn and Þóðr’s feud, but of the ability of royal authority to judge and control that feud. In Óláfr’s case, this responsibility is understood: the settlement itself acts as part of the integration of Bjǫrn. Likewise, that Eiríkr is unaware of the history between Bjǫrn and Þóðr does not release him from responsibility: as the representation of the log he is obliged to control them and mitigate any unsociable behaviour. Thus, when word reaches the jarl that Bjǫrn and Þóðr’s relationship is not as placid as it appears, all of the attention is placed on Eiríkr, and his response.

Rather than confront the issue directly, Eiríkr chooses to be cautious, instead asking Þóðr to vouch for Bjǫrn’s credentials. In doing so, the jarl is rewarded with uncharacteristic honesty from Þóðr where Bjǫrn is concerned, but he is not given the
entire truth: 'ekki lét Þórðr þat á finna, at eigi hefði alla tíma vel verit með þeim Birni.'

What appeared at first to be foreshadowing an exertion of royal power quickly dissolves into the first of the saga’s many attempts to forestall a growing conflict by avoiding verbal reference to it, but here Þórðr is in his element. His control over speech acts has already been affirmed, and it is worth noting that here it is Þórðr who controls the flow of action. Not only does he control access to knowledge of the trouble, *ekki lét þat á finna*, but with Björn he is initially able to redefine their relationship and shared past: ‘eru vit nú komnir at vist, at okkr samir eigi annat en vel sé með okkr, ok þat eitt missætti hefir hér í millim verit, at lítils er virðanda, ok því látum nú vel yfir heðan af.’

Björn clearly does not fully accept this redefinition, although the reader is informed that he was apparently amenable. The remainder of their time together at Jarl Eiríkr’s court is presented as a series of conversations which, although lacking in the barbs and verse of their later verbal sparrings, nevertheless positions the two in opposition to each other. When later Þórðr attempts to leverage the apparent peace and friendliness between the two to his advantage, Björn is initially resistant, quick to remind Þórðr that their past association was not so little a matter as Þórðr has attempted to present it to be. In this early meeting however, Björn will prove to be outclassed by the more vocal and experienced Þórðr. On the balance of words alone the advantage goes to Þórðr, who directs the flow of conversation, and his reputation for oratorical skill has been reinforced with another poetic act before the jarl. In

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315 *Bjarn*, 117. ‘Þórðr did not let that be discovered, that it had not always been well between himself and Björn.’

316 Ibid., 117. ‘we have now come to stay, where nothing else is seeming for us that to be well with each other, and that one moment of discord that has been between us here is of little regard, and therefore now let us be well from here on.’

317 The reader is told that he tók því vel, or ‘took this well’.
contrast, Björn has adopted a defensive posture in his responses, speaks little in comparison, and has yet to utter his first poem of the saga. Although he will later prove more than a match for Þórðr in arms and words, at this moment he is clearly on the back foot, forced to react as Þórðr exploits his weaknesses.

The more experienced Þórðr is successful insofar as he is able to take advantage of Björn’s youth and inexperience, and his aforementioned conflict of interests. The impulse to achieve that has driven Björn and generations of Icelanders like him abroad is subjective, without fixed goals and dependent upon the actor’s understanding of moderation. Glúmr, cited above, knew when it was time to cease his trading voyages and settle down, but Björn is young, strong-willed, and has only been abroad one year. Thus, while Þórðr knows that he is probably providing sound advice in encouraging Björn to return and confirm his betrothal, he is also acting in the relative certainty that Björn will be compelled to reject it, as indeed he does. While Þórðr’s manipulation here is, par excellence, what one might expect from the saga’s ‘villain’, as Finlay notes, Björn’s engagement with it is not without fault, and his response to the advice attaches some responsibility to Björn for the eventual loss of his betrothed.318 Björn’s reasoning is characterised by a thirst for honour and fame that creates this sort of short-sighted error, and foreshadows his later inability to endure or make peace with Þórðr: ‘en ek þykjumk enn of lít reynt mik hafa í fromgöngu ok óviða kannat hafa góðra manna síðu, en ef ek fer þegar til Íslands, þá mun ek eigi nenna at fara svá skjótt frá ráðahag mínun.’319

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318 Finlay, Saga of Bjorn, 9, n. 19.
319 Bjarn, 118. ‘but I think that I have not yet tested myself in enough exploits, and have not learned widely enough the ways of good men, and if I go straightaway (back) to Iceland, then I will not be inclined to travel again so soon after my wedding.’
Most crucial to Þórðr’s success is the jarlsnaut, the ring: representative of everything Bjørn hopes to attain abroad, the jarlsnaut is also a powerful symbol of authority in the hands of a messenger. As Miller notes, such tokens from important people, with the –naut (‘gift’) addition are ‘imbued with the soul of the [original] giver’, regardless of how many times they change hands. The jarlsnaut is therefore a sign of Bjørn’s prestige as a favoured man of the jarl, but it is also a sign of Þórðr’s own prestige and authority as the recipient and bearer of the jarl’s will. Þórðr acknowledges the first layer of meaning when he seeks it from Bjørn, appealing to the need for physical proof and playing on Bjørn’s sense of pride. As Þórðr notes, the ring is necessary to confirm his account, a symbolic representation of the intent of Bjørn.

More importantly to Þórðr, however, is the secondary layer of meaning, and the significance of the object-symbol as being unaccompanied by any form of speech, effectively allowing Þórðr to define its interpretation. As the only speaker, Þórðr is able to exploit the vague nature of the gift and assert himself as the single controller of discourse surrounding Bjørn’s betrothal. Likewise, when Þórðr later discovers that Bjørn has been gravely wounded in Russia, Bjørn is too far to be able to send another man to confirm the betrothal and explain the delay, or to return to Norway and contradict Þórðr with proof of his living body. The only possible challenge to Þórðr’s authority in declaring Bjørn dead comes from the merchants who have given him the account, and no sooner does this news land in Iceland than Þórðr moves to assert control over it. In bribing the merchants, Þórðr is able to once again position himself

as the sole arbiter of truth through the complete control of discourse: as noted by the narrator, 'engi kunni í móti at mæla, ok þótti Þórðr ólíkligr til lygi.’

Although the details of Þórðr’s stay in Iceland during Björn’s adventures are limited, it is clear he has wasted no time in leveraging his position to his advantage not only with Oddný, but with the wider community. While Þórðr’s narrative remains undisputed, he becomes something of a respected member of the community, playing on his self-defined association to the admired Björn. In spite of his earlier portrayal as an unpopular, little-loved man, Þórðr has now reinvented himself. Not only is he believed unlikely to lie, but, in his first appearance following the return to the original saga-text, he has clearly won the approval of the wider community: 'halda men, at Oddný sé nú betr gipt en fyr fæði til verit ætlat, bæði til fjár ok burðar ok annars sóma…’

This rise in esteem is mirrored by a fall in the opinion of Björn, believed dead, and no longer considered to have been the best match for Oddný now that Þórðr’s star is rising. Björn himself seems to reflect this change even before the narrator turns back to Þórðr’s growing fortunes, his ambitions back home evaporating with the news: 'ok er Björn vissi þat, vildi hann eigi til Íslands fara.’ In what may represent one of the first cases of a broken heart within the íslendingasögur, Björn’s drive to achieve and win fame for his future is replaced with a restless wandering, his impressive feats of arms and the rewards given him by the likes of King Knútr inn riki contrasted with poetry characterised by bitterness and sexual frustration.

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321 Bjarn, 122. 'none could speak against this, and Þórðr seemed unlikely to lie.'
322 Ibid., 125. 'men held, that Oddný was now better given in marriage than had been intended before, both in possessions and birth and other honours…'
323 Ibid., 123. 'and when Björn knew that, he wished not to fare to Iceland.'
324 See Finlay, Saga of Bjorn, 14, n. 33 for further analysis of Björn’s verse following the news from Iceland.
Björn’s saga-life thus far has been characterised by a restlessness of one sort or another, usually impelled by the desire for fame and prestige, now by a desire to forget. As the saga makes clear, however, it is not solely young men like Björn who must regularly reconcile the need to achieve and 'keep up' with others that directly conflicts with the ideal concept of peace advanced by the Commonwealth system. Þóðr too was driven abroad to increase his fame, and even now that he has risen in the eyes of his neighbours, he will be pulled to do so once again, reigniting the feud that distance had forced into dormancy. Following a three-year period of relative quiet, Þóðr once again leaves Iceland, this time to pursue an inheritance left by his matrilineal uncle Hrói ín auðgi, a character only mentioned in reference to his relation to Þóðr and his death. Despite playing only a minor role, Hrói’s significance to the saga can be best adjudged by his viðrnefni or agnomen, 'the wealthy'. The person of Hrói is likely an invention of the sagaman here, unattested in Landnámabók’s accounting of the genealogy of the descendants of Erpr Meldúnsson, Þóðr’s matrilineal great-grandfather. More important than his identity however, is his function, removing the action from Iceland once again by drawing Þóðr abroad so that the feud can begin its violent phase outside the borders of the Commonwealth. Despite his successes at home, or perhaps emboldened by them, Þóðr cannot resist the substantial gain promised by taking Hrói’s inheritance, even if this means leaving relative safety. The risk of coming into conflict with Björn is clearly present in Þóðr’s thoughts, as he is reported to ‘spyrr í hljóði’ as to his old foe’s situation while in Norway, but ultimately the reward is judged to be worth the risk.

325 Landnáma, 122.
326 Bjarn, 127. 'ask in silence (i.e., discreetly)’
Certainly, the trope of the Icelander pursuing or being offered his inheritance abroad is almost a commonplace within the íslendingasögur: Hrútr’s journey to claim his inheritance in Njála, or Egill’s long-running campaign to claim his wife Ásgerðr’s share of her inheritance in Egils saga. Glúmr, of Víga-Glúms saga, likewise is offered a share in an inheritance while abroad, but never gets the chance to return when it is time to claim it. Notably, all of these claims originate in Norway where certain provisions seem to have been made for Icelandic claimants;\(^{327}\) that Þórðr is going to Denmark would seem to alter the circumstances and thus the pattern somewhat. Yet, as the narrator suggests in reporting the journey, Þórðr cannot resist the pull of the Norwegian king, detouring in Norway to meet with Óláfr. Such a meeting may provide Þórðr with the necessary introductions and connections in Denmark to advance his claim, but a man of ambition like Þórðr must likewise be aware of the political necessity of maintaining his Norwegian connections as well. Eiríkr is gone, as are his son Hákon and brother Sveinn, the latter defeated in combat and the former captured and forced to swear oaths to Óláfr before both fleeing the country. All of Þórðr’s former connections will have been deposed or sworn to this new ruler, but Þórðr himself is coming in as an unknown quantity once more. A visit with Óláfr therefore is both necessary and advantageous: it will not only allow for Þórðr to affirm his own loyalty to the Norwegian king in return for aid with his inheritance, it will also give him an opportunity to advance his reputation in a transformed Norway.

The differences between Óláfr and Eiríkr are at once striking, representative of a change in the understanding of Norwegian authority. Both leaders use the patronage relationship with the poets as expected, but Eiríkr never engaged in a

\(^{327}\) Jesch, Viking Diaspora, 76.
meaningful way with the feud or asserted control over the poets through speech acts, believing that by not questioning the past, it would remain dormant. For Óláfr, this is impossible: he will be drawn into the feud when it finally flares up with Bjǫrn’s raid of Þórdís’s ship. However, from his first interaction with the Icelanders, Óláfr has shown himself to be politically astute, and to understand the importance of asserting his royal authority over his visitors and hird in both words and deeds. While the king accepts Þórðr freely after the introduction by Þorkell, and rewards him handsomely, Óláfr takes the unusual step of sending Þórðr to Denmark with a bréf, a letter of proof marked with his own seal. Guðni Jónsson is inclined to see this reference to a written document as a mistake on the part of the sagaman, noting the practice of sending a token or treasure as a representation of the messenger’s veracity as being the standard practice. However, this seemingly anachronistic reference to writing cannot be dismissed out of hand as simple error, especially if we accept the sending of the jarlsnaut by Bjǫrn as being faithful to the original saga. The significance of the bréf may rather be an intentional move by the sagaman, representative of an understanding both by the author and the character of Óláfr of the importance of maintaining control over text and speech. Such a quality immediately contrasts Óláfr with the more reticent Jarl Eiríkr and marks a shift in tone in the approach to governance by the king.

The royal power of (Christian) kings as associated with the control of speech is referenced in at least one other notable account, Snorri’s Óláfs saga Tryggvasonar. In his attempts to convert a local þing meeting, this Óláfr (Tryggvason, as distinct from Bjarnar’s Óláfr II Haraldsson) expresses what Robin Waugh terms a ‘magic power that

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328 Bjarn, 126 n. 3.
cancels the oral abilities of his enemies,'

declaring that any who speak against him or the new religion can expect punishment. Although undefined, the nature of this punishment reveals itself as three unnamed farmers move to challenge the king, their attempts disrupted by coughing, stammering, and hoarseness of voice respectively. Óláfr's control over the situation is completely framed in terms of speech rather than arms, and is backed by the association of divine power. Snorri closes the episode by relating that the resistance of the assembled farmers likewise dries up with their inability to engage with the king's challenge in speech: 'þá varð engi til af bóndum at væla í móti konungi. En er bœndr fengu engi til andsvara við konung, þá varð engi uppreist þeira til mótsþøðu við konung.'

Óláfr's bréf in Bjarnar, while not as explicit an act of speech control as the earlier king's, translates this quality into the realm of the written symbol, giving the king a further degree of control over a new and not yet fully trusted outsider. The bréf itself reflects a late stage in royal orality following Waugh's proposed developments in king-poet competition regarding the creation or alteration of historical narrative. In this stage, writing becomes an assertion of royal power, building on an earlier concept of object-literacy that expressly associated inscription with truth, 'information that otherwise exists only within memory and may be conveyed only through speech.' As the king's ability to engage with and control speech develops and finally crystallises with the advent of writing, the power of the poet (although still significant) wanes, as does his independence. In effect, Óláfr's letter presents the symbolism of his good will.

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330 ÓlafsTr, 335. 'Then no-one of the farmers was there to speak against the king. And when no farmer would give answer against the king, then there was no uprising in rebellion against the king.'
331 Waugh, 'Literacy, Royal Power, and King-Poet Relations,' 293.
towards and support of Þórrðr, but its inscribed nature carries with it a further, immutable representation of the king’s power over his dominion and followers, a clear statement of intent that cannot be manipulated or altered by the poet. This, then, is the new authority that meet the poets’ feud head on, an authority that can, for the first and possibly only time in the saga, engage with them in their own realm of language.

When at last the king is forced to contend with both poets in his court, Óláfr is very careful in the exercise of this power, verbally directing the flow of the adjudication by prompting speakers, and defining the settlement in concrete terms and reminders that ostensibly leave no room for further action. The primary concern of Óláfr appears, rather than the protection of or retribution for his Norwegian subjects, to address the feud underpinning Þórrðr’s complaint of Björn’s raid and its Icelandic circumstances. Indeed, the specific acts concerning the Norwegians on both sides are largely semantically separated from the crux of the verdict: the reader is informed briefly that the merchants have their goods returned to them, and later that Auðunn baksrika and the rest of Björn’s men have been pardoned. The rest of the decision bears all the hallmarks of an arbitrated settlement in the typical Icelandic style. The king even positions himself as a góðgjarn maðr and neutral third party when he requests both parties explicitly witness their approval of him as moderator, asking ‘eða vili þit nú ... at ek gera í millum ykkr?’

Óláfr is here able to act from a position of relative safety, reflective of both a keen concern for appearances, and an understanding that in reality, his ‘offer’ is a subtle reassertion of authority over all feuds within his jurisdiction. The difference in power between the king and the two Icelanders is such that the question is effectively

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332 Bjarn, 131. ‘And do you now wish...that I arbitrate between you?’
a formality: there is no opportunity to safely decline his offer. To this end, Óláfr made clear his unquestionable, irresistible authority in his initial command for the seizure of Björn, and Björn acknowledged this before pleading his case. Although Björn does not directly speak, the narrator reports that Björn admits, quietly and without rancor, ‘þat hegt mundu at gera’.333 Björn is able to assert a claim of injury against Þórm in immediately following this admission, but the action of the king in asserting his ability to seize the man, and Björn’s reaction acknowledging this, serves to subtly remind both reader and characters of the nature of law in this setting. Óláfr himself presides over the law in his role as (consecrated) ruler: his mandate renders him the source of and ultimate interpreter or controller of the Norwegian lög in both of its aspects.334

However, although this imbues the eventual adjudication with the added authority of Óláfr’s position, it also removes the idea of impartiality that is at least an outward feature of communal arbitration. Nor does it connect the understanding of the peace that follows as bound into the wider social network, as created by the communal nature of those settlements. The underlying understanding is that to offend the king’s law is to offend the king; Björn and Þórm’s responsibility to each other is termed not in their relationship to the community or even to each other, except insofar as it relates to Óláfr. Óláfr himself makes this repeatedly clear, both in his reminders that ‘nú þat eina sóma, at halda sætt þá, er hann hafði gótt þeira á

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333 Ibid. ‘that would be easy to do’
334 See Richard Cleasby and Guðbrandur Vigfússon, An Icelandic-English Dictionary, Initiated by Richard Cleasby, Subsequently Revised, Enlarged and Completed by Guðbrand Vigfusson, M.A. (Oxford: Clarendon Press, 1957), 369 under the entry ‘lag (B. ’Lög’); Geir T. Zoëga, A Concise Dictionary of Old Icelandic (repr., Toronto: University of Toronto Press, 2004), 282 under the entry ‘lög’. The ON word lög can be taken to signify the law itself, but also participation or fellowship in law. This double-meaning will become especially important later in the evaluation of Njála, where for the sake of ease we will refer to the code of the lög and the polity of the lög.
meðal',\textsuperscript{335} and later when he sends word with Björn's companions on the journey back to Iceland that 'Þórðr skuli vel halda sáttum við Björn ... ok kvað hann þess skyldan fyrir sakar þeira viðskipta, slíkra sem orðit höfðu.'\textsuperscript{336}

Such a relationship may work well in a Norwegian context, where the symbolic representation of the settlement, the king himself, is omnipresent through the scope of his authority. However, neither Björn nor Þórðr are able to remain in such a society permanently. Both intend to return to Iceland: Þórðr immediately, and Björn following later. While both Björn and Þórðr (insofar as Þórðr can be trusted) are outwardly dedicated to maintaining their agreement, and refer back to the king often, the strain of living in such close proximity in so competitive an environment, with visible reminders of the feud's cause rather than its settlement, will prove far more powerful than the power of a far-off king. Returning home to establish themselves as prominent landowners following considerable advancement abroad will only serve to amplify this tension. This new sense of honour and fame may be admirable to the friends of both Björn and Þórðr, but it will also enable, and almost require, the poets to resist the efforts of the local community to moderate their coming destabilising behaviour. Without either a king's power or the ability to engage, as Óláfr did, in controlling the field of speech, where much of the feud takes place, the göðgjarnir menn and other mediators will struggle to keep up.

\textsuperscript{335} Bjarn, 133. 'now that alone was befitting, that they hold the settlement, which he had arbitrated between them.'

\textsuperscript{336} Ibid., 134-135. 'Þórðr must hold well the settlement with Björn...and this must be done on account of the dealing, such as had taken place.'
Verse and Violence

The return of the poets to Iceland is marked by the sagaman's increased emphasis on fame reflective of a deeply-held concern with pride and appearance. Björn returns to widespread admiration 'með mikit fé ok hafiði sóttan mikinn frama ok atgørví';337 Þórðr's homecoming is perhaps even more ostentatious. He may have lost his inheritance to his rival, but Þórðr will not be empty-handed at his return: in addition to his fine sword, the narrator relates 'Óláfr konungr gaf Þórði viðarfarm á skip'.338 The intrinsic value of such a cargo not only ameliorates Þórðr's humiliation, it makes a powerful statement. Timber's rarity within Iceland made it a highly-valued commodity, as evidenced by its role in saga feud. What woodlands remained after the settlement were strictly controlled, jealously guarded, and often the cause of armed conflict. At least one reference is made to outlawry as the penalty for cutting wood on another's property,339 and a legal case over the accidental burning of woodlands (again, with the penalty of outlawry) drives the action of Olkofra þátttr. Perhaps the most famous incident however is the destructive and wide-ranging feud of the goðar Snorri and Arnkell of Eyrbyggja saga as they struggle for control of the woodland owned by Arnkell's father. Snorri, initially hesitant to intervene in a dispute between father and son, is nevertheless unable to resist Þórólfr's offer: "Ek veit," sagði hann, "at þú vill eiga Krákunes ok skóginn með, er mest gersemi er hér í sveit..."340

337 Ibid., 135. 'with great wealth, and had achieved great fame and accomplishments.'
338 Ibid., 132. 'King Óláfr gave Þórðr a cargo of wood for his ship'
339 Njála, 160-1.
340 Eyrb, 85. "I know," said [Þórólfr], "that you wish to own Krákunes, which is the greatest possession here in the district...."
Many of these remaining forests would have been unsuitable for large-scale building projects however, being largely birch coppices more useful for rafter and charcoal production. The building of houses, ships, and later churches required heavier lumber, only available from abroad and usually brought back at great cost. To be able to bring back timber from abroad then is a sign of one’s importance, especially if, as Þórr is able to assert, the cargo comes as a gift from a king or jarl. Both Hóskuldr Dalakollson and Óláfr pái in Laxdaela saga, for example, are given timber by jarls as an honour or reward, characterising their status within the saga. In Óláfr’s case, the connection is explicit. Jarl Hákon grants open access to his forests, earlier reported to be ‘bezta mǫrk’ in respect of Óláfr’s nobility: ‘því at vér hyggjum, at oss sæki eigi heim hversdagliga slikir menn af Íslandi.’ Elsewhere in the same saga, Þorkell Eyjolfsson’s status is denoted in terms of his shipping wealth: ‘Hann var þá svá auðigr maðr, at hann átti tvá knörru í fórum ... ok var hvártveggi viði hlaðinn.’ Indeed, the value of such cargo could often inspire otherwise cautious mariners to act recklessly, taking more than could be safely managed. Marcus suggests overloading as a common cause of contemporary shipwrecks, noting that in both Njála and Þorláks saga helga ships are laden with timber to the point of being unseaworthy. Likewise, the aforementioned Þorkell famously meets his demise while attempting to ferry home, in poor weather, a cargo of timber rivalling in size the material used by King Óláfr in Þrándheim and given to him (albeit with warning) by that king.

342 Lax, chs. 13, 29.
343 Ibid., 78. ‘the best forest’
344 Ibid. ‘because we think, that it is not every day such men from Iceland seek us at home’
345 Ibid., 199. ‘He was so wealthy a man, that he owned two trading ships…and each of the two were laden with wood.’
So it is that when Björn and Þórðr return to Iceland, they re-enter society at a position much higher relative to their peers, and with their earlier clashes still fresh in their minds. That attention is paid to Þórðr’s cargo and Björn’s wealth (largely taken from Þórðr) highlights the potential for greater danger in such a rapid ascent. Neither of the poets has benefitted from the assumed ‘settling’ effects of going abroad, least of all the young Björn, but what they have gained in wealth and status will allow them to more effectively resist outside attempts to rein in their feud. While Björn will certainly show that he has learned to behave nobly in his later conduct towards Þorsteinn, he has also gained a degree of confidence in speech and action that will prove hard to control in his future dealings with Þórðr. Björn returns markedly different from the eager and trusting 18 year-old: in addition to his confidence, he has both ‘the power of poetry, the means of striking back’, and, perhaps more importantly, an irrepressible urge to use it. It is fitting therefore that the action moves quickly following Björn’s return, reflective of a growing public awareness of the tension created by the two now-powerful men. Evidence that the matter is being discussed can be seen in the shift from Björn’s landing to Þórðr’s farm, where Oddný has apparently already heard the news. In an evasion characteristic of saga style, the narrator deflects responsibility for Oddný’s words onto an unnamed source, further emphasising the spreading gossip: ‘en í òðrum stað er þess við getit eitt kveld....’

In the face of this growing public interest, Þórðr takes quick action, riding against his wife’s wishes to meet with Björn and invite him to stay with them over the winter. This scene has been interpreted variously in light of the disastrous events that

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348 Bjarn, 135. ‘But in another place it is told that one evening....’
follow, including being seen as an honest desire for reconciliation from Þórðr,\textsuperscript{349} or good faith on Bjǫrn's part.\textsuperscript{350} However, when viewed as part of the larger theme of feud between two powerful and independent men, the actions of Þórðr and the conversation between the poets suggests something much more ominous. Outwardly, the feud may have been settled by King Óláfr, but the underlying causes of that feud not only remain, they are now inescapable, when the two are once again in close proximity (and in Iceland, where Oddný is). Additionally, Bjǫrn's return did not simply increase tensions between the two men, it raised real questions about Þórðr, undermining his recently rehabilitated reputation and increased power. That Bjǫrn lives has branded Þórðr a liar, not only in the eyes of his wife, but his neighbours and others as well. It is clearly not just Bjǫrn's family who have been talking about his 'death'; Oddný's attempt to dissuade Þórðr refers to the gossip of the district: 'hon latti, kvað þat óráð at því orði, sem áðr lék á.'\textsuperscript{351}

Rather than an overture of peacemaking then, it is more likely that Þórðr’s purpose is, as Heinemann suggests,\textsuperscript{352} to reopen the feud in a manner and location free of outside interference. To this end, Þórðr's phrasing of the visit in terms of honouring Óláfr’s truce is performative. The public questioning of intention allows Bjǫrn and Þórðr to publicly cast themselves as dedicated to the settlement, while still preserving their martial honour:

\textsuperscript{349} de Looze, ‘Poet, Poem, and Poetic Process,’ 483.
\textsuperscript{351} Bjarn, 136. ‘she tried to dissuade him, [and] said that was unwise because of those words(rumours), which had spread already.’
\textsuperscript{352} Heinemann, ‘Intertextuality in Bjarnar Saga,’ 421-3.
...ok skuli nú hvárrgi eiga òðrum sakar at bœta, ok er þat merkilig, er skílrikr maðr hefir samit milli okkar; en var mér þat í hug um hrið, at vit myndim ekki sættask’ Björn kvað þat einsætt, at halda sættir, þat sem þeir hofðu um mælt.\textsuperscript{353}

To willingly betray a truce and become a \textit{gríðníþingr} is to become 'one of the lowest of the low'.\textsuperscript{354} Balanced against this, however, is the need to be seen as aggressive in the defence of one's rights; to fail to do so is to imply cowardice. In agreeing on peace with a tone of reluctance, Björn and Þóðr are broadcasting their continued dislike of each other and a willingness to act, ostensibly controlled only out of respect for the sætt and Óláfr. On a private level however, Björn's crafted show of reluctant acceptance also subtly communicates his desire to re-engage with the feud. As Heinemann notes, it is virtually impossible that Björn has misread Þóðr's intentions as peaceful and his responses, both to his mother and Þóðr, are more reflective of a concern for public perception than actual belief.\textsuperscript{355}

In moving the action to Þóðr's farm, the two poets are not merely putting themselves beyond the intervention of well-intentioned third parties. The shift in location also serves to remove them from the power of the sætt, instituted by Óláfr. Heinemann is correct in noting the king maintains some influence even outside his kingdom,\textsuperscript{356} but ultimately Óláfr's peace requires an authority that cannot integrate

\textsuperscript{353} Bjorn, 137. "And now neither of us should have any debts left unpaid to the other, and it is worthy of regard that a respectable man has mediated between us; but it was in my mind for a time, that we two would not be reconciled." Björn said their only choice was to hold to the settlement that they had agreed to.'

\textsuperscript{354} Miller, \textit{Bloodtaking and Peacemaking}, 280.

\textsuperscript{355} Heinemann, 'Intertextuality in Bjarnar Saga,' 427.

\textsuperscript{356} Ibid.
itself into Icelandic social life. As the physical distance from Óláfr grows, so too does the symbolic distance from his authority. Óláfr’s peace derives its authority from his role as the giver and interpreter of law, and its force depends on the relation of the disputants to him as both overlord and embodiment of that law. This is effective within the confines of Norwegian society, where a violation of the king’s peace is essentially an attack of lèse-majesté. In the world of Iceland however, devoid of centralised authority and dependent on a law that instead focuses on a man’s relationship to a community, the judgement of Óláfr is without meaning, and so without power. The efficacy of the sætt declines over time, eventually giving way to new feud as new quarrels arise.

As the power of Óláfr’s sætt fades, the tone of the saga changes to reflect this. Since the return of both Björn and Þórðr, the action has begun to shift away from the world of the courts and towards ‘the sordid realities of Icelandic farming life’; over the course of the visit to Þórðr, the saga fully immerses itself in this reality. For Björn especially it seems, as Nordal and Guðni Jónsson note, ‘allt í einu er eins og allir gullhringar sé dottir af hinum auðuga og fræga víkingi.’ Within this society, Björn and Þórðr, like all other returning heroes, must reconcile the behaviour that has served them well abroad, and that still drives the actions of big men, with a responsibility to the wider community. Honour demands and older aristocratic values endure, but they are now placed against more mundane, less heroic needs pertinent to Icelandic life: survival, order, and stability. Having reached a place of prominence the poets (and Björn in particular) will chafe against these restraints as they struggle with

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357 Finlay, Saga of Bjorn, xxxiv.
358 Bjarn, lxxv. ‘All at once as if the golden rings have fallen from the wealthy and famous víking....’
each other: it is not by accident their mocking verses mix heroic speech and sexually-charged insult with references to the realities of farming:

Snót biðr svein enn hvíta
Svinn at kviar innan,
Reið esa Rinar glóðar
Ranglót, moka ganga;
Harðla nýt, sús heitir,
Hlókk miðs vita Rókkva,
Sprund biðr út at andar,
Eykyndill, mik skynda.359

We are not singling out Björn here to imply that he is in any way more culpable for the feud that follows than Þórðr. Rather, it is because over the course of the saga he embodies an ójafnadr new to our texts: the potential for an otherwise noble man to transgress societal norms in pursuit of overwhelming, unanswerable vengeance, unrestrained by concern for those around him. Prior to the events of the invitation, the sagaman has shown Þórðr to be the instigator and driving force behind the feud. His character does not fundamentally change over the course of the saga: he remains an unrepentant villain in contrast to the valiant Björn. Þórðr, a coward to the end, only takes direct action when Björn has finally alienated nearly all of his neighbours. In contrast, Björn began as a promising, if restless, young man, achieved great success

359 Ibid., 140. ‘The lady bids the white boy / muck out the pens / wise wearer of Rhine’s-fire [gold] / the woman does not speak wrongly / The fine woman, the Hlókk of the fire / of Rókkvi’s fishing bank [woman]/ called Island-Candle, bids me / go out to the porch quickly.’
abroad, and re-entered Icelandic society with even greater honour and wealth than could have been expected. However, he is greatly changed by the time he and Þórdur cross paths once again. The same martial virtues of aggressiveness and pride that are a source of praise elsewhere are a source of danger here when, as in Björn's case, they are not complemented by a degree of moderation. The reader, now accustomed to Björn's heroism and sympathetic to his loss, is thrust into the uncomfortable situation of the stay at Þórdur's, in which the hero is as responsible for the re-engagement of the feud as the villain:

Björn's desire for revenge explains his feeding his dog at table and spoiling the hay set aside for his horses: it is to provoke Þórdur and escalate the feud. What then happens occurs by their design, not by narrative accident. Before Chapter XI Þórdur is clearly the offending party, but as to who bears more responsibility for breaking the peace, there is little to choose between the two.360

In light of the overarching theme of ójafnaðr and uncontrolled feuding, it is possible to extend Heinemann's reading one step further. Not only will both men share culpability for reigniting their feud, but also for sustaining and even escalating it as it moves from verbal violence to physical violence, and occasionally back again. The 'middle section' of the saga, composed of the visit to Þórdur and 'series of paired anecdotes'361 leading to Þórdur's direct assaults on and eventual killing of Björn, are as much the responsibility of the heroic Björn as they are the villainous Þórdur even when,

360 Heinemann, 'Intertextuality in Bjarnar Saga,' 429.
361 Finlay, Saga of Bjorn, xxxiv.
as we shall see, the latter directs much of the violence. Certainly, it is hardly the
disorganised collection of anecdotes that Sigurður Nordal and Guðni Jónsson judged it
to be. 362 A distinct pattern can be seen in the exchanges of the poets, escalating from
verse to indirect attacks by Þórir on Bjǫrn, characteristic of a feud cycle beginning to
spiral out of control. Roughly speaking, the poets’ feud moves through three distinct
phases which, as Finlay notes, form a united narrative of increasing violence and
increasing communal destabilisation:

There is evidence of careful planning in the progression from verbal attack to a
sequence in which Þórir sets in motion a series of physical assaults on Bjǫrn,
while prevailing on others to carry them out. In the final phase there is further
progression, in that Þórir is personally drawn into the conflict. The middle
sequence serves the purpose of maintaining the pusillanimous character
attributed to Þórir throughout the saga, and of mustering other enemies
against the initially popular Bjǫrn, as he is forced to kill men whose fathers
eventually join in Þórir’s fatal ambush of him. 363

In its first phase, the feud moves from resentful inactivity back into the poetic
sphere, and here the first blow must be awarded to Bjǫrn. Þórir may have been
hoping the change in scenery would be to his advantage, his control over his
household compounded by his (as of yet) unchallenged control over language. If he
was expecting to provoke Bjǫrn into dishonouring himself however, or else to once

362 Bjarn, lxxxvi.
again take linguistic advantage over Björn in front of Oddný, then Þórdr has failed to comprehend his rival’s personal emotional and honour investment in Þórdr’s treachery. By shifting the action to his own private setting and the intimacies of life at Hitarnes, Þórdr has given the now-poet Björn ample material with which to mock him.

Over the course of the winter, the audience hears of at least fifteen verses being exchanged, mostly by Björn, and mostly inspired by his proximity to Oddný.

Characteristic of these verses are suggestions of cowardice and cuckoldry, implication of degradation by handling animals or performing menial labour, and damning, often sexually-charged, epithets.364

Missing from the feud even at this early stage is a sense of what Miller terms ‘turn-taking’365 or moderation in scope. Of the fifteen verses uttered during the stay at Þórdr’s, nine belong to Björn, and four to Þórdr. Of Björn’s nine, a further five are in response to the same catalyst, a calculated show of affection intended as a reminder of his failed engagement to Oddný. If Þórdr’s intent over the stressful winter is to goad Björn into action, here it is made explicit: ‘Þórdr setr Oddnýju í kné sér ok er bliðr við hana, vill vita, hvernig Birni bregðr við; hann kyssir hana ok lét fylgja visu...’366 Clearly it is effective, but Björn’s multiple responses suggest that, to the younger poet, in spite of their earlier settlement for the loss of Oddný, the reminder itself is such that to offset it, it must be ‘valued’ at a rate much higher than any other insulting words: ‘enn þykkir Birni eigi fullgørt í mótt því, er Þórdr minnti hann á um sakarnar ok hældisk, er

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364 Most notably sveinn inn hvíti (‘the white boy’) at verses 3 and 11 (140, 144), and lítill sveinn (‘little boy’) at verses 6 and 9 (142-3). The latter of these is clearly something of a favourite of Björn’s for its humiliating impact, as it reoccurs in the final meeting of the poets.

365 Miller, Why is Your Axe Bloody, 86-7.

366 Bjarn, 142. ‘Þórdr sat Oddny on his knee and was tender with her, wanting to see how Björn reacted against this; he kissed her and let follow this verse....’
hann hafði hlutið konuna, en Bjórn varð lausa at láta..._once the first four of these five verses have been spoken, in rapid succession, any sense of control or restraint over the verbal sparring disappears. Where before the sagaman finished exchanges with the reminder that, in spite of the growing tension, things were still quiet, Bíjrn's *de facto sjálfdæmi* makes public the hostility: 'gerisk nú fátt ok gneypt á med þeim.'

Once the feud moves fully into the public sphere, it becomes obvious those around the poets are incapable of controlling their poetic outbursts. Indeed, as the seal-bite verse of Bjórn and the responding *Kolluvísur* from Þórdar are spoken, they appear almost to move on their own, unstoppable by the wider community despite their unease. When Þórdar's *Kolluvísur* are spoken, it is recognised by the listeners as a serious escalation of an already tense conflict, and one that must be prevented from reaching Bjórn. Yet in spite of this communal resolve, the *Kolluvísur* find their way to him regardless, without so much as a clue as to the bearer: 'þat sýnisk mónum ráðligt, at sú visa væri líttr born; en eigi varð visan á dreif dreipin ok kom til eyrna Birni...' The effect is precisely what Þórdar had hoped for: Bjórn, no longer satisfied to snipe from a distance, moves swiftly to bring the matter to the Alþing. The community, meanwhile, to this point unable to deal with Bjórn and Þórdar on their own poetic terms, will also prove unsuccessful in dealing with the feud when it finally turns to the law. The summons over the *Kolluvísur* and *niðreising* represent the first

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367 Ibid., 143-4. 'yet Bjórn thought he was not fully satisfied against this, when Þórdar reminded him concerning their case and bragged of himself, that he had received the woman, but Bjórn had had to lose her.'

368 Ibid., 140, 142, 144. 'en þó var þat nú fyrrst kyrrt'; later 'en þó er nú kyrrt' Between the third and fourth verse in the string of five, the narrator relates that 'nú er þetta kyrrt' again, but immediately foreshadows the breakdown to come by adding that both of the two believe things to be worse than before.

369 Ibid., 145. 'things were now made cold and tense between them....'

370 Ibid., 154. 'that seemed to men advisable, that this verse be little reported; but the verse did not become suppressed, and came to the ears of Bjórn....'
involvement of the wider district in this feud. No longer content with verbal humiliation, Björn and Þórr now seek to maximise the shame of their rival. Fines, sometimes bordering on exorbitant, are collected, but rather than creating a temporary cessation of hostilities as expected, they seem if anything to accelerate response. Success at law certainly emboldens Björn, and the sagaman’s tongue seems to be firmly in his cheek as one chapter closes with the narrator’s report ‘var nú kyrri at kalla’ only to open the next with the description of the carving.

In the face of an escalating feud, the response of the peacemakers is startlingly ineffectual. On both occasions, the push for settlement attempts to localise and privatise the feud, and on both occasions it fails for precisely this reason. When Björn moves in force to summon Þórr, the mediators move as expected to push for arbitration, but their concern is explicitly only an attempt to avoid drawing attention to the suit: ‘en þat mæltu beggja vinir, at eigi skyldi þessi mál til þings berask, ok skyldi þeir heldr sættask í heraði....’ Likewise, when it is Þórr’s turn to summon, ‘enn rœddu þat vinir þeira, at þeir myndi heima sættask heldr en fœra svá ljótt mál til alþingis.’ Notably, both offers of settlement are rejected not by the angered plaintiff, but by the defendant, both sides earnestly desiring the suits to proceed for the same reasons the peacemakers are attempting to stop them. To Björn and Þórr the summons are challenges, just as the invitation to Þórr’s farm was a challenge. However, where in that case the goal was to reopen their feud in a private

371 Cf. Finlay, Saga of Björn, 39, n. 96 for discussion of Björn’s hundrað of silver, an amount five times greater than Þórr’s later award for the níðreising.
372 Bjarn, 154. ‘Things were nominally quiet....’
373 Ibid. ‘But the friends of both said that this suit should not be taken to the [Alþing], but rather that they should come to terms within the district.’
374 Ibid., 155-6. ‘Yet their friends said this, that it would be better to be settled at home than to bring so ugly a suit to the Alþing.’
environment, here the offer is to take their battle of words to the most public arena in
the land, the Alþing. The opportunity to shame a rival in front of an assembly of the
most powerful players in Iceland is simply too good for either to pass up.

This drive to maximise an opponent’s humiliation is characteristic of a lack of
the socially-binding ideal we have so far connected with peacemaking and peace
maintenance: jafnaðr, alternately translated as evenness, fairness, or balance.

Although the sagaman does not explicitly use ójafnaðarmaðr of either Björn or
Þórmörk, it is evident their behaviour is that of ójafnaðarmenn. The ójafnaðarmaðr
disregards the ideas of hóf (moderation) and the wider stability of the Icelandic social
model in favour of total dominance: ‘instead of compromising, they push for the
ultimate political and often physical destruction of their opponents.’

In the face of building ójafnaðr action, often drastic, is necessary, but none is here forthcoming.
Perhaps fittingly for a feud characterised by control of language, the reader is not
informed of the words or inducements used to try and turn the suit to arbitration –
only that they fall on deaf ears.

The Kolluvísur verdict at the Alþing is both the most direct attempt at ending
the feud by the neighbours and friends of the poets and their greatest failure thus far,
providing Björn and Þórmörk with the means to move to direct physical confrontation.

Those involved in the verdict are, as with the earlier peacemakers, unidentified.
Likewise, no new third parties or important men are said to act as göðgjarnir menn,
helping to strengthen the truce by the normal means of offering support or otherwise
binding themselves into the decision. Thus, following Þórmörk’s payment, the status quo

375 Significantly, the sagaman will introduce Þorsteinn Kuggason as such later; the reasoning for this
will be considered below.
376 Byock, Feud in the Icelandic Saga, 30.
is unchanged. The only hope for peace comes from the terms of the verdict itself, and as it does not connect the poets to any wider communal responsibility, its force instead must be seen to come from the (optimistic, but futile) imposition of threats. Having failed in persuasion, and in the absence of gððgjarnir menn to provide a positive solution, it appears the community has pinned its hopes on the threat of future negative action to force the poets into a truce.

Such a consideration would, along with the gravity of the Kolluvísur, explain the enormity of Bjórn’s award, equivalent to the usual compensation for manslaughter.377 Surely, it explains their enthusiastic acceptance of Bjórn’s request to declare óheilagr either of the two should they recite verses in the presence of the other. To the wider community, struggling to contain the poets, the extreme nature of the threat is perhaps their best chance for peace: ‘lofuðu þeir þat, er ráða áttu, ok þótti vænna, at þeir myndi firr sauri á ausask.…’378 To the audience however, Bjórn’s request is unusual: until this point he has shown no concern for the back-and-forth of their verbal sparring. Likewise, any expectation the verse-making is finished is quickly disproven by the arrival of the carving, Bjórn’s poem, and the resultant return to the Alþing. As Bjórn himself declines to share his thoughts, it is necessary here to situate this verdict within his wider attitude towards the feud. The Kolluvísur are accepted not only by Bjórn, but also by the wider community, as a significant escalation from previous verses. It was for this reason they tried to prevent Bjórn from hearing them, out of fear of his reaction.

377 Finlay, Saga of Bjorn, 39, n. 96.
378 Bjarn, 154. ‘they praised that, who were responsible for the settlement, and it seemed likely, that they would throw less dirt on each other....’
This fear will prove to be well-founded; far from a prudent suggestion to maintain peace, the óheilagr addition may be seen not as a drawdown, but an escalation in kind. Outlawing verse-making effectively allows Björn to dictate control over language, and to turn Þórðr’s latest speech-act against him. Such a decision cannot rob the already-recited Kolluvísur of their power, but that the suggestion comes explicitly from Björn implies an implicit gain of honour as he becomes the final arbiter of what speech is legal and/or good. More than this however, the outlawing of the verses is a signal of intent, that Björn is preparing for the inevitable movement of this feud into the realm of physical violence. Björn’s suggestion is geared towards prevention then, but rather than the prevention of conflict, it is prevention of culpability. He is laying the groundwork for a legal defence should he have the opportunity or need to engage in wounding or manslaughter. The wording is intentionally vague in this regard, only specifying ‘at hvárr þeira, sem kvæði nökkut í heyrn őðrum....’\(^{379}\) as the triggering act. This appears to be intended by Björn, who will later be able to stretch this ruling as justification in killing the otherwise uninvolved Þorkell Dálksson for reciting the already-created Kolluvísur.\(^{380}\)

Following the Kolluvísur and trénið verdicts, the feud enters a brief period of dormancy signifying the transition in its focus from the purely verbal into the physical. Finlay notes, as above, the importance of the ‘middle sequence’ (the indirect attacks on Björn) in reinforcing Þórðr’s negative qualities and mustering support against the

\(^{379}\)Ibid. ‘that each of those two, who recited something in the hearing of the other/others....’

\(^{380}\)Notably, Björn is also able to stretch the utterance of kolluvísur as taboo enough to cover Þorkell even though the original ruling’s hvárr þeira would imply it only specified the two poets as actors. The vagueness of őðrum may allow him to apply the definition of ‘audience’ (intended or otherwise) more generally, but the acceptance of Þorkell’s guilt as one of hvárr þeira seems to imply an acknowledgement by both Björn and the community that, in reciting Þórðr’s words verbatim, Þorkell is essentially acting as Þórðr.
formerly popular Björn. To this we may add the importance of the middle sequence in illustrating the change in Björn as he progressively moves towards ójafnaðr in his dealings with his neighbours. Already, we have seen this behaviour beginning to manifest as Björn becomes increasingly fixated on his vengeance against Þóðr. To ignore Björn’s own role in alienating himself from his neighbours leaves Björn wrongly read as a passive victim of Þóðr. Instead, the audience must consider the degree Björn’s actions gave credibility to Þóðr’s allegations in the eyes of a community that knows Þóðr to be a liar and has experienced his ójafnaðr and slander. As this study has been concerned with the cause, effects of, and wider responses to ójafnaðr, Björn’s descent in this regard must be given extra consideration. Þóðr is already a threat to communal stability; his disregard for others has been his most prominent trait since the saga’s beginning. Björn, on the other hand, begins as a good man, retains some of the qualities of a good man, and yet is capable of ójafnaðr no less than Þóðr, motivated by wounded pride and the loss of Oddný. For this reason, we will look in more detail as Björn engages with the feud and the community affected by it in this ‘middle sequence’. While Þóðr works away as ever in the background, Björn’s fall from grace is much more telling; a noble man destroyed by his inability to put peace ahead of pride and feud.

To this point, the audience has seen a feud which, when centred largely on verbal exchanges, has kept the principals at least roughly even. Although Björn’s verses outnumber Þóðr’s, and are ostensibly harsher responses to Þóðr’s attacks, he has nevertheless ‘got as good as he has given’. The following sequence of events to Þóðr’s direct attack however, is decidedly one-sided, and arguably intentionally so on
the part of the sagaman. The mismatch in physical prowess between the two poets has long been hinted at since Björn's seizure of Þóðr with the merchants in Denmark. It is no surprise then that when the feud comes to blows, Björn will enjoy a string of victories that at once elevates his reputation and at the same time begins to replace communal sympathy with suspicion and discontent. Of special interest here are the four attacks on Björn, three of which end in slayings for which no compensation is paid, and none of which feature any censure of Þóðr, even when, as later, an assassination plot is clearly proven. Although all of the killings bar the slaying of Þorkell Dálksson are technically in self-defence, each successive act and assertion of immunity, and each failure to directly bring the feud into the sphere of arbitration by pursuing Þóðr legally, depicts Björn as an increasingly dangerous figure, more concerned with humiliating Þóðr than he is with any of the wider social consequences.

Even when Björn attempts to do the right thing and offer compensation to Kálfr for slaying Þórnsteinn in self-defence, despite having no obligation to do so, the conflict between Björn's noble qualities and his increasing pride thwarts any successful peacemaking. It is this pride coupled with his enmity towards Þóðr which will push Björn into ójafnaðr, suggesting that such behaviour is, at least in its origins, much more complex than it appears. Ójafnaðr is, according to the sagaman, not an intrinsic character flaw, but an attitude and behaviour that develops when pride becomes arrogance which, crucially, is a risk faced by all 'big men'. When Björn was confronted earlier by his aunt Þórhildr just before his first attack, she intimated as much, cautioning a nephew confident enough to ride out alone in spite of his feuds: "bæði er,
Now, when Björn is forced to deal for the first time with the effects of that feud on those around him, that reputation becomes a weakness, pushing Kálfr and Björn to offer resolution that each find unacceptable.

The slaying of Þorsteinn is clearly an act of self-defence reflecting at first negatively on Þórðr, rather than Björn. It is in the handling of the Þorsteinn’s father Kálfr that Björn’s actions bear closer examination, his concern for his honour overshadowing an increasingly uncomfortable attempt at compensation. On its face, Kálfr’s request for sjálfðœmi is overreaching, and Björn’s rejection understandable: Þorsteinn’s immunity was forfeited in his unprovoked attack on Björn. Kálfr’s epithet illviti (‘ill-willed’) suggests a negative portrayal, as does his initially unfriendly relationship with Björn, creating further sympathy with Björn’s refusal to grant sjálfðœmi. However, the sagaman is clear in connecting Kálfr’s attitude less to his own nature than to the proximity of Þórðr: he is tillagaillr, evil-disposed, only ‘þá er Kálfr var í fǫrum með Þórði ok ráðum....’ and will be so again when, having failed to gain compensation, he feels himself compelled to return to Þórðr’s clique.

The clue to Kálfr’s motivation here may lie in his previous relationship to Björn, and in a desire to publicly assert a degree of independence more suitable to his new social standing. Despite their initially rocky relationship, the two men appear to have struck up not only a friendship, but a financial relationship during Kálfr’s time as a tenant on Björn’s land, making it unlikely Kálfr is acting hostilely. However, Kálfr is now no longer a tenant, he is a landowning farmer with all the attendant rights and

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382 Bjarn, 157. ""it is both,"" she said, "that you are a big man, and indeed that you think yourself such...."
383 Ibid., 163. 'then when he was in the company and counsels of Þórðr....'
responsibilities, as well as the class-anxiety that comes with so significant an upward move. Þórdr’s success in swaying Þorsteinn was in playing to this, suggesting that Björn had a legally-provable claim on some of their property even now: 'mik minnir, at hann lýsti til fjár á hendi yðr í sumar á Alþingi....’ 384 Regardless of the veracity of Þórdr’s report (and the audience has no reason to believe him), it is effective insofar as it reinforces the dependent nature of his and Kálfr’s previous relationship to Björn and adds to it the implicit suggestion that, in the eyes of the community at least, there is reason to believe they are still not yet independent of him.

Kálfr is thus in a difficult position when Björn comes to him: not only has he lost his son, but the identity of the killer means that almost any outcome will constitute a further threat to his standing. That Björn comes to offer compensation is a promising sign, especially considering that any attempt to prosecute is doomed to failure. However, to allow Björn himself to set the terms risks the suggestion that Kálfr, unable to assert his rights and his independence from his former landlord, is forced to yield and admit his inequality. Sjálfdæmi, however, gives the class-conscious Kálfr an opportunity to publicly and indisputably confirm his new position, provided he exercises it carefully. As Miller notes, sjálfdæmi is itself a kind of compensation, increasing the honour of the recipient. 385 As such, the transformation of participant into arbitrator carries with it an expectation the recipient will modify their conduct: ‘to oversimplify greatly, the award should have some element of forbearance in consideration that a payment of much value, the power itself, has already been made.’ 386 Björn considers this an unreasonable request in light of Þorsteinn’s

384 Ibid., 164. ‘I remember, that he gave notice to property owed by you in summer at the Alþing....’
385 Miller, Bloodtaking and Peacemaking, 287.
386 Ibid.
circumstances, leaving the audience to turn their gaze to interrogate the hero’s attitude: why is sjálfdæmi unacceptable?

To refuse Kálfr sjálfdæmi suggests two possibilities: either Bjørn suspects Kálfr will award himself an inordinate compensation, or he believes the honour cost of giving Kálfr sjálfdæmi is in itself inordinate in light of the difference in their social standing and the circumstances of the case. We may discount the first possibility somewhat easily, in spite of Kálfr’s suggestive nickname and their rocky past. There is little reason to suspect that, having struck up a friendship and apparent financial relationship to each other, Kálfr will now abandon it. Bjørn himself is relatively certain of their good relationship, citing it as his reason for extending the unnecessary offer in the first place: ‘eigi af því, at þess væri vert, heldr fyrir vingan þeira ok þeir höfðu áðr búit á landi hans ok áttu enn fjárreiður saman....’ More likely then, Bjørn feels the honour cost to be too great. Kálfr may be a friend, but he was formerly a tenant as well, and it is apparent that Bjørn is as unwilling to suggest the two are equal as Kálfr is to assert otherwise.

The failure to come to any agreement is dangerous not only for Bjørn’s relationship to Kálfr, but (perhaps more importantly) for his perception by the wider community. In closing the Þorsteinn-chapter, the sagaman subtly hints at this through the narrator, reminding the audience: ‘hefir Bjørn nú drepit þrjá menn fyrir Þórði ok górt alla ógilda at logum réttum.’ While Þórðr is apportioned blame for the three deaths, this trend of avoiding compensation is decidedly uncomfortable socially, even if legally there is no requirement for payment. Certainly, such behaviour

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387 Bjarn, 167. ‘not because of this, that it was fitting/required, rather on account of their friendship and (because) they had before lived on his land and still had a financial arrangement together....’

388 Ibid., 168. ‘Bjørn has now slain three men on account of Þórðr and had rendered them unworthy of atonement by legal right.’
emboldens Björn's enemies and creates a sense of insult as well as injury among the dissatisfied relatives of his victims, forced to walk away empty-handed. However, as we shall see in more detail in the following chapter of this study with the pyrrhic victories of Gunnarr, such successive, one-sided results risk damage to the trust and goodwill of otherwise uninvolved big men.

The sagaman almost immediately appears to vindicate this fear in Björn's next legally-defended killing, the slaying of Þorkell Dálksson for reciting Kolluvísur. In this case, Þórdr can only be indirectly blamed, having created the verses at least three years prior, and likely considerably longer ago. The cause here is Björn's wounded pride, and his actions display a lack of moderation or concern for circumstances that is, even by the terms of this feud, surprising. Þorkell is clearly uncomfortable with the idea of reciting Kolluvísur because of their reputation, and it is obvious to the audience he does so after being pressed and not out of any malice: 'Þorkell kvað þó milku háðugligri Kolluvísur ... "en ekki er mér um at kveða...."'389 Þorkell is at best guilty of criminal negligence, his only sin his lack of understanding of the power of language and poetry.

Arguably, the slaying of Þorkell is perhaps the most direct revelation of what drives Björn's ójafnaðr since Þórdr's earlier display of affection towards Oddný. With full awareness of the circumstances, Björn still cannot permit Þorkell to live after reliving a public attack on his honour. It is pride that motivates Björn, a belief in one's rights and power that will risk transgressing accepted Icelandic norms. Þorkell's last

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389 Ibid., 170. “Þorkell said however that Kolluvísur were more abusive... "and it is not for me to say them...."
words are as much a pointed accusation as they are a challenge, and one that Bjørn answers in kind:

‘ok ekki er þínligt,’ segir hann, ‘enda hygg ek, at ekki munir þú sé konungr yfir mænum, at eigi munir þú láta menn fara frjálsa fyrir þér,’ ok kvazk slíkt eigi vilja. Bjørn mælti: ‘Eigi mun ek yfir þórum konungr, ef ek em eigi yfir þér,’ ok hjó hann banahöggi....390

Although Bjørn will succeed in escaping Þórðr’s prosecution of the killing, and will initially offer Dálkr compensation in an attempt to smooth things over,391 the damage has long been done, and finally put into words by a formerly uninvolved member of the community. Þorkell’s last speech and Bjørn’s response make explicit the growing unease with Bjørn, seemingly reinforced by the verdict which will follow. More importantly however, Bjørn has turned another previously neutral party into an enemy with the slaying. Dálkr, uncertain he will get any compensation in light of Bjørn’s recent conduct, is driven to Þórðr by the loss, ‘en hafði áðr ætlat hjá at sitja málum Þórðar ok Bjarnar.’392

390 Ibid. “And that is not like you,” he said, “yet I think, that you are not such a king over men, that you will not let men pass peacefully before you,” and said he did not wish it so. Bjørn declared: “I will not be king over [any] others if I am not over you,” and struck him his deathblow....
391 The account of the offer and Þórðr’s subsequent attempt to prosecute are unclear. Þórðr however later lists Þorkell as one of Bjørn’s uncompensated victims, suggesting the settlement fell through following the failed prosecution.
392 Ibid., 171. ‘but he had before decided to sit by in the suits of Þórðr and Bjørn.’
Too Little, Too Late: Þorsteinn’s Intervention

Emboldened by his increasing support, and frustrated by his lack of success, Þórðr will eventually attempt direct action against Bjǫrn, signalling another, still more drastic change in the feud. Although Bjǫrn is initially successful in defending himself, his increasingly self-isolating behaviour has begun to close off the possibility of communal intervention in a district weary of the human cost. In the attack near Þorbjǫrg’s farm, Þórðr’s company numbers six, at Knarrarness in the next chapter, they have grown to ten. By the time of their final, fatal clash at the saga’s close, Þórðr will have a group of twenty-four. In contrast, Bjǫrn is always alone, having ignored the advice of what allies he has and expressing a heroic disregard for his own safety. Even a hero like Bjǫrn cannot survive alone indefinitely, however: in a telling moment of vulnerability, Bjǫrn comes away from the Knarrarness conflict wounded, his first injury taken in direct combat since earning his title against Kaldimarr’s champion in chapter 4. Bjǫrn recovers quickly and reassures his wife that ‘ekki saka mundu,’ but his return, blöðugan (bloody), and the now formulaic reminder that ‘Þórði líkaði stórilla’ to close the chapter would suggest otherwise. Barring a drastic intervention, the increasingly violent clashes between the two sides can only end with the death of one or both.

At first the other big men, or the wider district as a whole, are noticeably inactive. The fallout from Bjǫrn and Þórðr’s meetings has become impossible to manage, and the only avenue available to neighbours and friends is to attempt to limit their meetings or interaction. The damage caused to the community is significant, not

393 Ibid., 179. ‘no harm would come of it’
394 Ibid. ‘Þórðr was greatly displeased’
only in creating an omnipresent sense of tension and unease, but in preventing even local assemblies from functioning freely for fear of what another outbreak of violence might mean for those present:

En er menn kómu af þingi um sumarit, þá heldu men vörðu á sér, ok tökusk af mjökk heraðsfundir, ok vildu menn nú varir um vera, at þeir fyndisk miðr en meir, Þórðr ok Björn....

Into the saga at this late, highly tense moment, comes Þorsteinn Kuggason, the saga’s only explicitly declared ójafnaðarmaðr. Given the focus of this study, and our attempts thus far to observe proposed ójafnaðr in both Björn and Þórðr, the significance of Þorsteinn as an ójafnaðarmaðr must be addressed. There is significance in the sagaman’s use of so emotive a title; it may signify a more far-reaching comment on the nature of ójafnaðr, and one that resonates with the decline of Björn over the course of the saga. Þorsteinn seems to be fairly well-known, appearing or mentioned in Eyrbyggja saga, Laxdæla saga, Grettis saga, and Fóstbræða saga, although arguably only in minor roles. He belongs instead to a certain type of character defined by Jesch as ‘not major characters, but more than just names,’ in much the way Gestr and Steinþórr were in Hávarðar. More than simply name-checks, the literary impact of these characters is derived from their predominant personality traits and the role these play in key moments within a narrative. In Hávarðar, Gestr’s wisdom and foresight were reliable indicators of Þorbjörn’s fate and the rightness of

395 Ibid., 180. ‘But when men came from the þing in the summer, then they held watch around themselves, and district meetings were greatly declined, and men wished now to be on guard about that, that those two met less and not more, Þórðr and Björn....’
Hávarðr's cause. Likewise, Steinþórr's combativeness and loyalty vindicated the hero's exploits. Here, Þorsteinn's hot-headed reputation is his reference point, but rather than serving to highlight a more moderate character in opposition, as he does with his kinsman Þorkell in Laxdæla, attention is drawn to Þorsteinn's own, unexpected moderation.

Þorsteinn's transition from supporter of Þórðr to mediator and then to supporter of Bjǫrn is a masterstroke on the part of the saga's hero and author. Over the course of Bjarnar, the audience has seen two characters behaving as characteristic ójafnaðarmenn, but in a flash of nobility Bjǫrn manages to convert a character known for his unruliness while at the same time displaying a keen awareness for himself of the importance of reputation management. Bjǫrn knows he is the subject of attention from a community wary and uncertain of him, and knows how news travels. His early, cold treatment of Þorsteinn and his band is calculated towards this end, as he explains when revealing his nobler, hospitable side: 'ek ætlaða, at þér skyldið önnur hafa ǫlmælin á Húsafelli en þau, at ek bera friðgælur á yðr....' This capacity for nobility and concern for public opinion, along with Þorsteinn's capacity for change further complicates the understanding of ójafnaðr. Þorsteinn's subsequent attempts at peacemaking must be something of a surprise to an audience familiar with his reputation, suggestive of the potential for rehabilitation (not to mention the irony, this feud being so disruptive that even Þorsteinn wishes it to end). Likewise, in Bjǫrn the audience once again sees the potential for generous, reasonable behaviour balanced against an understanding of his previous actions. Indeed, Bjǫrn's behaviour

397 Bjarn, 186. 'I intended, that you should have another thing to say over beer at Húsafell than this, that I offered you enticements to peace....'
here, his caution in how he wishes to cultivate public perception of the visit, almost prompts the reader to ask why elsewhere a man with the potential for such care can flagrantly disregard the effects of his behaviour on the community. If a declared ójafnaðarmaðr like Þorsteinn can change, however, then is there yet hope for the hero?

At first, it seems as though peace can be achieved even in the face of such a bitter feud. Þorsteinn acquits himself well by all accounts, and the two parties are even kept apart to prevent any of them from disrupting the negotiations: ‘ok var hann úti með lið sitt, en þeir Þórðr váru inni.’ However, at the last moment even the best attempt of the community, which has for too long attempted to ignore or simply isolate the feud, is not sufficient. Þorsteinn meets the requirements for an ideal intervenor, his friendship to both disputants placing him squarely in the middle of the feud, and his role as a ‘big man’ giving weight to his words. Crucially however, he stumbles with what Miller terms ‘the problem of convincing the principals to leave off their aggressiveness and agree to submit the matter to arbitration…the forms of honour usually demanded shows of firmness and aggression.’ Having brought the two to the point of arbitration, Þorsteinn is nevertheless unable to hold the disputants there with any of the usual inducements, ultimately only able to lamely lament ‘eigi meira metinn í þessu en svá af þeim Þórði, at þeir vildu ekki þá sætt halda, er hann hefir górrva…’ Once again the warring poets resist the call to peace (first Þórðr and then Björn) by moving the feud back to the realm of poetry. The peacemakers,

398 Ibid., 188. ‘and [Björn] was outside with his band, and Þórðr and his were inside [the farmhouse at Staðarhraun].’
399 Miller, Bloodtaking and Peacemaking, 266.
400 Bjarn, 189. ‘[he] was no more respected in this than so from Þórðr and Björn, that they wished not to hold to the settlement, which he had made…’
however good-willed or noble here, are helpless, unequipped to control the language and desire of both men. When Þórdr proposes the verses be accounted for, Þorsteinn moves twice to symbolically separate the old verses from the current feud, declaring Þórdr’s proposed measures óskylt, but he is ignored in both instances.

In spite of Þorsteinn’s best efforts, neither side is truly willing to settle, instead relishing the chance to publicly humiliate each other. As usual, the initial blame lies with Þórdr, but Björn’s pride forbids him from avoiding further escalation at two points. When Þórdr insists he be allowed to compose another verse about Björn under the pretence of evening the numbers, Björn at once declares his refusal to give permission, and then invites his foe to do so regardless. The terms of Björn’s invitation, along with his public refusal of permission, ensure he will be able to respond. Þórdr is permitted to proceed, but only provided ‘lát eigi ákveðin orð í vera,’ effectively prohibiting Þórdr from making open insult, which he is unable and unwilling to do. When Þórdr responds as expected, Björn immediately responds with a verse of his own, ironically accusing Þórdr of being insincere and offering the transparent excuse that Þórdr’s response requires another response: ‘sú mannfýla vill enga sát. Eigi skal hann enn þessarri vísu hafa á glæ kastat heldr en þðrum....’

Following Björn’s verse, the settlement is abandoned, and with it any expectation on the part of the audience that Björn himself will survive the saga. Despite his heroism, and despite his still visible glimpses of nobility, Björn remains at this late stage largely alone, his strength fading with his eyesight. The narrative moves quickly from the broken settlement to foreshadow Björn’s fate, not only in his

401 Ibid., 188-9. Literally meaning ‘not related’
402 Ibid., 189. ‘[that you] do not let there be pointed words in it....’
403 Ibid., 190. ‘This worthless man wishes no settlement. He shall not have this verse cast away [lit. ‘cast in the sea’] any more than the others....’
declining health, but in his final agreement with Þórsteinn. Their oath of blood-brotherhood once again draws Þórsteinn into the feud, but it also suggests that at last, an end is possible, thanks again to the insight of the now-reformed ójafnaðarmaðr Þórsteinn. Bjǫrn’s phrasing speaks of hefna, vengeance alone, but the cooler head of Þórsteinn moderates the terms in appeal to a more publicly-Christian sentiment: ‘at hvárr okkar taki eindœmi eptir annan eða sekðir ok fébœtr, þótt eigi sé manndrap....’404 Þórsteinn is aware, as the audience is (and likely as Bjǫrn himself is, despite the reciprocity of the arrangement) that Bjǫrn’s days are numbered, and the feud will fall to him. In the interest of preventing wider damage, the blood-brotherhood agreement’s modifications at least offer the potential for a permanent settlement should this tragic death occur.

Having thus prepared for Bjǫrn’s death, and divested the hero of some of his heroic trappings in the form of the cloak and ring from King Óláfr, the responsibility for the feud effectively begins to pass from Bjǫrn to Þórsteinn. All that remains now is Þórðr’s final act. A climbdown is impossible: at the last public meeting of the two, Bjǫrn matched Þórðr’s ill-will with his own inability to exercise restraint, seemingly vindicating the concerns of his victims’ fathers. Yet, even in his last outing, the sagaman is unable to shake from Bjǫrn some of his older heroism and nobility, the same pride that incited him to acts of ójafnaðr now producing a noble death for him and a final disgrace for Þórðr. Outnumbered and with a useless sword, Bjǫrn nevertheless manages to inflict two significant, if symbolic, wounds on Þórðr, robbing him first of his control over language and then of his boldest son Kolli (and effectively

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404 Ibid., 191. ‘that each of us take self-judgement after the other either for outlawry or compensation, but not manslaying....’
reclaiming Oddný). Finlay, in analysing Þórdr’s use of klækisǫgg (‘shameful blow’) when klámǫgg (shaming blow) was intended, draws attention along to the folk belief in ‘accidental truths’ revealed by the speaker whose tongue slips, as suggested by Bo Almqvist. To this, we may add the significance of such a mistake by one of the saga’s only characters who truly had control over language. Here at the final moment, Bjǫrn is able to exploit his weakness and rob him of that power in their last direct words to each other, before moving to take Þórdr’s paternity of Kolli in his last speech.

Bjǫrn’s death, though inevitable, is tragic in spite of his earlier behaviour. Having followed him from his promising youth, the audience is predisposed to sympathise with Bjǫrn and revile Þórdr, whose escape with his life produces an unsettling, unsatisfying ending. The audience cannot help but feel Þórdr got far better than he deserved, even accounting for the singularly large compensation he will be obliged to pay. Certainly, Oddný’s suffering is disproportionate to her responsibility in the feud: if anyone can be said to suffer the most in the saga’s end, it is Oddný. As Finlay notes, her final appearance is powerful, both similar to romantic mourning and incredibly physical, unparalleled elsewhere in the sagas. Indeed, in Oddný’s suffering the true cost finally becomes clear to Þórdr. In an unexpected moment of revelation, the saga’s villain shows himself not to be incapable of sympathy, and to be motivated by love for his wife. Both audience and characters are, through Oddný’s mourning and Þórdr’s pained reaction, faced not only with the senselessness of the feud, but with the question of how the circumstances of those involved might have

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405 Finlay, *Saga of Bjorn*, 77 n. 197; See Bo Almqvist, ‘The Death Forebodings of Saint Óláfr, King of Norway, and Rögnvaldr Brúsason, Earl of Orkney,’ *Béaloideas* 42-4 (1974-6). Almqvist raises the possibility the slip of the tongue was initially ascribed to Bjǫrn, but this seems unlikely given the impact of such a failure of linguistic control by Þórdr at this last stage, highlighting his disgrace.

406 Finlay, *Saga of Bjorn*, 80 n. 203.
differed, had Björn only survived. Þóðr’s agony is surprisingly apparent in a tradition that privatises displays of emotion. The community is able to observe:

...at heldr køri Þóðr þá líf Bjarnar, ef þess væri kostr, ok hefði hann slíkar ástir konu sinnar sem áðr; ok þótti honum þat stór meinun, er til þeira Bjarnar kom allra jafnt saman.497

Þóðr then does not escape unscathed, but more disgrace will come to him, and Björn in a sense does get the last word. Having turned Þóðr’s words against him, the surviving poet is now truly beaten in the one field that might have spared him from the consequences of his slaying. Þóðr succeeds in pressing the hapless Ásgrimr, Björn’s late-introduced brother, into a hasty deal, but when the case proceeds to the assembly, his power over language seems to have deserted him. When Þorsteinn brings his case, the usual roles have been reversed and control over the language of the settlement is unquestionably his: all of the words are in the mouths of Þorsteinn and Þorkell. Þóðr is not even consulted, much less given the chance to speak on his own behalf, and the terms of his representative are flatly refused until they are to Þorsteinn’s liking. By trading on his reputation as a fearless fighter, and his kinship to Þorkell, Þorsteinn is able to satisfy both the aggressive demands of honour, and his earlier concern that compensation be substituted for blood in the hopes of preventing further violence. The community itself would appear to vindicate this approach, as the final word on the settlement is in their mouths:

407 Bjarn, 206. ‘That Þóðr would rather choose Björn then be alive, if that were an alternative, and that he should have such love from his wife as before; and that seemed to him a great harm, which to them and Björn came all together equally.’
Ok nú var sú umrœða manna, at varla hafi þvilikt eptirmál orðit um einn mann sem eptir Bjǫrn, því at þær sættir urðu allar fram at ganga, sem Þorsteinn hafði gørvar, ok unir Þórðr við stórilla ok hans men, þótt þá mætti ekki at hafa.⁴⁰⁸

Finally defeated, Þórðr leaves the saga abruptly, closing it as he goes, and leaving the audience alone before the destruction created by his duplicity and Bjǫrn’s pride. This, then, is the final message of Bjarnar, revealed in the death of Bjǫrn, epitomised in the suffering of Oddný, and completed in the defeat of Þórðr. No feud can remain isolated: what began as a singular rivalry between two men, over a distant moment of strife and exacerbated by love, spiralled out of control, costing young lives and engulfing the district. At the heart of this violence was a mutual approach of ójafnaðr, refusing all but the most forceful control and quick to disregard the potential for damage to the wider community. Arguably, all attempts at moderating the two men were ineffective insofar as they could not control the verbal violence of the two poets, and failed to diffuse the responsibility for peace-maintenance into the wider community. From exertions of royal power that could only succeed in the immediate sphere of Norwegian influence, to the abortive attempts at separating, rather than mending the two men, Bjǫrn and Þórðr simply proved too big and too proud to control. In Bjarnar, as with Hávarðar, the community ultimately survives the destabilising effects of the ójafnaðarmenn, but here the success is much more muted.

At the saga’s close, the district is still reeling from the damage caused by the poets, its

⁴⁰⁸ Ibid., 211. ‘And now this was widely spoken of by men, that scarcely had such a slaying-suit gone for one man as for Bjǫrn, because all of the settlement had all turned out to be worked as Þorsteinn had designed, and Þórðr and his men were greatly displeased, although they could not do anything about it.’
road to recovery unclear. All the reader and the community may be assured of at this final point is that they have endured. The means by which they did so were tragic, but at least in the late introduction of Þorsteinn, the sagaman has left some measure of hope in the abilities of góðgjarnir men. With this final note of consolation, we may now consider Njála, its own desperate feuds, and the faith its sagaman invests in its final heroes.
Central to this study is the rule of law and the source of law in the community. In Hávarðar, the community's vengeance, through Hávarðr, was predicated on Þorbjørn's blatant disregard for legitimate expectations of local justice and social cohesion, as an extreme example of an ójafnaðarmaðr enjoying uncontested local power. Similarly, in Bjarnar the destabilisation of the skalds' feud arose from their inability to observe arbitrated settlements without the pressure of an immediately present power capable of enforcing socially-acceptable behaviour. The poets' local society could neither appeal to a sense of equity or social solidarity which would displace their personal grievances, nor control the increasingly disruptive consequences of such grievances. Although Hávarðar and Bjarnar have significantly different outcomes, both expressed an identical concern for a particular perceived weakness, or cluster of weaknesses, in the Icelandic sociopolitical model. The very ideal of socially recognised personal independence at its core ironically posed the greatest threat to its stability. The verdicts of þing-model governance, characterised by its largely 'hands-off' approach, are vulnerable to manipulation or outright disregard by individuals with significant (in terms of social influence or simple economic and/or physical) clout.

The reaction, especially of the goðar class, written into these two texts was surprisingly understated. The small-scale, local nature of the narrative 'problem' at
the outset of each of these sagas would appear to provide at least a degree of insulation from the attention of other big men and their affines across Iceland. Nevertheless, contact (for example through marriage or third-party arbitration) beyond the locale gives rise to a complex and often dangerous web of alliances, friendships, and rivalries on a national level. In Hávarðar for example, Þorbjörn’s ójafnaðarmaðr-reputation is widely known beyond Ísafjarðar, and commented on with disapproval. However, it is not until he moves onto the national stage, where his actions begin to directly affect the ambitions, reputation, and influence of other men of his own class, that any meaningful attempt to address his behaviour is undertaken. In Bjarnar attempts were explicitly made to prevent the feud from progressing to the Alþing, in light of its sensitive subject matter (the níð verses) and its reflection on local society.

This local/national divide then, at least to the saga writers, appears to be less clear than the characters within the narrative believe or would like. All politics are not merely local, but personal in the Commonwealth, where national feuds can originate in arguments over driftage, farms, and seating arrangements at weddings, situations which begin as personal, but are always exemplary. The ójafnaðarmaðr himself begins as any other big man, asserting his independence from, and then developing and asserting authority over his neighbours. Eventually, he may be driven by his ambitions to stress-fracture the consensual base of his local power, endangering (if only by example) all communities across the island, for the Commonwealth is only as stable as its most unstable local system. This study has so far attempted to explicate two critically overlooked sagas, allowing them to speak to this broader political and social setting. It is necessary now to follow patterns of social instability and fracture to
their logical and national conclusion; to the complex motivations and disputes of *Njála*, where the *log* is stressed to the breaking point, and the chaos-inducing feuds of Njáll and Gunnarr threaten to draw the whole of the Commonwealth into strife.

*Njála* has consistently attracted a perhaps disproportionate critical interest. It is without a doubt a masterpiece of period and genre, its action consciously moving from the highly personal of the dysfunctional marriage bed to the highly public of the dysfunctional polity at the law rock. It has more than legal sophistication. Its greatest strength is an interlaced narrative action flowing from character-specific motivation expressed through feud. Njáll himself is an inescapable focus of *islendingasögur* criticism, almost without exception positive, whether for his legal wisdom, ethical sophistication, or secular-martyrdom. Indeed, Turville-Petre even suggested Njáll was a vehicle for transmitting the author's own ethos.409 Einar Ól. Sveinsson, one of *Njála*'s foremost experts, was even more effusive in his eulogy for Iceland's most famous lawyer:

Njáll, the wise and benevolent seer, was brought to the point where he chose to perish in his flaming home than to go on living. The terrible fate of these good men seems incredible, and yet it is true to life. Virtue is no protecting shield which wards off grief and misfortune.410

More recently, Þorsteinn Gylfason regarded *Njála* as the narrative of two parallel tragedies in which noble intentions, first of Gunnar and Njál and later of Flosi, are

thwarted by circumstances and ultimately by the traditions of the society in which [Gunnarr and Njáll] live.\textsuperscript{411} Similarly, Vésteinn Ólason situates Gunnarr’s fall and Njáll’s firmly within ‘the ideology of the old society which demands that family and kin stand together come what may, and which believes that in desperate times, blood feud is the only option.’\textsuperscript{412} He hesitates to come down too harshly on Njáll, in whom he sees a ‘profound impulse’\textsuperscript{413} to reject this society in favour of a new one, structured around forgiveness and reconciliation, and instead views the saga as telling how ‘by their disputes, even the worthiest individuals can destroy not only themselves but also their society.’\textsuperscript{414}

Vésteinn Ólason makes important points in his attention to the dynamic social changes beginning to occur in \textit{Njála}, both in the threats individuals, regardless of their essential virtue, can pose to society through their ambitions, and in characters’ attitudes to the necessity of blood feud in times of extreme stress. However, to suggest that Njáll and Gunnar are almost passive victims of envious and evil men, or of the demands of a vengeance-driven culture, ignores their own, authorially-acknowledged agency and influence within the sagaman’s constructed society. While it is clear the author writes both deaths as ultimately tragic, there is no indication they could have been avoided, nor are they plotted so the ends can be ascribed to fate or the ‘ill will of less worthy individuals....’\textsuperscript{415} Men like Njáll and Gunnar are self-willed and of high ambition, and while ill-actors in the \textit{íslendingasögur} are always waiting to

\textsuperscript{413} Ibid.
\textsuperscript{414} Ibid., 198.
\textsuperscript{415} Ibid., 200.
exploit the envy generated by such men for their own gain, the audience is not led by the author to do anything but recognise the threat posed by the machinations of the Bergþórshvoll and Hlíðarendi groups to an always precarious balance of power.

In contrast to these earlier, almost universally sympathetic readings of Njáll, there has recently been a reappraisal, exemplified by Miller’s recent study of the saga in *Why is Your Axe Bloody?*, taking a more nuanced and critical view of Njáll’s words and deeds. Njáll’s wisdom and foresight are still accepted to be second to none in the saga, but these are no longer taken as touched with the supernatural or indicative of Njáll’s essential saintliness as presented in the narrative. Instead, it may be better to consider them in terms of temporal causality, embedded in the larger system that is Njáll’s power network. Arguably, none of Njáll’s actions within the narrative can be understood independently of this network or (perhaps more importantly) his control over it. The saga itself runs in large part upon the wily Njáll’s attempts to develop a power structure, centred on himself (and, for a time at least, Gunnarr), novel in its independence from the accepted forms of Icelandic hierarchy, and to defend this novel system against the increasing pushback of his surrounding society. To serve his own ends, Njáll’s words and deeds are always carefully calculated. While it is possible and even encouraged to conduct oneself fairly to all and to assist kinsmen, neighbours, and friends, Icelandic society was driven by competition, and that over increasingly limited resources: as Byock remarks, 'the success of one Icelander routinely signaled the impoverishment of another....' That any act in the sagas may be called 'selfless' depends upon a balancing of the needs of seeker and giver. A wise and crafty actor,

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like Njáll, understands this, and can leverage generosity towards a long-term goal. In simpler terms, as Gaskins wrote in his examination of saga power dynamics:

The sagas provide no models of human perfection although figures like Snorri goði, Síðu-Hallr, Jón Loftsson, and of course Njáll are conspicuously able to reciprocate trust. In some sense, they are all rational actors, but they also embody the notion that self-interest presupposes trustworthy alliances.417

Even advice or aid given by Njáll at immediate or short-term cost to himself is directed towards a future benefit. Thus, when Gunnarr finds himself in difficulties, Njáll is able to recoup an investment on previous assistance to his neighbours:

Nú hefi ek nőkkut at hugat ... Þorgeirr hefir barnat Þorfínnu, frændkonu mína, ok mun ek selja þér legorðssökina. Aðra skóggangssök sel ek þér á hendr Starkaði, er hann hefir hóggvit í skógi minum á Þríhrynningshálsum, ok skal þú søkja þær sakir báðar ... Þú skalt ok finna Tyrfing í Berjanesi, ok skal hann selja þér sök á hendr Ónundi í Tröllaskógi, er málit á eptir Egil, bróður sinn.418

418 Njāla, 160-1. ‘Now I have thought about that somewhat... Þorgeirr has gotten my kinswoman Þórirnna pregnant, and I will hand over the lawsuit for seduction to you. I will (also) hand over another suit of outlawry for Starkaðr, because he has cut trees in my woods at Þríhrynningshálsar, and you should prosecute both cases... You shall also go to meet with Tyrfingr at Berjaness, and he will turn over to you a suit against Ónundr in Tröllaskógri, who has the case for (the slaying of) Egill, his brother.’
In offering Gunnarr a series of unprosecuted cases against his foes, Njáll will effectively be able to offset the charges against his comrade, negating the possibility of an outlawry verdict and, ultimately, keeping intact the Bergþórshvoll-Hlíðarendi group.

This is not to say Njáll is here unsympathetic, gratuitously devious or a purely self-absorbed character who helps Gunnarr only to help himself. Rather, it is an example of Njáll's ability to balance his desire to help someone he truly cares about with his need to thwart Starkaðr, Ænundr, and in the shadows behind them, Móðr, who have become his adversaries in becoming Gunnarr's. If there were anything underhanded or dishonourable in Njáll's actions, we might expect remark by the community when, for example, the stored cases are produced. The community, however faceless, is rarely silent in Njálfa after settlements, especially when the narrative connives to allow it to pass judgement on a character. Thus, the reader follows Gunnarr's growing reputation following another dodged outlawry, or when Hrútr's forbearance with a small child ends any lingering social disquiet and disapproval regarding his earlier shaming of Móðr gígja. Here, however, while Njáll's manoeuvring requires some commentary, the communal response is equivocal: 'þetta þótti mónnum undarligr málatilbúnaðr.'

Njáll's strategy may be unusual, but it can hardly be considered unexpected. As Miller observes, the assignability of unprosecuted lawsuits makes them an excellent (if somewhat time-sensitive) tool, be it as a placeholder for money, an offset against

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419 Ibid., 163. 'This seemed to men a strange preparation of a suit.'
420 See Miller, Why is Your Axe Bloody, 129, n. 16. The timeframe in which a case could be prosecuted after the initial action was committed or discovered varied, but most claims are valid for a three-year period. At least the first two Njáll hands over (seduction and minor damage to land respectively) would have been valid for three years. It is worth noting, however, that even lapsed cases appear to have utility in negotiation, as for example in Hrafnk., ch. 19. Hrafnkel cites his maiming in offsetting
another offence (as here), or even as a weapon against a rival, as goðar will do elsewhere in the *islendingasögur*. Such transfers cannot have been unusual, as the design of advocacy and arbitration lends itself to just such a procedure. A goði’s sources of income were, as indicated in chapter I, limited in scope, especially as regards fees for the discharge of their duties, including at a *færánsdómr*. It is likely Byock hits close to the mark when he notes ‘the possibility of combining roles made the practice of buying the claims of others a potentially profitable source of wealth for chieftains.’ Perhaps the only ‘strange’ aspect of Njáll’s transfer of claims is its combination of tactics and strategy.

Indeed, if there is anything to be taken away from this episode, it is the lengths Njáll will go for his friend Gunnarr. Not only have these suits been stored up with an eye towards help in the future, but Njáll has also planned in advance to be able to cover the cost of arbitration. In addition to the outlawry suit against Starkaðr, it transpires Njáll has been lending Gunnarr’s adversary money at considerable interest, all of which is used to help pay off Gunnarr’s fines. The end result is a suit so successful for Gunnarr that, thanks to Njáll’s ‘strange’ preparations and their tightly-woven network of associations, he is able to walk away the unilateral victor of a suit in which all parties were supposedly made even and all offences offset. Unfortunately, further strife is assured from the moment the settlement’s terms are defined; the Þríhyrningar walking away empty-handed.

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421 Miller, *Why is Your Axe Bloody*, 128–9. See also 129, n. 15, where Miller provides as examples Þorgils saga ok Haflíða, ch. 7, Guðmundar saga dýra, chs. 1–2, and Sturlu saga, chs. 15–17, 28.
423 *Njál*, 166. ‘Njáll átti fé mikit undir Starkaði ok þeim í Sandgili, ok gaf hann þat allt Gunnari til bóta þessa.’
The closure of the suit with the Þríhyrningar largely follows a formula the reader has become primed to expect, one that attests both to the strength and independence of the Bergþórshvoll-Hliðarendi group, while at the same time foreshadowing the growing threat of reprisal that such success engenders:

...hafði af ina mestu sømð af òllu, ok urðu allir á þat sáttir, at engi væri hans jafningi í Sunnlendingafjórðungi. Reið Gunnarr heim af þingi ok sitr nú um kyrðt; en þó ofunduðu móttstóðumenn hans mjökk hans sømð.424

Interested as this study is in those who are viewed as 'aiming too high', or moving beyond the control of the þing-model, it is perhaps necessary to apply this approach more generally in the saga. By examining the behaviour of Bergþórshvoll and Hliðarendi in reference to other large players, and to the network of goðar entering and exiting the saga, it may be possible to extrapolate the lessons of Njáll’s ascent and fall to the wider Icelandic social context. Njála is at its heart a saga about the lög in both its meanings: of law and of the people of Iceland represented by that law. For all of the nobility and narratorial praise of Njáll and Gunnarr, their rapid economic ascent and the means by which they maintain their independence and further their social climbing, picking and choosing how they interact with the accepted hierarchy, requires a deft manipulation of the lög to a degree unrivalled in the other family sagas.

Njáll appears within the bounds of the narrative not to explicitly wish to be primus inter pares, but his actions nevertheless will draw that charge against his group

424 Ibid., 166. ‘...[Gunnar] had from that the most honour of all of them, and all were in agreement on that, that none was his match in the southern quarter. Gunnarr rode home from the þing and sits now quietly; but yet his adversaries greatly envied his honour.'
from nearby players, worried about their own spheres of influence and follower-loyalty. Perhaps more importantly, all of the successes orchestrated by Njáll are broadly speaking independent of the local goðar, who are either not consulted, or brought along for the ride, usually by a grinning Skarpheðinn. He is, to borrow the age-old complaint, not playing by the rules – or to be more specific, he is picking and choosing which clauses of the social contract he wishes to live by. With the exception of Hôskuldr hvitanessgoði, there is no move to establish a Bergþórsvholl-Hliðarendi position of authority within the þing-model, and yet Njáll manages to quietly hold such an authority throughout his life, only slowly bringing attention to himself as the narrative progresses and matters begin to slip out of his hands. Indeed, as will be examined below, even the establishment of Hôskuldr in a goðorð may represent a troubled attempt to repair damage and reassert the authority of Bergþórshvoll through Hvitaness as chaos increases, both locally and nationally.

The ultimate crisis moment, the Battle at the Alþing, is more than just the result of the burning, exacerbated by the sudden change in Icelandic society following the legal introduction of Christianity. Its origin lies before the Conversion; indeed, well before even the Práinson feud. To better understand the Bergþórshvoll group’s end, and the following fracture, with all its terrifying implications, one must first begin with the character and origins of Njála’s unusual power structure, the life of Gunnarr. The fracture of the Commonwealth at the Alþing is the direct result of the stress placed on the system by Gunnarr and Njáll. In the saga’s first feuds, the audience is shown both men at their best, as comrades and leaders of their respective groups. So too, the power structure Njáll has taken pains to set up and to preserve against any challenge from authority is ironically at its most stable here at the beginning.
However, as both men grow in fame and esteem, as they stretch their ability to carve out and defend their enclave, the narrative tension increases in equal measure.

To this point, our sagas have exhibited a keen interest in this process of individual power growth and resistance, and how the feud system equips society to respond accordingly. However, where Hávarðar and Bjarnar have been concerned with the apex of this process, in the moment of stress and the response, Njála is positioned to consider the process as a whole. The reader in Njála is faced not with the shift to and result of resistance, but its origins, and the fine line that exists between a strong-willed and independent leader on the one hand, and an ójafnaðarmaðr. Njála’s famous complexity promotes the exploration of these problems in minute detail, and as such provides a fitting end to this study. From the origins and ascent of Njáll and Gunnarr’s innovative power structure during Gunnarr’s life, to its slow, steady unravelling following his death, as Njáll attempts alone to maintain control and independence, the feud system and the lög itself will be stressed to the breaking point. That Njáll and Gunnarr are men of ambition is not their flaw: a degree of ambition is necessary for success in Icelandic society. It is their desire to achieve that independence essentially to one side of the sanctioned hierarchy that causes the strife. By picking and choosing, and by exercising a meta-legal approach to obtaining their ends, Njáll and Gunnarr eventually draw the fire of powerful players struggling to protect themselves from the effects not so much much of their advancement, but their methods of advancement, which insulate them from the restrictions experienced by other players of the game. Rather than Njáll being a servant of the lög, he uses it to place himself and his associates beyond the reach of all but the most drastic reprisal which, when it comes, will split the Commonwealth in
two. Here, the crucial question remains as to how the unique constitution of the Icelandic Commonwealth, under increasing economical and environmental strain, can respond to, recover from, and endure such a threat. The decisions and actions of a few powerful men will strike so close to the unspoken foundation of the Commonwealth that all the stakeholders of Iceland will be forced to take a side.

**Strange Bedfellows**

Even before examining their roles as leaders of their respective kin groups, the unusual friendship between Njáll and Gunnar invites questions at the most basic level. They are perhaps the best-known friends in the íslendingasögur with the possible exception of Bolli Bollason and Kjartan Ólífsson, although unlike them, their friendship endures all. We can safely accept that, at least as independent figures, their stories predate Njála. There is enough earlier evidence concerning them separately to suggest the sagaman is drawing upon pre-existing traditions. Both Gunnarr's slaying of Otkell and his own death at Hlíðarendi at the hands of Gizurr, Geirr, and others are recorded in Landnámabók. Gunnarr's death is also referenced in Eyrbyggja saga, including (as in Njála), Geirr discovering Gunnarr is nearly out of arrows, 'ok urðu sumir sárir, en sumir dreipnir, ok léttu frá atsókninni, áðr Geirr goði fann þat af skyni sjálfs síns, at honum færkkuðust skotvápnin.' Although Eyrbyggja's origins are uncertain, it can be reliably dated to the mid-thirteenth century and somewhat earlier than Njála's own suggested composition. McCreesh uses references to Laxdæla and the Styrmisbók iteration of Landnámabók to propose a TPQ of 1245, and the end of the

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425 Eyrb, 133. 'and some became wounded, and some dead, and they withdrew from the attack, before Geirr goði found out that from his own sense, that [Gunnar's] arrows had become few.'
Commonwealth institutions to propose a TAQ of 1262. Likewise, while Scott cautions against assuming too early a date, he notes in addition to the archaic features present in some manuscripts (for example, the use of the form 'Aurbyggjar' for *Eyrbyggjar* in manuscript W), that 'the legal administration at the time of writing of the saga seems to have been that of the republic ... The legal references seem either to refer to *Grágás*, or an even earlier code, and not to any of the Norwegian royal codes.' Hallberg suggests the possibility of Sturla Þórðarson (1214-1281) as author, noting similarities in word choice and in tone.

References to the burning of Njáll, and to Kári and Flosi’s involvement exist in various sources, including *Landnámabók*, and in verses which, as Lönnroth notes, are ‘generally held to be older than the saga.’ Notably, Snorri Sturluson’s lengthy *Skáldskaparmál* references a poem naming the sea, ‘Húmr, sem Brennu-Njáll kvað’.

Einar Ól. Sveinsson also records the name 'Brennu-Flosi', referring to the Svínafell leader, in Snorri’s *Heimskringla* and other sagas of Óláfr Tryggvason predating *Njála*. Kári’s association is less certain, but it at least appears to have gained traction around the time of *Njála*’s composition: Sveinsson notes that *Landnámabók* refers to him both as Brennu-Kári (*Hauksbók* and *Þórðarbók* postdating *Njála*) and Sviðu-Kari (*Sturlubók*, probably contemporary).

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430 *Skskm*, 94.
431 *Njála*, xv.
432 Ibid., xvi. For dating of the different *Landnámabók* recensions, see ch 2 of this thesis. Whether these nicknames have any precedence in *Styrimisbók* cannot be stated with any certainty, and they may represent an influence from *Njála*. If so, however, it makes the absence of characters like Skarpheðinn (discussed below) significantly more difficult to explain.
Yet, in spite of all of this, their friendship is not attested anywhere before Njála, whether in sagas, genealogies like Landnamabók, or pre-Njála poetry. Were it not for the relative proximity of their farms (about 20 km apart), there would not even be much in the way of evidence to support the idea that the two men could have even interacted regularly, much less that they were the Commonwealth’s greatest friends and allies. Indeed, the whole power structure built by Njáll and Gunnarr may represent an invention by the sagaman, like the circumstances surrounding the fire at Bergþórshvoll itself. As indicated elsewhere by Lönnroth, not only is the Gunnarr-Njáll connection apparently an authorial invention, so too are the characters of Skarphpedinn and Hǫskuldur Práínssson, who are unattested even in the genealogies. As it seems unlikely such important actors (and, in Hǫskuldur’s case, chieftains) would not warrant mention by the compilers of Landnámabók, there is a compelling argument to be made for authorial innovation here. It is perfectly reasonable to ask why their affinity is at the heart of the text, and to what purpose.

Such is the importance assigned to the Gunnarr-arc that a number of early studies of the saga went as far as to suggest the combination of two originally distinct sources underlying the saga narrative, *Gunnars saga* and *Njáls saga*, which in turn

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Lönnroth, Njáls Saga: A Critical Introduction, 35. Of note is a possible reference to a Skarphpedinn in the Hauksbók recension of Landnamabók, ‘Hildr hét döttir Ásbjarnar, móðir Þóris, fður Hildar, er Skarphpedinn átti.’ However, in light of various factors - Hauksbók’s earlier-discussed provisional date placing it after the creation Njála, Skarphpedinn’s wife being given as Þórhilda Hrafnsson in Njála, and no reference to this Skarphpedinn’s family - this seems unlikely. Certainly, Benediktsson felt it necessary to only note ‘Skarphpedinn (Njalsson?)’ in his index of names; no further theory. Of Hǫskuldur Práínssson, nothing is noted in any recension of Landnámabók (Land, 324, H280). Einar Ól. Sveinsson notes that the Z-class of Njála mss. corrects the original readings (preserved in X and O) with readings from Landnáma where genealogies differ. It is further proposed that *Z*, along with *Y*, descend from a *V* manuscript, which is suggested as possibly a direct copy of the archetype. See Einar Ól. Sveinsson, Studies in the Manuscript Tradition of Njálssaga (Reykjavík: H.F. Leiftur, 1953), 16-7, 106, 148.
were supplemented by other putative narrative and genealogical sources.\textsuperscript{434} Such a view may now be considered obsolete in light of developments within \textit{Njálal} studies,\textsuperscript{435} but there does appear to be, as Lönroth concedes, a clear division within the narrative, broadly corresponding to these earlier proposed urtexts.\textsuperscript{436} A thorough consultation of the manuscripts indicates clear emphasis, and a largely unified scribal approach towards these 'divisions', suggesting an early, if not indeed authorial, intention to draw attention to the changes in narrative focus. In his 1975 study, Lönroth identifies 'very large' or 'very big' initials corresponding to the chapter headings for his proposed 'prologue' (chapter *1, 'hér hefr (upp) Brennu-Njáls sǫugu'), 'Gunnars saga' (chapter *19, 'hér hefr frá Gunnari'), and 'Njáls saga' (chapter *100, 'útkváma Pangbrands').\textsuperscript{437} While these initials are not the only ones Lönroth calls 'large', these three instances are the only ones shared by a majority of the manuscripts. The first two appear in all manuscripts, and the chapter 100 opening has a 'very large decorated initial in MKGrO and several paper ms.', with an additional illustration in K of a 'knight on a horse'.\textsuperscript{438} The original \textit{Njálal} manuscript may be long lost, but these three enlarged headings appear in nearly every one of the earliest manuscripts. This may indicate a conscious scribal, possibly authorial, decision to reflect the importance of these three chapters as narrative tone shifts: the promising but precarious

\textsuperscript{434} See Lönroth, \textit{Njáls Saga: A Critical Introduction}, 8-9. Most notably Karl Lehmann and Hans Schnorr von Carolsfeld, building on the work of Guðbrandur Vigfússon and later Oscar Brenner. See also Sveinsson, \textit{Studies in the Manuscript Tradition of Njálssaga}, 20-4, 106. In contrast to earlier assertions about the originality of the poetry, Einar Sveinsson argues that several of the verses in chs. 1-99 of \textit{Njálal} are late additions, rather than original. Likewise, the Z-class mss. add further names to genealogies of the Oddaverjar and Skjöldungs, which Sveinsson suggests were obtained from sources outside the archetype. Aside from these verses and minor expansions, however, Sveinsson points out that 'there are no greater material differences between our manuscripts,' suggesting the bulk of the material descended from the original (ibid., 28).

\textsuperscript{435} Ibid., 9.
\textsuperscript{436} Ibid., 23-32.
\textsuperscript{437} Lars Lönroth, 'Structural Divisions in the \textit{Njálal} Manuscripts,' \textit{ANF} 90 (1975): 56, 61.
\textsuperscript{438} Ibid., 61.
beginnings of first Hrótr’s, then Gunnarr’s careers, and the uncertain meeting of the
lög and Christianity, the effects of which will forever colour any readings of Njáll’s
decline as he is forced from a position of relative security through his friendship with
Gunnarr into one in which control is gradually slipping away. These are not separate
sagas then, but rather defining moments within one continuous narrative concerned
with questions of power and stability. There can be no full understanding of why Njáll
falls without an understanding of Gunnarr’s own fall; without Gunnarr, the moral of
the saga is incomplete.

Although Gunnarr is often reliant on Njáll for assistance or advice, the sagaman
takes pains to portray the relationship between them as something essentially equal,
in contrast to the latter's dealings with other kingroups, and even with the post-
Gunnarr Sigfússons. Importantly, more often than not, Njáll’s advice to Gunnar is a
retroactive intervention, damage control after Gunnarr's unfortunate interactions with
other important figures, whether Hrótr, Otkell and Skamkell, or the Þríhyrningar.
Thus, while Njáll clearly plays a significant role in the first half of the saga, it is
Gunnarr who is the real focus of the early action, and in many ways it is his decisions,
questionable or otherwise, which led to his own death, as well as the eventual
destruction of Bergþórshvoll. The fortunes of these two households, ascendant during
Gunnarr’s lifetime, are inseparable from the secure bond of their friendship and
alliance. Insofar as they remain largely independent of other big actors in the area,
they do so primarily by the practice of 'hanging together'. In the earlier example of the
feud with Starkaðr and the Þríhyrningar, the influence of this group is such that even
in the face of an opponent backed by three notable godar - Móðr, Gizurr, and Geirr -
the unquestioning unity of the Bergþórshvoll-Hlíðarendi faction emerges as the
dominant force, at least in the eyes of the assembled polity: ’Gunnarr ok Sigfússynir ok Njálssynir gingu allir í einum flokki ok föru svá snúðigt, at menn urðu at gæta sín, ef fyrir váru, at eigi felli. Ok var ekki jafntíðrœtt um allt þingit sem um málaferli þessi in miklu.’

This same strategy was employed by the alliance in the earlier feud with Otkell, aptly summed up by Njáll: ’Lát þú lítt á þik fá ... Skulu vér ok allir fylgja þér með ráðum ok kappi.’ Once again, in spite of Gunnarr’s enemies having powerful backers, the group that will draw the most comment from the chorus of onlookers will be his own. Here too, the formula is the same: a brief description of the plaintiffs arriving at the þing closes one chapter, and a much longer description of Gunnarr’s following opens the next, with added emphasis by reporting the reaction of the essentially uninvolved majority to their unity and martial appearance. The underwhelming arrival of Otkell and Skamkell is contrasted in the next unit of action by the striking image: ’Gunnarr reið til þings ok allir Sigfússynir, Njáll ok synir hans; þeir gengu með Gunnari allir, ok var þat mælt, at engi flokkr myndi jafn-hardrúnúinn þeim.’

To make the reality yet clearer, Hrútr, having already established himself as an insightful judge of unspoken intent fills in for the reader what Njáll has carefully orchestrated. After giving counsel on how to handle the interference of Gizurr and

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439 *Njála*, 164. ’Gunnarr and the Sigfússons and the Njálssons went all in one group, and walked so briskly that people in front of them had to watch out, to keep from being knocked down. And nothing was as widely spoken about all over the þing as much as this great lawsuit.’
440 Ibid., 130. ’Don’t let this bother you... We will all support you with advice and force.’
441 Ibid. ’Gunnarr rode to the þing with all of the Sigfússons, Njáll, and his sons; they all went with Gunnarr, and it was said that no other group seemed as closely-knit as they were.’
442 Hrútr’s perception and social awareness within the text are perhaps second only to Njáll’s, and are established early in the saga, as for example in his awarding of the ring to the child slapped by Hóskuld (ch. 8), encouraging the settlement between Hóskuld and Ósvífir in spite of Hóskuld’s technical lack of responsibility (ch. 12), and in his immediate understanding of and action in response to Hallgerðr’s repudiation of Þjóðstolf when the latter arrives at his farm (ch. 17).
Geirr, Hrútr quips that ‘...en fásk munu menn til at ganga at þeim Otkatli, ok hófu vér nú lið svá mikit allir saman, at þú mátt fram koma slíku sem þú vill.’

While other defences are not as formulaic as these two, there remains a discernable pattern of this 'hanging together' in each of Gunnarr's legal defences, characterised by a unity of presence and purpose that makes his party the focus of communal comment, a unity which is lacking or unmentioned in his opponents. Where Gunnarr arrives with a sizeable following, a plan already formulated (always by Njáll) and understood by his supporters, his opponents are represented as disorganised and prone to uncharacteristically elementary blunders in law when their case proceeds. If Gunnarr's party moves purposefully against Otkell and Skammkell, they themselves are sluggish, incapable of responding or slow to respond, and forced by their lack of unity and preparation to react, rather than counterattack:

Gizurr mælti til Otkels: 'Hverr lagði þat til ráðs með þér, at þú skyldir stefna Gunnari?' 'Skammkell sagði mér, at þat væri ráðagerð ykkur Geirs goða,' segir Otkell. 'En hvar er mannfýla sú,' segir Gizurr, 'er þetta hefit logit?' 'Hann liggr sjúkr heima í búð,' segir Otkell. 'Þar er hann standi aldri upp,' segir Gizurr; 'en nú skulu vér allir ganga at finna Gunnar ok bjóða honum sjálfdömi; ok veit ek þó eigi, hvárt hann vill þau nú taka.'

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443 Ibid., 131. ‘...but men will be found to attack Otkell and his group, and we now have a group so great all together, that you may bring about whatever you wish.’
444 Ibid. ‘Gizurr said to Otkell: “Who gave you this counsel, that you should summon Gunnarr?” “Skammkell said to me, that this was the design of yourself and Geirr goði,” said Otkell. “And where is that worthless fellow,” said Gizurr, “who has told that lie?” “He lies sick back in the booth,” said Otkell. “May he never stand up there,” said Gizurr; “and now we must all go to meet Gunnarr and offer him self-judgement; and yet I don’t know, whether he will take that.”’
Likewise, Mǫrðr’s sudden and inexplicable failure to recall even the simple legal procedures employed by Njáll in Gunnarr’s countersuit dooms that action to failure. This cannot be the result of simple incompetence on Mǫrðr’s part; the laws surrounding Gunnar’s case are some of the most basic, concerned with self-defence and how to proceed with an óhelgi case. Mǫrðr is clearly recognised as having some competence in law; he will be later selected to join in the prosecution of the burners. Further he is, as Miller notes, apparently important and honourable enough to marry the daughter of one of the most important chieftains in the saga, Gizurr. The emphasis in this exchange is being placed not upon Mǫrðr as failed lawyer, but on Njáll’s unparalleled legal ability and paralysing reputation as a legal authority, and on the irresistible potential of the Gunnarr-Njáll faction, who have thus far been able to substantiate Hrútr’s aforementioned observation from the last time they were challenged. Mǫrðr is, like Gizurr earlier, forced to react rather than act when confronted with Njáll’s plan: although Mǫrðr is given the first speech in the proceedings, he is already responding, rather than advancing his own case. In light of Njáll’s countersuits, the only hope for the Þríhyrningar case lies in forcing a technical error – the last position any lawyer wants.

Here again, the sagaman illustrates what precisely sets Njáll apart from other lawyers, and thus how his alliance with Gunnarr is able to fend off far more powerful players, in spite of their need to extract support from kin and affines on a case-by-case basis. Njáll has, from the very beginning, acted from the long view, meticulously preparing for every eventuality, and made certain that his partner is legally protected. The blow struck by Gunnarr at the Þingskálar assembly, and Njáll’s attempt to

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445 Miller, _Why is Your Axe Bloody_, 130-1.
negotiate a truce, transforms within the space of a few chapters from a brief and almost-forgotten act of damage control into the crux of Gunnarr's self-defence argument. Both Mœðr and Njáll are aware of and comment on the blow as an act that legally revokes Gunnarr’s ability to advance a suit and leaves him óhelgr, but in Njáll’s quick move to negotiate on Gunnarr’s behalf, he is later able to restore Gunnarr’s rights. The suits themselves are thus conceptually sound, and the best that Mœðr can hope for in questioning the specifics is to uncover some flaw in Njáll’s preparation or argumentation, but the latter’s quick, clipped responses give no such opening.

For as long as these two households are able to remain unified in purpose and can rally allies and kin to their cause as needed, their opponents will consistently be outthought and outnumbered, wrong-footed like Mœðr. As the saga progresses, however, and their enemies grow more organised in answer to them, the relationship between the two men cannot by itself bear the social burden of so large a network of feud and resolution. Njáll and Gunnarr possess the ability to muster the sort of ad hoc support that features heavily within the adjudication and arbitration episodes of feud across the islendingasögur; they lack, however, the more conventional long-term support networks characteristic of the goði-bóndi system. These short-term rallies of support by and large do not appear to carry over beyond the sphere of the individual þing meetings; a weakness Gunnarr’s opponents are ultimately able to exploit to bring him down. It is perhaps with this in mind the sagaman contrasts his repeated episodes of support for Gunnarr among his neighbours at the þings with the final reality: when Gunnarr dies, he dies alone, a neighbour dragged along to help his killers.
In reading Gunnarr’s death, it has long been the norm to see it in terms of Njáll’s mysterious ‘prophecy’, or to see in it the actions of small, evil-minded men forcing good men like Geirr and Gizurr into an impossible situation. However, while such arguments are compelling, and have produced searching analyses both of Njála and of the islendingasögur in general, they also pose a danger of viewing one of the most important killings within the saga as largely insulated from the attackers’ psychology, or the actions of their victim. What dooms Gunnarr is in actuality a combination of mundane factors, but ones that pose significantly more danger within the society Gunnarr lives in than any personal prophecy. Further, they are not factors beyond Gunnarr’s control, not simply the machinations of envious and evil men like Mórðr, although those men are not without effect. Far from being, as he is in popular perception a ‘blameless hero whose judgement is clouded at a crucial moment ... [whose] life has been dedicated [to] the cause of law and peace when he is drawn into a feud’, Gunnarr is a troubled and troublesome figure in district politics. While acknowledging his praiseworthy qualities, and his ability to win success and acclaim abroad, Gunnarr has an obvious blindspot, a crucial inability to see himself and his actions as others see him and them, handicapping him in his attempts to navigate the complex social web that is Icelandic society. This, coupled with an unpredictable temper and a rowdy kingroup adds a dangerous uncertainty to a mode of interaction already marked by considerable tetchiness. Repeatedly in his interactions with his non-familial neighbours, Gunnarr’s attention to his reputation defines the character of his relationships. When he is acknowledged as the superior in the relationship, or when he has ties to Njáll, Gunnarr is generous to a fault. During famine, Gunnarr will

446 Þorsteinn, Introduction, xx-xxi.
open his stores to anyone who knows to seek him and ask, to the point of exhausting his own supply. Likewise, when Ásgrímr Elliða-Grímsson finds a lawsuit blocked by his improper use of procedure, Gunnarr is more than willing to insert himself and his reputation in combat to secure a favourable verdict. In contrast, those who are not already defined for Gunnarr by his wider association with Njáll, or by their need of Gunnarr's aid, are to him an uncertain element. Gunnarr's dealings with them reflect a preoccupation with establishing a relationship that preserves his independence from them and does not damage his reputation as a leading man; to this end, these reputations can be broadly characterised by a certain arrogance on the one side, and envy on the other.

This is not a surprising problem, by any means. Individuals and kingroups using socialisation as a means of sizing each other up are as much the stuff of the sagas as the almost inevitable fallout and litigation, if not more so. The question of which party has the advantage in an exchange is crucial, both in terms of understanding the characters themselves, and in judging their actions. Indeed, it would not necessarily be overreaching to assert that in any extended interaction between two or more saga characters, unrelated by blood and of equal or roughly-equal standing, every utterance gains an added layer of meaning as speaker and listener attempt to wrangle the other into a clear hierarchy. In keeping with Clover's theories on activity and power in the íslendingasörgur, this may be observed in general across the spectrum of Icelandic relationships, and can be inescapable, as it is in the

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447 Njála, ch 48.
448 Njála, ch 60.
449 Clover, 'Regardless of Sex,' 13-4.
argument between Hallgerðr and Bergþóra over seating arrangements\(^{450}\), or more subtle, as in the attempted negotiations between Gunnarr and Otkell over food.

In the earlier Bergþóra-Hallgerðr feud, the audience has observed how Gunnarr is capable of forbearance and almost eager generosity when the party he is negotiating with is a recognised friend. As Jesch notes, however, this difficult chain of escalation is settled in large part due to the friendship between the two individuals Njáll and Gunnarr – it cannot and should not be expected that this will hold true in the absence of such an exceptionally well-founded relationship.\(^{451}\) By contrast, the failed purchase from Otkell represents the first public test of Gunnarr since his return and marriage. Up until now, Gunnarr has been both even-handed and, in this time of famine, generous. Indeed, his generosity and nobility border on the foolhardy: ‘Gunnar miðlaði mǫrgum mann hej ok mat, ok höfðu allir þeir, er þangat kómu, meðan til var.’\(^{452}\) Clearly, the explicit statement is praise of Gunnarr in contrast with Otkell, who has already been introduced a few lines before as wealthy but unpopular, and somewhat of a miser. However, this line and the one following it establishing Gunnarr’s own lack of supplies also encode implicit statements that either criticise Gunnarr, or foreshadow the difficulties to come with Otkell. Gunnarr has perhaps been too generous, itself a dangerous flaw for the head of a family in times of stress, but the apparent ease with which the sagaman glosses over these transactions also suggests that the parties involved were either already known to Gunnarr and in clearly-demarcated relationships with his household, or that the relative power

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\(^{452}\) Njála, 121. ‘Gunnar shared with many men hay and food, and they all had [it], who came there, while there was [any].’
differential was such that there could be no doubt as to what sort of transaction was occurring. No mention is made of sale, or of goods changing hands; the currency appears to be fame, and open-ended obligation to Gunnarr as a góðgjarn maðr, a man of goodwill.

To purchase from Otkell, however, is a different kind of transaction entirely. The act of purchasing goods rather than receiving them as gifts, or initiating a trade (both of which created a longer relationship between both parties) was almost certainly not uncommon in Icelandic society, as the sagas include reference to brief purchasing agreements. However, the majority of exchanges actually recorded within the sagas are not of this type, but rather exchanges of gifts or goods for other goods. There also appears to be a clear difference between those arrangements in which one party had a clearly-defined social advantage over the other or when the agreement was formal and regularised, and those in which one party came to the other outside such well-understood circumstances, seeking to buy, as Gunnar will be doing. As Miller points out, such a visit, however harmless it might turn out to be, created a precarious situation, characterised by suspicion and uncertainty:

When transfers of goods were sought which were not already regularised by well-defined norms or habit, and especially when they were not initiated by the present possessor, tensions and uncertainties surface. This did not mean that there would be no transfer, but it put the parties to the burden of defining the transaction.⁴⁵³

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⁴⁵³ Miller, 'Gift, Sale, Payment, Raid,' 22.
Even the simple act of approaching Otkell, uninvited and with a band, would cause concern in any wise and wary farmer, and yet there is no other way for Gunnarr to initiate such a proposal. In such a situation, it is necessary for the initiator to take the necessary precautions to avoid the appearance of a threat, while at the same time avoiding the trap of appearing too weak. To this end, Gunnarr seems to have given the matter some consideration. He brings with him only three companions, this smaller group being under the standard saga range of between six and twelve. In keeping his band to a minimum, Gunnarr’s hope is that he will not be viewed as intimidating, and that his enemies will be unable to suggest any unfairness or threat in his eventual (assumed) deal.

Such thought speaks well of Gunnarr’s intentions and understanding here: he wants the deal to be publicly known as having been conducted by willing agreement. Where the negotiations fail, however, is less to do with force, and more to do with nuance. Gunnarr’s assumption that the appearance of force or threat will be Otkell’s primary consideration is in fact flawed, as Otkell’s chief concern is what such an arrangement would communicate publicly about his honour and social standing. As opposed to gift-giving or trading for nonmonetary goods, the act of purchase –kaupa or fala as opposed to gjalda– carries with it an understanding that there is no interest in further development of social relations between the two parties; once the deal is concluded, so is the relationship between the principals. In contrast, the creation of reciprocity is a means by which one party may, for a longer or shorter period, be

454 Ibid., 29.
recognised as the superior in a relationship between two persons. This is relatively unproblematic when one is trading with a merchant, who is not a permanent member of the community, or with someone of significantly different social standing, with whom it would be outside of the norm to enter into a gift-debt or trade-repayment relationship. Otkell, however, is a neighbour, an independent and obviously prosperous farmer, and member of the district who, although much less of a figure than his forebears, is of an honourable lineage. For Otkell, the creation of a reciprocal obligation from an exchange represents a significant opportunity to advance his own position, and to confirm externally that he is operating on the same social level as men like Gunnarr.

Precisely what Gunnarr thinks of the difference in standing between himself and Otkell is cleverly left to the reader to discern. As is typical of the sagas, there is no internal dialogue, and Gunnarr does not explain his reasoning to opt for fala over another mode of transfer. It is distinctly possible Gunnarr intends no offence whatsoever: the quick pacing of the action and minimal description of his deliberation suggests a haste on Gunnarr's part, motivated perhaps by his diminished resources. He even makes an effort to salvage the interaction and save face when the situation becomes tense, even though this means purchasing a thrall of questionable character from Otkell, of which he has no need and can ill-afford to look after at present. As has been noted elsewhere, considerable weight is placed on the character of Skamkell in disrupting the meeting between the two parties, and he is in many ways the archetypal

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'evil counsellor'. Even accepting all of this, however, it must be noted that Skamkell's success depends upon his ability to manipulate a situation that is already rife with tension and uncertainty to play on Otkell's envy and distrust of the hero. Thus far, the dominant portrayal of Gunnarr, informed by Njáll's words and friendship and the narrator's own depiction of Gunnarr's growing esteem in his area, has been one of a man who needs guidance, but is on the whole generous and good-natured. However, in depending on these two witnesses, the audience is only explicitly presented with a limited view of Gunnarr: that which derives from his dealings with a specific and exclusive group dominated by himself and Njáll. From these, it can be seen that Gunnarr is loyal to his friends and family, fair when properly handled, and, with the notable exception of the infamous slap, doting on his wife to a fault. On the other hand, what can be said of how Gunnarr behaves towards and is perceived by his neighbours, more distant notables, and others not integrated into the Gunnarr-Njáll alliance? Here the reader is limited to inference and implication; to understand Otkell's inclination to read an insult in Gunnarr’s visit, one must go back and view Gunnarr as would Otkell or another area farmer outside of the network based at Hlíðarendi and Bergþórs hvoll. When Gunnarr re-emerges into Icelandic society after his time abroad, an implied act of establishment announcing the legacy in Iceland of Gunnarr of Hlíðarendi, the scene is loaded with imagery of excellence and extravagance, all undercut by Njáll's careful warning against going to the Alþing that immediately precedes it: 'ok ert þú mjök reyndr, en þó munt þú meir síðar, því at margr mun þík

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457 As for example in Sveinsson, Njáls saga: A Literary Masterpiece, 100-3; Miller, 'Gift, Sale, Payment, Raid,' 25-7; Lönnroth, Njáls Saga: A Critical Introduction, 26.
Gunnarr's response, 'við alla vilda ek gott eiga' is characteristic of him: noble, well-intentioned, but idealistic, failing to take into account the reality of the intricate and fragile web of *amour propre* that is the community of the important.

In spite of his apparent desire to be liked, not only does Gunnarr ignore Njáll's counsel that he avoid the Alþing, he also forgets or fails to comprehend this warning against envy. If anything, it is likely the latter, given his words to Kolskegg: 'Litt hefi ek þat skap haft ... at hrósa mér, en gott þykki mér at finna góða menn.' It is however one thing to tell your brother you don't wish to be a show-off, and quite another to ride to the þing 'svá vel búnir, at engir váru þeir þar, at jafnvel væri búnir, ok fóru menn út ór hverri búð at undrask þá.' In spite of Gunnarr's newfound wealth and fame, his time abroad has done little to moderate a stubborn and uncompromising nature earlier observed in his attempts to win back the dowry from Hrútr. Quite the opposite, in fact: when Gunnarr turns his attention towards negotiating for the hand of Hallgerðr, he falls back on that same past incident all parties wanted forgotten by his time *in absentia* from Iceland, the dowry argument. Perhaps Gunnarr has concerns about Hrútr's intent, given their last meeting, but it would be nearly impossible not to see the suggested threat contained within Gunnarr's reply: 'Vel mun þér fara ... en þó mun ek þat fýrir satt hafa, at þér virðið í fornan fjandskap, ef þér vilið eigi gera mér kostinn.' The implication that Hrútr is a *gríðníðingr*, a truce-breaker, falls somewhat flat in light of the age difference between

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458 *Njála*, 84. 'And you are much proven, but yet you will more (be tested) after, because many will envy you.'
459 Ibid. 'I wish to have good (relations) with all.'
460 Ibid. 'I have had little mind to boast, but it seems good to me to meet good men.'
461 Ibid., 85. 'so well-dressed, that no others were dressed as well, and men came out of every booth to marvel at them.'
462 Ibid., 86. 'I suppose you mean well...But nevertheless, I will hold as certain that you are keeping up our old hostility, if you will not give me this match.'
the two, and Hrútr's considerable reputation as a man of good counsel and goodwill. Indeed, his warning to Gunnarr is more observably formulaic than it is provoked by any possible lingering dislike of the man; it is the same, tired warning that Þorvaldr and Glúmr received.

Certainly, such a reading of the situation, by the audience or by Hrútr, is not unfounded. Following the feud with Otkell, Gunnarr's later behaviour will vindicate this – and possibly the very concerns that began that feud – when he steps in to resolve the lawsuit between Ásgrímr Eliða-Grimsson and Úlfr Uggason. As a scene, the interaction between the three men is remarkably brief, and not directly related to any of the preceding action within the saga. Yet, in very quick succession, the sagaman manages to use an almost innocuous legal problem to foreshadow Ásgrímr's later importance, to express the strength of the bond between Gunnarr and an absent Njáll, and, very subtly, to highlight how Gunnarr's willingness to use threats of force affects and is viewed by those who do not directly benefit from it. As far as justification goes, Gunnarr here has none, except for the loyalty he feels to his friend, and Úlfr highlights both this and the futility of attempting to resist Gunnarr's intrusion, in his almost stunned and pathetic response:

'Ek mun skora þér á hólm, Úlfr Uggason, ef menn skulu eigi ná af þér réttu máli; ok myndi þat Njáll ætla ok Helgi, vinr minn, at ek mynda hafa nokkura vörn í máli með þér, Ásgrímr, ef þeir væri eigi við.' 'Ekki á ek þetta við þik,' segir Úlfr.

'Fyrir hitt mun nú þó ganga,' segir Gunnarr.463

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463 Ibid., 152. 'I will challenge you to a duel, Úlfr Uggason, if men shall not get their rights from you at law; and Njáll and Helgi, my friends, would want that, that I would have some of the defence in this
Gunnarr's belief in his moral prerogative to use the threat of force turns on his understanding that Ásgrímr's legal rights are in some way being violated, but this is at odds with the reality of the situation. Although it is, as the sagaman notes, unusual for a skilled plaintiff like Ásgrímr to have committed a procedural error, the fault itself – naming the incorrect number of neighbours to the kviðr – is within the law clear grounds for the disqualification of a suit. As there is no indication here that Úlfr has manipulated the case to attempt to force the error (as the defendants will later attempt in the prosecution of the burning), Gunnarr's intervention appears to be the result of personal affront rather than any communally-recognised breach of Ásgrímr's rights.

Indeed, the proposed solution constitutes a more obviously 'unfair' approach than any technicality, no matter how unsatisfying it may be to have a winning case thrown out as the result of legal oversight. In contrast to Gunnarr's attitude to the enforcement of law and rights, the audience may remember his most recent legal appearance, and the complaint made by Geirr, 'muntú þá ... skora mér á hólm sem þú eirt vanr ok þola eigi log.' With Njáll's backing there is no need for Gunnarr to exert his physical prowess against Geirr, but in those cases where Njáll is not immediately present for consultation, Geirr's complaint has weight. The sagaman does not directly comment on the moral right or wrong of Gunnarr's behaviour in his dealings with Hrútr or Úlfr, but in the words of good men like Geirr, Gizurr, and Hrútr, there are hints of an alternative portrait of the heroic Gunnarr. The hero uses his strength for
the common good, as Óláfr Hávarðsson did; the ójafnaðarmaðr uses it only for his own. Certainly, Gunnarr’s reputation for preferring threats of hólmgang to force an outcome to his liking has begun to obscure his better qualities, at least to those outside of his immediate network.

If anything, Gunnarr’s behaviour when acting independently of Njáll lends credence to the earlier conversation between the brothers Hrútr and Hôskuldr, remarking on that original challenge:

Þeir Hôskuldr gengu heim til búðar sinnar, ok var honum mikír í skapí ok mælti til Hrúts: ‘Hvárt mun Gunnari aldri hefnask þessi ójafnaðr?’ ‘Eigi mun þat,’ segir Hrútr, ’hefnask mun honum víst, ok mun oss verða í því engi hefnnd né frami.’

All of this, taken together, presents a more negative view of the superlative Gunnarr: he is proud and boastful, hard to deal with when he is not getting his way, but a valiant man and, so far, impossible to resist. Indeed, in many ways, he is characteristic of the ójafnaðarmaðr trope, at least to such an extent that Hôskuld and Hrútr are willing to apply the word ójafnaðr to his behaviour relatively early in the saga. While their opinion of Gunnarr may soften over time, it is not difficult to see why men like Otkell, already concerned about trends in power in the area, might be primed to read the negative possibilities in Gunnarr’s words and actions more easily than the positive.

465 Ibid., 67. ‘Hôskuldr went back to his booth with Hrútr, but there was much on his mind, and he said to Hrútr: “Will this ójafnaðr never be avenged against Gunnarr?” “That is not so,” said Hrútr, “it will certainly be avenged against him, but none of the vengeance or the renown for it will come from us.”’
Perhaps even more significant than the concerns of locals like Otkell is the growing negative attention being paid by external figures and chieftains to the essential structure of Gunnarr and Njáll's axis, allowing as it does for its circumvention of the conventional system, and open to leveraging its power in law and arms unilaterally. That Gunnarr and Njáll represent something of an interesting phenomenon in terms of power and allegiance has not escaped critical attention over the years. Both kingroups are led by 'big men' rather than *godar*, which is not unusual. What is worth note, however, is their apparent independence from and even control over the actions and influences of the *godar* in their area. At least nominally, both Njáll and Gunnarr would have had a *goði*, but the sagaman is not inclined to tell his readers who that might be, or even that such a relationship exists between either man and any chieftain, even though this would be a legal necessity. Certainly, there are *godar* in the area: Mórðr is held up as one example, Runólfr appears to be another, but the identity of the third is never recorded. Mórðr is only notable in his capacity as *goði* in that he seems to avoid trying to assert this rank in reference to the two largest farmers in his area. As individuals, the *godar* of Njáll's saga run the gamut from the scheming and jealous to the noble and magnanimous, but they are largely passive figures for much of the saga, moving around and being moved by the actions of Bergþórshvoll and Hliðarendi. If an individual chieftain attempts to move in and assert influence on the district, he is swiftly pushed back, but such an attempt is confined to one brief (and possibly reluctant) foray. Geirr is the only *goði* from outside the district who threatens Njáll's domain, settling at Oddi following Gunnarr's death, but as we shall see, his stay is limited to a few short chapters. Following the slaying of his illegitimate son Hróaldr at Oddi, ostensibly in revenge for Gunnarr, the
apparently suitably chastened chieftain withdraws not merely back to Hlíð, but out of
the story entirely with the formulaic and curt 'ok er hann ór sognuni.' 466

It is only when they join together that the goðar become effectively active,
rather than reactive, and only once a critical mass of negative attention has been
drawn onto themselves by the protagonists. Gunnarr’s ójafnaðr behaviour and the
one-sided character of his settlements created a growing distrust and envy from his
peers; the balancing act of arbitration was increasingly ineffective at putting even a
temporary check on his feuds. The danger of this situation was not unnoticed by his
allies, either, as Njáll’s ‘vision’ of Gunnarr’s possible fate serves as a forewarning both
to the character in question, and the audience interpreting it. This moment of
‘prophecy’ is in actuality more a reflection of Njáll’s deep political and social
sensitivity, rather than any second sight. As Miller points out, not only is it heilraði as
opposed to spá, but as a prediction its terms, that Gunnarr will not live to see old age
should he kill twice in the same family and then not honour whatever settlement is
made, are ‘only slightly less certain than prophesying that Gunnarr is mortal.’ 467 The
same prediction could realistically be applied to anyone: if you behave like an
ójafnaðarmaðr, it will come back to you.

Certainly, Njáll’s prediction/prophecy is unsurprising within the
islendingasögur topoi of retribution, and of superlative lives cut short. Peter Foote
identifies, for example, at least four texts containing the same sententia and one
which, though not explicitly stated in Njála, nevertheless appears to bear out in the

466 Ibid., 196. ‘And he is out of the saga.’
467 Miller, Why is Your Axe Bloody, 65.
lives of Gunnarr and others like him: skǫmm er óhófs ævi. In his analysis of of/óf (and its derived form, ofsi) and úhóf/óhóf, Foote, following Pálsson, sees the influence of Martial’s epigram immodicis brevis est aetas et rara senectus (‘brief is the life of the exceptional, and he rarely reaches old age’). Initially, Foote believes the maxim to have arrived in Iceland with its initial sense, but suggests that over time it passed on in varying forms and eventually may have gained a specifically negative connotation, related to overreaching, ójafnaðr behaviour:

It is self-evident that skammaer, skammr, eigi alllangær, skǫmm...ævi, can all refer to a state or careet of short duration which is either altered within a continuum or brought to a definitive halt by death...Which sense will seem appropriate depends on how things turn out and whether one is led then to reflect that "A man does not last long in a state of óhóf" or "A man in a state of óhóf does not last long." With Gunnar, at least, we may see the original formulation that superlative men are destined to live short lives, coupled with the warning that Foote sees as a ‘moral tag with a retributory aspect that was not originally intended,’ namely that pride precedes destruction.

468 Peter Foote, 'Skǫmm er Óhófs Ævi: On Glaucia, Hrafnkell and Others,' in Idee, Gestalt, Geschichte: Festschrift Klaus von See, ed. Gerd Wolfgang Weber (Odense: Odense University Press, 1988), 291. The exact meaning and origin of the phrase is considered in detail by Foote and will be discussed here, but in Hrafnkels saga at least Foote considers it to mean something akin to 'the career of anything beyond the mean is short.'
469 Ibid., 293-6.
470 Ibid., 291-2.
471 Ibid., 296.
The principles of hóf, or moderation, and ójafnaðr, unevenness or unfairness, are as important in Gunnarr's situation as they were for Þorbjörn in Hávarðar, or for Björn and Þórðr in Bjarnar. Byock, viewing ójafnaðr as the outward practice of óhóf, notes that any sign of óhóf risks alienating friend and foe alike: 'they called forth the exercise of peer pressure against an overbearing individual with the result that rarely did one leader succeed in imposing his will on other leaders for very long.' 472 In a system in which social control is effected by the exertion of peer pressure, one person imposing their will on other leaders quickly becomes a target for retribution by other concerned members of that group. Byock succinctly describes the perceived danger of such behaviour in describing ójafnaðr as a behaviour which

Disturbed the consensual nature of decision-making and set in motion a series of coercive responses...when an individual's greed or ambition threatened the balance of power, other leaders banded together in an effort to counter his immoderate behaviour.473

For this reason, those accused of ójafnaðr rarely survive in the world of the sagas, and Njála is no exception in this regard. Once the godar band together, the advantage formerly held by the Gunnarr-Njáll local group is quickly lost. Gunnarr's situation has become untenable, and in a reversal of action, it is now his enemies who are united, active, and have prepared their case meticulously in advance, while the allies at Bergþórhvoll and Hlíðarendi are scattered and forced to react. When the

472 Byock, Viking Age Iceland, 190.
473 Byock, Medieval Iceland, 128.
proceedings open for the slaying of Þorgeirr Otkelsson, Gizurr is driving the action; he is forceful and direct where Gunnarr is quiet and thoughtful. The uncharacteristic inactivity of Gunnarr's side is emphasised in the opening of chapter 74: the first words here are also Njáll's first since the case began: 'nú mun eigi mega sitjanda hlut í eiga; gongum nú þar til, er búarnir sitja.'

Njáll's curious handling of the case further speaks to the difficulty of their position. That he seeks to have the case arbitrated when he could clearly have it thrown out is perhaps not so surprising. Despite the outcome of Gunnarr's most recently-settled cases, the public statement made by arbitration and the desire to be seen as peacemakers and men of good will are factors that will motivate both parties to hold to a truce for a time, lest they be seen to be gridniðingar. Yet, in spite of the ostensible advantage held by their side, there is no attempt made for the usual sjálfdæmi, and the settlement (the equivalent of minor outlawry with a term of safe passage) seems at first far from ideal for Gunnarr. Yet, it is not unlikely that the 'punishment' is in Njáll's mind the best outcome: as Miller notes, temporary exile is not an uncommon result in many settlements within the sagas, and Gunnarr's growing status as a 'trouble-magnet' is something that can only be solved by a period of removal from the situation.

Although concern for his friend's life surely plays a role in the settlement, Njáll's considerations extend beyond this. As a partner in the Bergþórshvoll-Hlíðarendi alliance, Gunnarr provides a degree of stability, strength, and leadership that complements Njáll's talents. He is also irreplaceable as the head of the Sigfússon

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474 Njála, 180. 'Now I can't sit idly by (lit. 'take a sitter's part in it'); let us now go to where the panel is sitting.'

475 Miller, Why is Your Axe Bloody, 137.
kingroup, as he notes himself when later considering the fates of his sons Hǫgni and Grani.\textsuperscript{476} Consideration must also be given to the momentum currently gathering against them. Before, the likes of Gizurr, Geirr, and Mǫrðr had been inclined to avoid bloodtaking out of concern for Gunnarr's strength and position, or else for fear of the chaos that such a killing might begin. With the increasing negative attention and Gunnarr's perceived \textit{ójafnaðr} however, it is only a matter of time until more drastic action becomes the only option for the Commonwealth. By removing Gunnarr from the situation absolutely for a period, the temptation for either side to break the truce is likewise removed. In the time Gunnarr is away tensions will die down, enemies will direct their attention elsewhere (and as Rannveig notes, possibly find others to feud with),\textsuperscript{477} and once three years have passed he can return, his lands safely managed by Njáll and his standing restored if not grown, their arrangement intact. To his credit, Gunnarr sees the wisdom in this move as well, or at least trusts Njáll enough to go along with it: there is no complaint, and the narrator elliptically notes that 'Gunnarr kvazk ekki ætla at rjúfa sættir.'\textsuperscript{478}

That single, seemingly innocuous line, taken together with the following events, reveals to the reader more about the character of Gunnarr than perhaps any other moment in his career. At least initially, it seems as though Gunnarr will depart, in keeping with the settlement, but even at the moment he speaks, an audience familiar with the story will already know Gunnarr dies at home, and \textit{something} has motivated him to stay in violation of the settlement. Gunnarr's change of heart on his trip abroad has been interpreted over the years in many ways, from the fatalistic to the

\textsuperscript{476} Njála, 184.
\textsuperscript{477} Ibid., 181.
\textsuperscript{478} Ibid. 'Gunnar said he did not intend to break the settlement.'
romantic: it has been seen as the result of fate, spoken in Njáll's 'prophecy', as stemming from his love for his beautiful wife, and as a romantic desire not to abandon his country and his lands upon seeing their beauty. However, the reality may be much more mundane, its origins in the significance of Gunnarr's lands as an extension of Gunnarr himself: of everything he has achieved and managed to defend from envious neighbours and interfering chieftains. It is notable that Gunnarr is described as departing during the harvest, and that the lands portrayed are his fields of hay being mown, and not any other land. While there is certainly a touch of the sublime in the beauty of Hlíðarendi, there is also a touch of the economic, as these are Gunnarr's lands in full productivity. To leave them now, even if they are left in Njáll's care, is not something a man of Gunnarr's station and ambition can ever easily countenance. This leaves Gunnarr in the position of being forced to choose between two unpalatable options: be seen to flee and abandon everything he has won and held, or break the settlement, facing certain death and, eventually, the end of his and Njáll's effective alliance.

In fact, the collapse of the Bergþórshvoll-Hlíðarendi faction comes not from the slayings that predicate Gunnarr's outlawry, but here, in his decision to remain in Iceland. In choosing to remain in spite of Njáll's warning and wishes, the two households intentionally diverge for the first time from unified action. From this point, as the sagaman shows, there can be no returning to the aforementioned 'hang together' system that has served them so well. Where before Gunnar was never without a large, tight-knit company, his last days see him surrounded at first only by a
few men,\textsuperscript{479} and then ultimately alone against his foes. This isolation and disunity is further heightened by the final exchange between the familial leaders, a stark contrast to the prior unity of purpose between the two households:

\begin{quote}
'Nú vil ek,' segir Njáll, 'at Skarpheðinn fari til þín ok Hǫskuldr, son minn, ok munu þeir leggja sitt líf við þitt líf.' 'Eigi vil ek þat,' segir Gunnarr, 'at synir þinin sé drepnir fyrir mínar sakir, ok átt þú annat at mér.' 'Fyrir ekki mun þat koma,' segir Njáll; 'þangat mun snúit vandræðum, þá er þú eft láttinn, sem synir mínir eru.' 'Eigi er þat ólíkligt,' segir Gunnarr, 'at svá sé, en eigi vilda ek, at þat hlytisk af mér til.'\textsuperscript{480}
\end{quote}

In refusing the assistance of Skarpheðinn and Hǫskuldr, and in not seeking to surround himself with others capable of aiding in his defence, Gunnarr is effectively announcing his own desire to die. He seems, as Miller notes, to 'want out of the endless cycle'\textsuperscript{481} of feud while preserving his own heroic reputation. The demands of his self-honour preclude all other options. So it is, that Gunnarr chooses to rely on the strength of his own position and his considerable martial prowess. Following the pattern, he is accordingly taken down by the combined might of several of Iceland's other great men, men worthy of such a foe, as Skarpheðinn will acknowledge when he is touched with the insight of the soon-to-die. That Gunnarr is (usually) moral and

\textsuperscript{479} Ibid., 183.
\textsuperscript{480} Ibid., 184. “'Now I wish,” says Njáll, "that Skarpheðinn go to you, and Hǫskuldr my son, and they will lay their lives by your life.” ’I do not wish,” says Gunnarr, “that your sons be slain for my case, and you are entitled to other (than that) from me.” "Nothing will come for that,” says Njáll, "trouble will turn itself there, where my sons are, when you are slain.” "That is not unlikely,” says Gunnarr, “that it will be so, but I don't wish that it come about from me.”
\textsuperscript{481} Miller, Why is Your Axe Bloody, 139.
sympathetic, and some of his foes are devious and underhanded has no bearing on the situation at this moment; certainly it does not exempt him from retribution. This is not a clash of the just and the unjust, as for every Mórðr in the party against Gunnarr, there is a Gizurr as well. As in Sayers's understanding of the situation, the problem lies in the self-isolating behaviour adopted by Gunnarr and Njáll:

While not anti-social in the sense of failing to work for and with the community, Gunnarr's reliance on his own might, and to a very substantial degree on Njáll's foresight and counsel, eventually leaves him the recognised best man of his kind but it spurs envy and challengers.482

As we have seen, this arrangement effectively attempts to bypass the usual socially-accepted norms of the godi-bóndi relationship. While initially successful, and innocuous, this independent arrangement is open to corruption and arrogance: the potential for óhóf and ójafnaðr derives from a disregard, conscious or otherwise, for checks and balances creating the world inhabited by chieftains, big farmers, and the collective will of the community itself. The line between 'big man' and ójafnaðarmaðr is ill-defined within the sagas, and rightfully so, reflective of the difficulties inherent in navigating social positioning within a community defined by communal stress and rugged individualism. It is a title applied with equal freedom to the Þorbjörn Þjóðrekssons and the Gunnar Hámundarsons of the world, and its weight is dependent upon the context in which it is used, the voice of the utterer, and the

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sympathies or otherwise of the audience, both within the narrative and without.

Remembering Byock’s earlier adage about the successes of one Icelander being tied to the impoverishment of another, we see in Gunnarr a related truth: the higher one reaches, the harder it becomes to maintain that balance. Even in the case of those who, like Gunnarr or the famous Hrafnkell, are not purely selfish or 'bad', but who conduct themselves without regard for those neighbours not recognised as 'one of us', the name of ójafnaðarmaðr will ultimately weigh them down.

Gunnarr’s death is an inevitability, given his nature and the circumstances developed in the narrative. However, the chaos will not end with his removal from the saga; Bergþórvsholl will be left to deal with the resultant damage. This is clear from concerns raised by both Gunnarr and Njáll in their final conversation: although Gunnarr intends to protect the Njálssons, the audience knows this will be impossible. The wish that the Njálssons will not be brought to their deaths as a result of his feuds, while noble, is as Njáll notes, unlikely. What Gunnarr fails to take into account in his heroic last stand is the impossibility of his attempt at final self-isolation. Within the context of the sagas, every action and interaction is submerged within the wider network of the polity composing the lög. For Gunnarr, this does not extend only to his relationship to his opponents, but also to the symbiotic relationship between his household and Bergþórhvoll. As we shall see, the death of Gunnarr is also the end of the stability he helped maintain, not only within his own kingroup, whose feuds with the Njálssons will rekindle in his absence, but within the territory and households that, until now, he and Njáll have kept free of outside influence. Almost immediately following his killing, Njáll will be pressed to counteract the movements of the goðar to establish a base of power with Geirr at Oddi. In effect, Gunnarr’s death will be an
escalation, rather than the intended reduction of tension and restoration of order, and with the notable exception of Geirr, the resultant struggle for power within the district will eventually draw attention from all corners of Iceland. What began as a series of small, local feuds over honour, land, and seating arrangements will stretch the Íög to its limits, and put to the test the values of both pre- and post-Conversion Iceland. If Njáll wishes to continue to define for himself how he will interact with the accepted hierarchy, he will not only need to shore up his position by replacing Gunnarr, he will also need to be seen to rebuff this slaying’s public attack on his independence. The honour cost of doing so, however, will be high, and will effectively set the stage for greater disaster.

**Damage Control**

Although the pacing of the narrative begins to shift towards the burning following Gunnarr's slaying, it is wrong to assume that all of Njáll's plans and efforts will unravel immediately. The sagaman instead chooses to defer the expected fall, developing tension as Njáll and Skarpheðinn exhaust their resources in an attempt to push out any and all challengers to their system. The authorial framing of the narrative as *Brennu-Njáls saga*, along with the implicit cultural-contextual knowledge of Njáll’s story stemming from his position as one of Iceland’s most famous men, may inform the reader of the death of Njáll’s line, but within the bounds of the narrative the annihilation of the house of Njáll becomes not a matter of inexorable fate, but of human decisions, rivalries, and missteps. The effects of Gunnarr's loss inform all of Njáll's major decisions from his death until Njáll's, but in order to fully address the
cause and effect of the burning, the narrative draws back, presenting the appearance of a return to order and form, locally and nationally, before sweeping both away.

It is the *goðar* party who make the first move once Gunnarr has been killed, but while Njáll and his allies may be on the back foot, they are certainly not broken yet. Bloodtaking, unlike arbitration, depends less on who has the momentum at first, and more on response: it is, to put it bluntly, a case of ‘taking turns’ in giving blows.\(^{483}\) When it is ‘your turn’, the impetus is on choosing targets and responses carefully, so as to take advantage of your opponents’ weaknesses. In this case, Njáll the peacemaker takes the lead in directing the violence with the advice and assistance of Skarpheðinn. The plan, when divided into its two parts of slaying Hróaldr and his allies before pressuring Mörðr into switching allegiances, clearly shows a focus on resituating the feud into a strictly local one. At least initially, everything proceeds as planned: the response dismantles this opposing bloc while strengthening the position of Bergþórhvoll.

In his abortive attempt at staking a claim across the Þjórsár, Geirr showed himself to be incapable of opposing the *goði*-less power structure created by Njáll, despite its weakness after the removal of Gunnarr. His movement into the area was a clear attempt to cement some sort of control over an area that had clearly become recognised for the danger it poses in its current state:

\[\text{Þá mælti Þorgeirr Starkaðarson: 'Eigi megu vér vera heima í búum várum fyrir þeim Sigfússonum, nema þú, Gizurr, eða Geirr sér suðr hér nökkura hrið.' 'Þetta}

mun svá vera,' segir Gizurr, ok hlutuðu þeir, ok hlaut Geirr eptir at vera. Siðan för hann í Odda ok settisk þar.\textsuperscript{484}

The outsiders are not the only ones who recognise the death of Gunnarr for what it is, however. Þorgeirr, Gizurr, and Geirr may have been prudent to note the power vacuum and to foresee a need to clamp down on the Sigfússons before they could fill it, but at Bergþórshvoll the pressure is being felt as well. Far from calming the tension created by the Bergþórshvoll-Hlíðarendi group among the accepted hierarchy, the killing of Gunnarr only amplifies the stress: it must be avenged, not only for group honour, but to prevent the decline of that same group. Until now, the combined influence of Njáll and Gunnarr has been enough to secure their independence, but the latter’s sudden removal has greatly weakened their hardwon position. If Njáll wishes to maintain his power and his freedom, he will need to do more than merely bring the remaining Sigfússons under his control (a difficult task, given their strained relationship at the best of times). Geirr and his household at Oddi become physical representations of an ordered power dynamic, but they are also invaders, a foreign entity that threatens Njáll as much as he threatens them. One can almost feel the frustration at Bergþórshvoll after so much careful effort to brush aside or bring into line the three goðar in the district, Gunnarr’s stubbornness and knack for unifying people against him has brought a new chieftain into the mix. A clear message needs to be sent to these interlopers: you are not welcome here, we do not need you, and you should go back to where you belong.

\textsuperscript{484} \textit{Njála}, 191. "Then Þorgeirr Starkaðarson declared: "We will not be safe from the Sigfússons in our homes unless you, Gizurr, or Geirr stay here in the south for a time." "This is likely to be true," said Gizurr, and they drew lots, and it fell to Geirr to stay behind. Afterwards he went to Oddi and set himself up there.'
The slaying of Hróaldr represents the perfect opportunity to send this message, giving Geirr a forceful nudge back across the river while also allowing him a very convenient out to avoid any undesired bloodshed. As Miller notes, an illegitimate son is easier to avenge fiscally, without the same importance of demand for bloodshed, and Hróaldr’s convenient boast gives the avenging force (a force, it should be noted, led by Skarpheðinn, rather than Gunnarr’s own son Hǫgni or another Sigfússon) an insulating claim for the killing.\textsuperscript{485} There is certainly little doubt that Hróaldr was carefully selected as the sacrificial representative from the foreign faction. As the sagaman laconically notes, Njáll and Skarpheðinn are in close conversation before the latter sets out to inform Hǫgni that his father is to be avenged, on whom, and how.\textsuperscript{486} What passes between the two is unsaid, as is usual for their private conversations, but Skarpheðinn’s departure with his famous axe makes perfectly clear what is to come.

When the time comes to act, both Skarpheðinn and Njáll set about their tasks with brisk efficiency, to such a degree that Hǫgni, the vengeance-targets, and the narrative itself all seem hard-pressed at points to keep up. There are no drawn-out combats, no exchanges of insults or words, and certainly no time for reflection. Instead, over the space of a few paragraphs, four killings and three different settings follow one after the other. Skarpheðinn’s control of the situation is so complete that not only is he the first in the Gunnarr-avenging force to act in each setting, he also manages in the only quip or statement of intent to take away his opponents’ ability to define for themselves what is occurring: ‘eigi þarf þú at hyggja at: jafnt er sem þér

\textsuperscript{485} Miller, \textit{Bloodtaking and Peacemaking}, 146-7. Miller cites \textit{Grágás} la 149 as justification for handling Hroald’s boast: ‘if [the defendant boasts of having given him a blow, the fact that [the plaintiff] has not prosecuted him for the blow is no defence in the case but the penalty is lesser outlawry and it is to be prosecuted like other malicious speech.’

\textsuperscript{486} \textit{Njála}, 192.
sýnisk.’ It is only by the the time the narration catches up to the duo at Hof that any meaningful exchange takes place. Mórðr harbours no illusions as to why Skarpheðinn and Hógni have come to him with bloody weapons; indeed, from the clues in his description, the reader can assume that he has been waiting for their arrival, and thus that the news had already reached him.

Going after Mórðr last was no accident, just as there was no coincidence in the choosing of Hróaldr. Evidence that this was the plan from the beginning can be seen in Skarpheðinn’s reinforcement of the killings following Mórðr’s request for settlement. It is unlikely Skarpheðinn and Njáll ever intended to have Mórðr killed: this was a clear attempt at intimidation, in the understanding that Mórðr would get the message. This is more or less the same strategy the Njálssons will employ later, to force Mórðr to take their side following the killing of Hóskuldr, and grounded in the knowledge that for all his envy and desire for preeminence, Mórðr is at heart a coward. He will do what is necessary to avoid conflict, and with the right pressure he can be very useful to Bergþórshvoll. Keeping the local chieftains ‘on-side’ not only gives Njáll and his group a de facto legitimacy, it also gives them considerable latitude to act; should Mórðr be killed, his replacement will not only likely be an unknown factor, but one that will be, by obligation, hostile to Bergþórshvoll. To this end, his survival is more important than even Hógni’s desire for vengeance, as the quick negotiations and Hógni’s somewhat reluctant acceptance of them attest: ‘Hógni kvazk hitt hafa ætlat at sættask ekki við föðurbana sína, en þó tók hann sjálfdömi um síðir.’

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487 Ibid., 195. ‘You need not guess at it: it is just as it seems to you.’
488 Ibid., 196. ‘Hógni said that he had intended not to be reconciled with his father’s slayers, but at last he accepted self-judgement.’
Njáll has not been slow to hold to his end of this plan either, and no sooner does the action shift away from Skarpheðinn and the vengeance sphere than it repositions itself onto Njáll and the legal sphere. Here again, fine detail becomes a casualty of speed as the narrative struggles to keep pace with the settlements of the two cowed chieftains, first Mǫrðr and then Geirr. As before, the settlement seems to bear less weight than the message that is sent. Not only are the reprisal killings settled, they are offset by a fine paid by the local chieftain Mǫrðr for the killing of Gunnarr in spite of his óhelgi status. While adhering to the usual pattern of reducing cost by offsetting deaths, the agreement engineered by Njáll transgresses standard practice of allowing both sides to save some degree of face. Reflective of some of his earlier settlements for Gunnarr, the self-judgement here is only apparently an evening out of two sides, when in reality, Njáll has secured a total political victory. The fee for Gunnarr, offset or not, is almost an *ex post facto* clearing and vindication of him, and Mǫrðr’s fiscal responsibility both implicates him in the decision and publicly advances the independence and power of Njáll. To put it bluntly, it is a reminder to Mǫrðr not to interfere in the affairs of Njáll, and a public refutation of the perceived weakness of his side with the loss of Gunnarr. Such a decision is clearly of some concern to the community, although the audience is not informed as to the specifics of their reaction. The only information provided is that, in spite of both parties being settled, 'en á þingi var umröða mikil',⁴⁸⁹ making it necessary to confirm a settlement between Geirr and Hǫgni in public, in the presence of other parties. The details of that settlement are similarly withhold, but they clearly bear little importance in comparison to the public acceptance, by Geirr, of the decision, marking the end of his influence in the saga.

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⁴⁸⁹ Ibid. 'But at the þing there was great discussion about [the case]....'
Immediately following his defeat, the chieftain is moved back to Hlíð and dismissed by the narrator.

That Hǫgni appears not even to have been consulted at any stage, and merely accepts the settlement he is offered will come as no surprise to the reader. In spite of the nature of the vengeance quest, Gunnarr’s son has clearly been relegated to the role of sidekick. As a successor to the Hlíðarendi leadership, Hǫgni is unsuitable. His own father recognised this when, in the final meeting with Njáll, Gunnarr requested his friend look after Hǫgni. While Hǫgni is described first as being ‘maðr gerviligr ok hljóðlyndr, tortryggr ok sannorðr’ and later as ‘vel at sér’ in opposition to his less-pleasant brother, he lacks the leadership qualities that made his father so successful. He will hold to his settlements, and make a suitable supporter of Njáll’s decisions, but without these qualities, and without even the headstrong nature of his mother and brother, Hǫgni cannot be expected to play any larger role within the saga. Reliable but unambitious men are of little interest to the sagaman, and so it is that, aside from his later brief and silent appearance seconding the support for Njáll’s settlement for Þráinn, and a mention by Mǫrðr, he, like Geirr, truly is ‘out of the saga’ once he has played his role in legitimising the action against Gunnarr’s former foes.

With negotiations concluded, and both now-harmless men given safe passage out of the saga, relations within the district return to a period of relative normalcy. Unresolved, however, is the question of the leaderless Sigfússons, and the status of their continuing relationship with Bergþórshvoll. Even during Gunnarr’s lifetime, relations between the two parties were at times fractious. Without his moderating

490 Ibid., 150. ‘an accomplished man and taciturn, slow to trust (lit. ’suspicious’) but truthful.’
491 Ibid., 182. ‘a fine [man]...’
influence, the strong wills of other aspiring 'big men' risk coming into conflict with those around them, including their erstwhile allies. To this end, the narrative now turns outwards, moving abroad and away from the currently-quiet Iceland. As the most likely candidate to lead the Gunnarr-less family, the sagaman now thrusts Þráinn Sigfússon into the spotlight, casting him into the same testing ground from which Gunnarr emerged as a leader: the outside world that is exemplified by the Norwegian courts.

At first at least, Þráinn represents a continuation of his nephew's legacy. The inevitable comparison between the two men is made explicit early in Þráinn's stay with Hákon Jarl:

{quote}
'Of fjarri er oss Gunnarr at Hlíðarenda; hann myndi drepa útlaga minn, ef hann væri hér...' 

...Þráinn Sigfússon svaraði: 'Eigi em ek Gunnarr, en þó em ek skyldr honum, ok vil ek játask undir þessa ferð.' {492}

{quote}

Unsurprisingly, Þráinn takes to his task with Gunnarr-like prowess, bringing down Kol and earning from Hákon high praise. Where Hógni and Grani have been ruled out from leading the Sigfússon clan after Gunnarr, Þráinn is now taking on his nephew's roles and qualities quite literally. Having already filled the void left by Gunnarr in Norway, it seems as though those there cannot help but view the two as almost identical: 'þú ert skrautmenni mikit, Þráinn, ok hafð þit svá báðir verit frændr, þit

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492 Ibid., 199. "Gunnar of Hlíðarendi is too far away from us; he would slay my outlaw, if he were here..." ...Þráinn Sigfússon answered: "I am not Gunnarr, but I am related to him, and I will accept this venture."
Gunnarr....’\textsuperscript{493} Here however, both in the choice of \textit{skrautmenni} and in the envy that Þráinn will quickly attract, it has already become clear that he brings to his assumption of Gunnarr’s role qualities both positive and negative. In particular he shares his nephew’s temper and desire for fame. If Þráinn is to succeed in leading his kingroup when he returns to Iceland, he will need to become a far more considered man, but, if anything, his nephew’s faults seem to be magnified in him. Gunnarr at least was a man who could exercise restraint when required; in contrast, Þráinn’s past behaviour as foreshadowed in his role as Hlíðarendi-agitator on the journey to Otkell’s is a cause for concern. In the events that follow, the shielding of Hrappr and the resultant injury to the Njálssons, Þráinn’s true colours will come to the fore, with worrying implications for the ambitions of Njáll.

Hrappr himself seems an almost comic figure, with some of the qualities of a Romance villain or outlaw, down to his exploits with the jarl’s daughter, his preternatural ability to evade or defeat large numbers of the jarl’s men, and his almost irresistible compulsion to betray or cause trouble for anyone who harbours him. He is significant in this respect not only for the harm he will cause to the Njálssons, but in the statement that is made by Þráinn’s acceptance of him. Good men do not harbour Hrappr for very long, and good leaders recognise him for the chaotic element that he is. That Þráinn willingly takes on an uncontrollable man like Hrappr foreshadows the difficulty he will face once returned to Iceland in reining in the more reckless members of his family. Likewise, his unquestioning defence and protection of the outlaw from Þráinn’s own patron Hákon represents perhaps the most significant

\textsuperscript{493} Ibid., 200. “You are a showy man, Þráinn, and you kinsmen have both been so, yourself and Gunnarr....”
divergence between himself and Gunnarr. Gunnarr understood the concept of bilateral loyalty, at times taking it to its extreme and inserting himself into unnecessary quarrels. In contrast, Þráinn here shows himself to regard only the concerns of those who look to him as their leader, even if that means disregarding his own obligations to a higher authority (Hákon), or to his now traditional allies (Bergþórshvoll, here represented by Grímr and Helgi).

The abandonment of the Njálssons to Hákon’s misdirected wrath is equally an abandonment of the alliance so carefully constructed by Gunnarr and Njáll. Although it is not immediately apparent that this repudiation is intentional, his conduct once home makes this explicit. As Einar Ól. Sveinsson notes, Þráinn's offence does not stop with his refusal to compensate Grímr and Helgi for the wounds received because of him. His response to their demand is surprisingly careful and considerate: in taking caution not to offend them directly, and in attempting to silence those who would, he demonstrates possibly the height of his social awareness.494 Þráinn is well aware of the effects of direct insult, especially the slanderous lines about Njáll’s beardlessness; he was present when they were first uttered, and saw Sigmundr die for them. Ultimately, this disregard will contribute to his downfall: his 'passive intransigence' leaves the Njálssons in an 'intolerably awkward position',495 from which the only escape is Skarpheðinn’s axe.

Of course, Þráinn is not the only one to bring an outlander home with him, and introduce a new character to the building series of feuds. Kári seems almost from his introduction prearranged to contrast not only with Hrappr, but also with Þráinn and

494 Sveinsson, Njáls saga: A Literary Masterpiece, 144.
495 Ibid.
men like him. Like Hrappr, he certainly has something of the romance about him, with his strange appearance from the fog and his gift for jumping over spears. Yet, for every one of Hrappr's negative qualities, Kári has a positive. Where Hrappr is selfish and inevitably turns on his allies Kári is selfless and lays down his life with them, where Hrappr cheats and swindles, Kári is a man of his word, and so on. It would however be incorrect to see in Kári merely an anti-Hrappr. Unlike the mischievous, malevolent, and short-lived Hrappr, Kári’s narrative role will be significant; he will not only survive the likes of Njáll and Gunnarr, but in some respects he will surpass them, as we shall see below. While his full development is ultimately deferred until his second emergence, albeit from the smoke of Bergþórshvoll rather than the mists of the sea, there is nevertheless at this early juncture a clear attempt to define Kári in opposition to other, already established characters. Notably here, Kári is presented as a more complete, capable version of Þráinn (or even Gunnarr): equally accomplished, but not as flashy or prone to inspiring envy, and socially aware where Þráinn is not.

Like Þráinn, Kári risks the anger of Hákon Jarl by protecting the jarl's supposed enemies. However, the sagaman takes pains to highlight the difference in the situations, and to portray Kári as a source of heilræði rather than disrespect. Kári restrains the violent (if justified here) impulses of Grímr and Helgi, where Þráinn will later be unable to stop his kinsmen from slander. He likewise honourably avows his protection of the Njálssons before the jarl, rather than hiding them from Hákon as Þráinn did to Hrappr. Ultimately, his honourable conduct and reputation will not only succeed in defusing the tension and preventing further bloodshed, it will also allow him to resecure his loyalty to both parties. Indeed, his behaviour is such that his loyalty is almost beyond reproach, as Eiríkr reminds his father when the latter seeks
assurance there will be no treachery: 'Ekki er slíks at beiða; hefir Kári jafnan verit vinr várr.'\textsuperscript{496}

So it is that when the Icelanders return home, they not only bring new friends and associations with them, but new feuds, and a heightening of the already considerable tension. Indeed, in some ways this tension has been building since before the Njálssons ever left Norway. Before turning his attention to Grímr and Helgi, the sagaman briefly moves forward in time to Þráinn's return, detailing the settlement of Hrappr and finishing the chapter with the brief but concerning announcement that 'allir frændr Þráins heldu hann fyrir hofðingja.'\textsuperscript{497} The effect is such that the reader, resituated in the present, cannot help but follow the rescue of the Njálssons with the underlying understanding that every insult and injury they suffer will be amplified once they catch up to Þráinn. Indeed, little narrative time is wasted following their rearival in Iceland, and once Kári is introduced to Njáll, the months between his arrival, marriage, and land purchase are passed over quickly. This is hardly surprising, as periods of relative quiet, while an integral part of the feud-resolution mode, are less central to the narrative than the 'flashpoints' in which feuding parties act, react, and interact. Here, as elsewhere, time passes to allow tensions to grow and to highlight the obstinacy of Þráinn and the growing impossibility of peaceful resolution.

If Njáll has any reservations about what he is about to advise following the failed attempts to seek resolution, they are only made apparent in his initial attempt to appeal to Þráinn through Ketill and Kári, although ultimately neither of these

\textsuperscript{496} \textit{Njála}, 223. 'That is not such as should be asked; Kári has always been our friend.'

\textsuperscript{497} Ibid., 220. 'All of Þráín's kinsmen held him as a chieftain.'
interlocutors can be expected to achieve much. Here again, the increasing stress
surrounding Njáll’s sphere of influence is felt in terms of honour, as the now chieftain-
like Þráinn and the Njálssons struggle publicly with each other, damaging the honour
of the Bergþórshvoll group whenever they turn away empty-handed. The necessity of
removing Þráinn and replacing him with a more suitable leader eventually outweighs
the short-term cost. Killing Þráinn may damage relations with some of the Sigfússons,
but so long as he lives, there can be no hope of reconstructing what Njáll and Gunnarr
once had. This is plainly a matter of damage control, as it was with Geirr and Mórðr,
but this time the message and the action are directed inwards: work with us, or we will
replace you with someone who will. Certainly, Þráinn is no fool, and is well aware of
the pressure mounting against him: as seen earlier, he is cautious not to give the
Njálssons any direct cause to pursue him, and unlike Gunnarr, he keeps a band of
armed men with him at all times as a precaution. However, as a hofðingi-surrogate
Þráinn is singularly useless, and this will be his undoing. As noted, he lacks even his
nephew’s understanding of the reciprocality of social bonds with his allies. Moreover,
his inability to control the more violent or chaotic elements within his kingroup both
leads to an unflattering comparison to Gunnarr and provides Þráinn with new enemies
where he should have found friends, providing those enemies with the justification of
seeking vengeance that he has attempted to preclude.

Njáll is well aware that vengeance and the removal of threats must be carried
out with at least an outward appearance of reluctance, and at least the suggestion of
attempted forbearance. It is perhaps one of the great paradoxes of saga feud that
attempts at both vengeance and arbitration must exhibit on the one hand an
awareness of honour and resolution to act, and on the other a forbearance and desire
for peace. Njáll, like many others, is well aware of this, and his plan reflects the careful consideration given to both factors. By now, all of the 'good' Sigfússons, or at least those characterised by self-control and moderate behaviour, have either perished, married into a closer relationship with Bergþórshvoll, or have been quietly escorted out of the saga by Skarpheðinn and Njáll. The remaining Sigfússons are ungovernable, but they have also shown themselves to be predictable and easily goaded. It is therefore unlikely that Njáll expected either Ketill or Kári to achieve any resolution, as both men are plainly tied to Bergþórshvoll through marriage, and Kári cannot even claim impartiality by any relation to Þráinn, as Ketill can at least attempt. Rather, Njáll makes explicit his actual intentions in sending these two when he informs his sons of the plan to give the Sigfússons ample opportunity to damn themselves first: ‘Þat mun þykkja um sakleysi, ef þeir eru drepnir, ok er þat mitt råð at skjóta at sem flestum um at tala við þá, at sem flestum verði heyrinkunnigt, ef þeir svara illa.’

From beyond the grave, Gunnarr has left his long-time friend one final gift in the form of precedence regarding the níð verses about Njáll’s beardlesses. Not only is níð an actionable offence under the law, but Gunnarr’s treatment of the slaying of Sigmundr by the Njálssons is a rebuke of the verses not only on a personal level, but in his public capacity as a leading man in his kingroup. It is similar in this way to the much earlier killing of Þjóstolfr by Hrútr, a demonstration that certain chaotic

498 Miller, Bloodtaking and Peacemaking, 263-7.
499 Njála, 226. ‘It will seem without cause, if they are slain, but this is my counsel, that as many as may be should be brought to discuss this with them, so that as many as may be should become hearing-witnesses, if they answer ill.’
500 Gg lb 184; II 392.
elements are no longer deemed 'in the family.' Such a transgression voids not only one's legal rights, but also one's expectation of, or rights to, protection or support from within the family group. Njáll is well aware that the more troublesome Sigfússons will be unable to resist repeating the famous slander-verses, if pressed. His attempts at nonviolent resolution are in this way quite similar to his later machinations in paving the way for the fimmtardómr. While appearing to be made in good faith, the meetings are calculated to confound and increase the already escalating tension to the point that the Sigfússons will inevitably let slip the doubly indefensible verses. Njáll knows this, and says as much in his justification for sending Kári: ‘...þeir munu hlaða saman illyrðum, er menn eigu hlut at: þeir eru menn heimskir.’

By contrast, the Njálssons are to moderate their behaviour, becoming models of forbearance while asserting their willingness to act if and when they are 'pressed too far'.

As a plan, it is certainly up to Njáll's usual standard, but it is, as the lawyer notices, still a reactive rather than proactive course of action, and its possible consequences in the long term clearly worry him. Had they only come to him first, he implies, this never would have happened, and no doubts as to the honour or power of Njáll's family would have ever arisen. To be forced onto the back foot, and to be focussed on damage control and mitigation is an uncomfortable position for Njáll, as is made clear with each new occasion. It is in these moments that the sagaman gives the clearest, if fleeting suggestions of the internal Njáll, when the lawyer turns his mind to the future and the effects of a situation that is gradually slipping away from him. Often these words are conflated with prophecy in light of his reputation, but as

501 Miller, Why is Your Axe Bloody, 45.
502 Njála, 226. ‘...they will pile up evil words, when men bring forth the matter: they are foolish men.’
before they are more properly a reflection of Njal’s keen awareness of Icelandic political reality. His prediction that the growing disgrace coming from Thrainn will likely only end in violence, and that it will create future peril for his sons if it does so is no more far-fetched than his prediction for Gunnarr. Likewise, if Njal’s later admonishment of his sons following Thrainn’s fall seems out of place given his role in bringing it about, it may be more reflective of the patriarch’s own internal dialogue as he wrestles with a very similar situation. The prediction itself, ‘er þat likara, at hér leiði af dauða eins sonar míns ef eigi verðr meira at’ is certainly familiar. Thrainn’s death is not a temporary setback, and not a matter that can be dealt with as expertly as the vengeance of Gunnarr was. His sons have killed twice in the same family, and Njal must be keenly aware of the significance of his words coming back to him now. What began as a necessary, corrective action to mitigate further damage will itself require a kind of mitigation solution that, for Bergþórhvoll, is both radically different from its usual practice and ultimately doomed. If a loyal patriarch cannot be turned, one must be created, and to do so will be more a high-stakes gamble than an investment at this stage.

It is at this point, in the immediate aftermath of Thrainn’s compensation, that the reader must finally begin to question Bergþórhvoll’s post-Gunnarr ambitions. The introduction of Hóskuldr is as much an end as it is a beginning, a turning point in which Njal attempts to take more direct control of his Sigfússson allies and inadvertently cultivates the factors that will lead to his death. It is clear that from the moment of the slaying Njal already has an eye on the dead man’s young son. Njal

503 Ibid., 235. ‘And this is likely, that here will lie the death of one of my sons, if not more comes to pass.’
immediately sees in Hǫskuldr an opportunity no other Sigfússon can provide: a clever, well-placed scion who can be moulded into an acceptable partner and have a valid claim to primacy within his kingroup once he comes of age. To this end, Njáll will do everything in his power to bring the boy under his influence, and to secure Hǫskuldr's whole-hearted allegiance to him.

As is usual for Njáll's plans, the reader is not informed of the specifics, and Njáll's intentions are obscured. We are told only that we in fact know nothing, only that Njáll sought Ketill out, that they spoke all day, and that 'vissi engi maðr, hvat í ráðagerð hafði verit.'\(^{504}\) From the very beginning of this action however, Ketill's conflicting loyalties are made clear, as is the implication that his ties to Njáll may be more significant to him. The chapter opens with a reminder of Ketill's family ties, but where before he was a son of Sigfús first and the husband of Þorgerðr Njálsdóttir second,\(^{505}\) now the ordering of those roles is reversed. Thus, when he goes to Þorgerðr Glúmsdóttir to offer to foster the boy, the spectre of Njáll hangs over the transaction, of which Þorgerðr herself is apparently aware, in light of the demands she forces him to publicly swear to uphold. This fear is obviously well-founded: it is no coincidence that, after an undisclosed period of time passes, Njáll returns to Mýrk and, following a curious conversation, rides off with Hǫskuldr as his new foster-child.

Lehmann argues that Njáll and Ketill have no authority to arrange this transfer of fosterage, as his mother is still alive and by law would be required to consent.\(^{506}\) Hansen also notes more generally as regards legal fosterage that a biological parent

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504 Ibid., 236. 'no man knows, what had been in their discussion.'
505 Njála, ch. 34.
could reclaim their child from fostering, along with a portion of the resources provided for the child.\(^{507}\) Ostensibly, this would allow Þorgerðr to block Njáll’s plans, and yet she apparently is not consulted. To Lehmann, this is a clear departure from the law to suit the needs of the narrative. In contrast, Miller views the unclear legal situation, along with Ketill’s current role as acting head of the Sigfússons (and possibly as Þorgerðr’s lográðandi) as providing Njáll the opportunity to make the offer and Hóskuldr to take it.\(^{508}\) Certainly, this would go some way towards explaining Njáll’s plan to have Ketill foster the boy for a time, but perhaps more significant to the situation is the gift of the ring, and the questioning of Hóskuldr. Miller also notes the transfer (against parental wishes) of a child to a new foster-parent in Þórdar saga hreðu,\(^ {509}\) and here as in Njála the transfer is made official with both formulaic speech confirming the relationship, and the exchange of a valuable gift from prospective foster-father to child. Following Þórd’s intervention in a disastrous fishing expedition, the boy Eiðr abandons his foster-father Þorkell and returns home with Þórd. A short time later, the change in allegiance is made explicit:

\[\begin{align*}
\text{Þat var einn dag, er Þórdar var at skipssmíðinni ok sveinninn Eiðr hjá honum.} \\
\text{Þórdar hafði jafnan hjá sér saxit Gamlanaut ok svá var enn. Eiðr tók upp saxit ok lék sér at. Þetta sér Þórdar ok mælti: ‘List þér vel á saxit, fóstri minn?’ Hann svarar: ‘Allvel.’ ‘Þá vil ek gefa þér saxit.’ Eiðr mælti: ‘Aldri mun ek geta launat jafngóðan grip, en vináttu míní vil ek gefa þér, fóstri minn, ok mun hon þykkja}\end{align*}\]

\(^{507}\) Anna Hansen, ‘Fosterage and Dependency in Medieval Iceland and its Significance in Gísla saga,’ in Youth and Age in the Medieval North, ed. Shannon Lewis-Simpson (Leiden: Brill, 2008), 78.
\(^{508}\) Miller, Why is Your Axe Bloody, 164.
\(^{509}\) Ibid., 164, n. 2.
Eiðr’s father reacts in much the same way as the reader must assume Þorgerðr did when she heard the news, but this time the reader is privy to the situation. Skeggi’s interest is in the gift given to Eiðr, and his response would appear to confirm the validity of the agreement: ‘Skeggi mælti: “Gjarna vilda ek, at þú hefðir þenna grip eigi þegit.”’

Whether this represented a common practice or an acceptable means of transfer is uncertain, but it is worth noting that Njáll, like Þórðr, is very careful in his construction of the fostering offer:

Um kveldit gekk sveinninn at honum, ok kallaði Njáll á hann. Njáll hafði fingrgull á hendi ok sýndi sveininum; sveinninn tók við gullinu ok leit á ok dró á fingr sér. Njáll mælti: ‘Villtú þiggja gullit at gjǫf?’ ‘Vil ek,’ segir sveinninn.

‘Veiztú,’ segir Njáll, ‘hvát þóður þínnum varð at bana?’

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510 ÞórðHr, 174-5. ‘It happened one day, that Þórðr was building his boat, and the boy Eiðr was with him. Þórðr always had the sword Gamlanaut with him, and so it was then as well. Eiðr took up the sword and played with it. Þórðr saw this and said: “Do you like that sword, my foster-son?” He answered: “Very much.” “Then I will give you the sword.” Eiðr said: “Never will I be able to repay so great a gift, but I will give you my friendship, my foster-father, even if it seems of little worth.” Þórðr answered: “You have my thanks, my foster-son, and you will reward me both frequently and greatly.”’

511 Ibid., 175. ‘Skeggi said: “I would have been happy, if you had not accepted this costly gift.”’

512 Njála, 236. ‘During the evening, Njáll called to the boy, and the boy went to him. Njáll had a golden ring on his finger, and he showed it to the boy; the boy took the golden ring and looked at it, and put it on his finger. Njáll said: “Will you take the ring as a gift?” “I will,” said the boy. “Do you know,” said Njáll, “what caused your father’s death?”’
The ring-giving not only recalls Hrútr's keen public awareness in the opening chapters, it also maintains the appearance of a valid legal transaction between two parties. The ring, though phrased as a gift, cannot be separated from the following question of the settlement for Þráinn's slaying, and may in fact dictate the answer. Nor can it be construed (legally or otherwise) as related to the slaying and settlement: Hþóskuldr's response definitively establishes this as a new transaction, and a new relationship. Njáll (after allowing himself a moment of relief in his praise of the response) then defines that new proposed relationship, and Hþóskuldr accepts. All of this is done publicly, and all in front of the boy's most important paternal relatives, whose tacit approval confirms acceptance. If Njáll's goal is simply to secure peace with the Sigfússons, he need now do little more than be mindful of his new arrangement with them. Far from being a simple hostage-taking move, fosterage within the sagas is a common peacemaking measure for the fictitious kin-bonds it creates between two groups. The purpose of such bonds is to complicate prevailing loyalties and create debts of obligation or support. While not always permanent or perfect, as we shall see below and as both reader and characters will discover before long, as an interim measure for securing a truce, the fostering of Hþóskuldr is singularly prudent.

Njáll however takes a much longer-term view of his fostering relationships, as is fitting for a man of his character and wisdom. Even as he fulfills the obligations of his role as foster-father to Hþóskuldr, Njáll sees an opportunity present itself to further the influence and independence of that old alliance, and it is one he will not hesitate to take. Having a goði 'in the family', so to speak, is equally as important as ensuring a good match (and we must remember, it is a match made at Njáll's suggestion). Like

513 Byock, Feud in the Icelandic Saga, 247-8.
all Icelanders with aspirations, Njáll is keen to marry his household up where possible: sacrifices were made to confirm the match with Þórhalla Ásgrimsdóttir and his son, and sacrifices can be made again for Hóskuldr, even though he is a foster-son and not a biological one. Of course, it would be both cynical in the extreme and ultimately incorrect to imply Njáll did not genuinely care for Hóskuldr: his response upon hearing of Hóskuldr’s death for example cannot be read as anything but a sincere lament. However, the reader likewise cannot separate Njáll’s relationships from his ambitions; as it was with Gunnarr, Ásgrimr, and other allies, as it is with his biological children, so too is it with his foster-children. It is no surprise that two of Njáll’s three foster sons become well-regarded legal figures, a lawyer and a goði. Given Njáll’s reputation as a legal mind this is on its face unsurprising: other instances of children being sent to foster and learn law or politics are not unusual.\textsuperscript{514} Yet this does also have the effect of creating two very influential figures predisposed to follow Njáll’s advice. Likewise, although Þórðr Kárason dies too young to demonstrate any ability at law and politics, he nevertheless appears to have had a similar loyalty to Njáll’s household (through Bergþóra, here) despite his extreme youth. In providing his foster children with the sort of legal training that he does not seem to impart to even his natural-born sons, Njáll is doing more than creating bonds of debt and loyalty: it is almost as though he is raising them to be like himself. Indeed, when Hóskuldr later steps in to protect Lýtingr, the reader cannot help but hear the words of Sigmundr again as he regarded Þórðr leysingjason: ‘þat er mælt, at fjórðungi bregði til fósturs.’\textsuperscript{515} Of the three fosterlings however, only Hóskuldr’s relationship to Njáll is commented on at length

\textsuperscript{514} Most notably of course is the case of Snorri Sturluson, fostered by Jón Loftsson in a goodwill move following a settlement between Sturla and his rival, Páll, and detailed in \textit{Sturla}, ch 34.\textsuperscript{515} \textit{Njála}, 109. ‘that the fostering makes a fourth (of a man).’
by the narrator, at once emphasising the importance of Hóskuldr in Njáll's eyes, while
at the same time foreshadowing the weight of the coming disaster as Njáll overplays
his hand for perhaps the first time.

Investing Hóskuldr as a goði has been credited as both Njáll’s masterstroke and
a decision that will ultimately destroy his family. More than this however, the success
of Njáll's plan highlights the same sort of danger that we have seen throughout this
study, albeit on a much larger scale: one person’s ambition, when wielded without
regard to jafnaðr, is enough to bring the system to its knees. The court-blocking
episode is not only necessary within the narrative to display Njáll's incredible and
unrivalled control over the legal process, it is also an opportunity to cast the actions of
this small group, still touched by its supposedly local feuds and concerns, back onto
the national stage. The entire episode, though brief, is characterised by confusion and
stagnation, controlled by Njáll himself. Paradoxically, it is Njáll who both grinds
action to a halt at one þing, and questions why it is halted at the next, who disrupts
the workings of the law and creates strife initially, and at the next gathering invokes
the adage 'hlýðir þat hvergi at hafa eigi log í landi',\textsuperscript{516} and who refers to the role of ’vár,
er kunnum login ok þeim skulum stjórna’\textsuperscript{517} in resolving the problem that he himself
has created.

Attributing to Njáll the creation of the fimmtardómr is one of the most blatant
departures from the historical record, and one that could have easily been avoided,
but for the purpose of the saga it is essential Njáll be its source. It is hardly outside of
Njáll's character to manipulate situations and people for his goals,\textsuperscript{518} but here the

\textsuperscript{516} Ibid., 242. 'it will never do to have no law in the land....'
\textsuperscript{517} Ibid. 'we, who know the laws and should guide them....'
\textsuperscript{518} Cf. Miller, \textit{Why is Your Axe Bloody}, 168.
reader is given another fleeting, obscured glimpse into a character's internal state. The resultant confusion and unbalancing mirrors the lawyer's own loss of balance, his capitulation (wittingly or not) to ójafnaðr and óhóf. In his desire to return things to the status quo ante, when things were secure and no outsiders could interfere with the Gunnarr-Njáll jurisdiction, such short-term damage is deemed acceptable. One could convincingly argue history appears to bear this out: the fimmtardómr was in fact a necessary reform, and did more good than ill, but there is no indication that Njáll's primary focus is in any way directed to these historical applications. Indeed, his self-interest in the matter becomes apparent in his quick move to nominate Hóskuldr as one of the first of these new goðar. This is Njáll at his most clever and political, making certain to remind his audience of Hóskuldr's 'tragic' circumstances while simultaneously distancing himself from its cause and casting himself as a sympathetic figure of goodwill: 'Þat er mör gum mö nnum kun nigt, hversu fór með sonum mín um ok Grjótármö nnum, at þ eir drá pu Þrá in Sigfússon, en þó sættum sk vár á má lin, ok he fi ek nú te kit við Hóskuldr ok ráð it honum kvánfang....'\(^519\)

At least initially, Njáll's wider plan seems to be succeeding: Hóskuldr Þráinsson now has his goðorð to cement his role as family leader, and further has a house and household picked out and paid for entirely by his foster-father. The relationship between the two parties looks to be everything Njáll hoped for, a picture of the glory days:

\(^{519}\) Njálæ, 246. 'It is known by many people, what happened between my sons and the men of Grjóta: that they killed Práin Sigfússon, but we have settled that suit, and I have now taken Hóskuldr into my household and have arranged a marriage for him....'
Artfully concealed within that stock chapter ending, however, is the understanding that this ideal situation is, like all quiet periods in the feuds of the powerful, only a temporary thing: before long, Hǫskuldr’s leadership and Njáll’s breeding of him must be put to the test. Empowering Hǫskuldr means empowering all of the Sigfússons, including the troublesome elements like Lýtingr. This character’s sudden appearance, and even stranger decision that now, years after Þráinn’s death, Hǫskuldr Njálsson’s usual ride-by is an unbearable reminder of shame, is as Miller notes not as surprising as it may seem. In the time since Þráinn’s death, the Sigfússons have had no significant leadership presence. The closest thing to a leader has been Ketill of Mýrk, but even Ketill’s role has been a muted one. Now, the killers of Þráinn have not only given Lýtingr a 'big man' to look to, they have also made him a chieftain, a man of significant influence, and of whom a certain behaviour is expected. Hǫskuldr undoubtedly deplores Lýtingr’s destabilising behaviour, but 'he cannot so easily refuse [Lýtingr’s] request to negotiate a settlement’ when his kinsman and follower’s life is on the line.

520 Ibid., 247-8. ‘And they were all on such friendly terms (lit. 'they so charmed one another’) that no one took a decision, unless they all agreed on it... And the sons of Njáll often travelled with Hǫskuldr. So ardent was their friendship that they invited each other to a feast every autumn, and exchanged rich gifts. It went like this for a long while.’

521 Miller, Why is Your Axe Bloody, 170.
To his credit as a leader, and to the disadvantage of the Njálssons, Hóskuldr recognises his position immediately, and acts without hesitation, so much so that the reader may suspect Njáll has raised a foster-son almost too like himself. Hóskuldr's immediate departure, bringing him to Njáll late at night, is an explicitly unusual and often dangerous way to approach someone at home, but it reflects an awareness that any chance at settlement will be lost if he delays long enough to let Skarpheðinn find his target again. Likewise, a settlement is absolutely necessary for Njáll as well, even if it leaves his sons unsatisfied. Quite aside from Njáll's regard for his foster-son, Lýtingr is shielded by the reality that Hóskuldr represents the last opportunity at peace between the two households. So it is, that just when it seemed as though Njáll's attempts at damage control had finished, he is forced back into the uncomfortable position of reacting. It is also not without a trace of irony on the part of the sagaman that Njáll's attempts to recreate those Gunnarr days bring with them the same tallying of bodies, down to the request from Hóskuldr that Skarpheðinn and his brothers be present to take part in the settlement, and Njáll's reply that they will hold to what he decides. As the last line of this chapter – and with it the narrative arc – notes, this specific settlement will be held to, but should this be taken to mean that Hóskuldr and Njáll's agreement successfully returns the situation to the status quo ante?

Clearly something has changed; this imperfect simulacrum of the Gunnarr-Njáll alliance creates a sharp moment of friction at Bergþórshvoll once the Njálssons find out what their father has agreed for them. Hóskuldr is after all not a Gunnarr, but a Njáll, and he knows how to protect his own interests just as well as his foster-father does. The final exchange between Njáll and his sons in regards to this agreement both ends this arc on a note of unresolved tension, and stands as a masterful example of
subtlety and foreshadowing of the tragic events to come: "Ekki myndi Hǫskuldr," segir Njáll, "hafa skotit skildi fyrir hann, ef þú hefðir drepit hann, er þér var þat ætlat."
"Telju vér ekki á fɜður várn," segir Skarpheðinn. 522 Here, the same Njáll who is famous for his settlements and desire for peace allows himself, as before, a moment of regret that his sons had not been quicker to act. Clearly Lýtingr’s death would have been preferable to even the pacific Njáll, in spite of the further damage this would do to relations between the two households. While Lýtingr may not be a Sigfús son per se, having married into them, and thus would technically escape the strictures of Njáll’s own admonition about killing in the same line more than once, such technicalities are, as any lawyer will note, precarious in the complex Icelandic reality. It is a moot point, however: Lýtingr survives, Hǫskuldr Njálsson is settled for, and no further direct action may be taken yet. More importantly still, Skarpheðinn’s curt response to close the discussion manages to do everything it claims not to, indicting their father for his own recognised failure. Njáll’s familial authority to act without consultation even among his own sons is beginning to fracture. With these words and the final assurance that Hǫskuldr’s settlement is upheld, the longest narrative arc of the saga closes on yet another note of unbalance. Njáll’s attempts to create stability for himself and his group, with their hefty social costs, have done nothing of the sort: a peace agreement is kept, but further violence is nevertheless inevitable and promised.

522 Ñjála, 254-5. "Hǫskuldr would not," said Njáll, "have thrown his shield before him, if you had slain him, when you were meant to have done that." "Let us not cast blame on our father," said Skarpheðinn."
Conversion and Damnation

Before any further violence can break out however, the saga is first jarringly interrupted by the arrival of a new religion. The narrative significance of the Conversion episode has since the early days of saga criticism elicited a variety of responses, centred around the introduction of Christianity and its significance not only to men like Njáll, Hallr, and Flosi, but also to the burning and final reconciliation. The comparison between the use of fire against Njáll in a Christian Iceland, and the steadfast refusal of Gunnarr’s killers to do the same in a pre-Christian society has invited criticism from some quarters directed at the 'new' Iceland. To others, the arrival of the new religion has been taken to signal a change in the moral judgement behind feuding that before now was characteristically pagan, compelled by heroic ideals of honour. This change is characterised by the apparently saintly behaviour of men like Hóskuldr, Njáll, and Hallr which suggests a shift towards mercy and away from vengeance. Yet, as Denton Fox strongly remarks, ‘the Christianisation of Iceland does not produce anything like a Christian community ... [and] the Christianity that [Þangbrandr] brings supplants the system of blood revenge only sporadically.'

Certainly, the law itself is not substantially changed by the Conversion as it affects feuds like Njáll’s with the Sigfússons. Indeed, the only laws instituted by Þorgeirr at this point are those concerned with the outward display of religious practice. While the sagaman eliptically notes that in time all pagan traditions will be outlawed, at least

523 See Miller, Why is Your Axe Bloody, 189.
525 Denton Fox, 'Njáls saga and the Western Literary Tradition,' Comparative Literature 15, no. 4 (1963): 301-2.
at this moment in the narrative there is no significant change to the honour-demand system.

The significance of the Conversion episode within this saga is twofold. Firstly, and importantly for its narrative position interrupting the feuds of Bergþórshvoll and the Sigfússons, the compromise of the Conversion is in its way an idealised feud settlement, magnified to incorporate the whole Commonwealth. In arbitrated settlements (as we have seen) the most successful settlements are those which are characterised by evenness, *jafnaðr*, in how awards are made and compensation (monetary or otherwise) paid out. Even in those cases where one side is clearly the 'victor', the appearance of compromise is paramount not only insofar as it avoids directly ruining any one person or family, but also in its accommodation of honour on both sides. While true reconciliation is never guaranteed, settlements avoiding one-sided verdicts have greater potential to succeed. The same is true of the Conversion, but the stakes are higher: instead of families, it is the *lög* itself that requires balancing. Not only is the enlivening *lög* (the participatory body, the polity) divided, but also the structural *lög* (the governing rules), as exemplified by the Christian contingent's election of their own lawspeaker and rules.

In spite of the grumbling of the nameless 'heathen men', Þorgeirr's verdict is not only an excellent example of the sort of compromise advanced by the system, it is also clever in its provisions (at the time of its pronouncement, at least). Those of the Christian contingent cannot have been enthusiastic about the private maintenance of the older belief system, or the continued practices of eating horseflesh and exposure of infants, but their complaints are balanced on the other side by those of the pagan party. Regardless of whether Þorgeirr is aware that, in a relatively brief time the
prohibitions on pagan behaviour will be expanded, it is important to note that he has for now tactfully ensured that accommodations have been made to both sides, guaranteeing a period of peace when tempers are at their hottest. Likewise, the possibility of friction immediately following the decision is minimised by the relatively easy requirements of adherence to these new laws. As we have seen, the changes to the day-to-day lives of the Icelanders are, at first, decidedly minimal, and the new Christian laws are concerned more with the appearance of the faith than dictating the behaviour of those who have joined it.

Still, Þorgeirr is no fool and takes no chances with this crucial decision: when it comes time to utter his decision, he takes pains to stress the need for unity, and will only make his terms known after the opposing parties swear themselves to the decision. As befits this saga, with its focus on the chaos engendered by òjafnaðr and unmoderated behaviour, Þorgeirr's appeal is not to any divine right or higher morality, but to the very real danger posed by division and the threatened use of violence to force a one-sided settlement: 'svá lízk mér sem málum várum sé komit í ónýtt efni, ef eigi hafa ein lög allir, en ef sundr skipt er lögnum, þá mun ok sundr skipt friðinum, ok mun eigi við þat mega búa.'526 Þorgeirr's words recall the earlier reminder from Njáll which itself mirrors a (slightly fuller) admonishment from the Frostaþing Laws: 'at lögum scal land várt byggja en eigi at útlögum eyða. En sá er eigi vill òðrum unna. Hann scal eigi laga nióta.'527 It was this ideal, it appears, that compelled the Icelanders of Njála to hold to their settlement, more than any deep attachment to either faith.

526 Njála, 271-272. 'It looks to me as though our suits will have come to an impasse, if we do not all have the same law; and if the laws are split asunder, then the peace will be split asunder, and we cannot live with that.'
527 Frosta 1, sec. 6. 'By law shall our land be built up, and let it not by lawlessness be destroyed. And he who will not allow another (his legal rights), he shall not enjoy (his own) legal rights.'
Jochens, in viewing accounts of the Conversion in Íslendingabók and the sagas, argues that Icelandic investment in the older belief system was comparatively less than on the continent, with its more traditional cultures. Further, in the short term, 'it mattered more that Icelanders' instinct for survival accorded priority to peaceful resolution through arbitration, particularly when it involved the whole country and the entire population. Having agreed to a resolution, Icelanders apparently intended to keep it.'

It would seem the author of Njála is inclined to agree: before allowing his warring sides to depart, the sagaman closes this section with the remark that 'Þóttusk heiðnir menn mjökk sviknir vera, en þó var í lög leidd trúan ok allir menn kristnr gørvir hér á landi.' This final, authorial comment coupled with the knowledge all heathen practices are done away with in the years immediately following, appears to close off not only the Conversion, but all of its implications. The tension and threat to national unity has evaporated into accedence, albeit grudgingly in a few places, for a brief time, all in the name of maintaining the national peace. Yet the suggestion so significant a climbdown can be organised and held to does not fit well with the reader's expectations of what is still to come. The Conversion is poised to foreshadow the later division at the Alþing, inviting comparison to and questioning of the burning and failed prosecution. Thus, even as the reader engages with the success of large-scale arbitration, he or she is forced to interrogate a coming failure. Why is it that such ideals are not enough the next time, and how does one justify this failure in light

529 Njála, 272. 'The heathen men considered themselves to have been greatly betrayed, but nevertheless the faith became law and all the people in the land here became Christian.'
of an ostensibly Christian context following the complete acceptance of the new trú? Is personal religion simply not as important as honour and economics?

Herein lies the other important aspect of the Conversion's twofold significance: prefiguring not only the tragic division created by the feuds of Bergþórshvoll, but also the aftermath, and the means by which so great a breakdown of equity must be rectified. The brief digression of the Conversion, transitioning back into the main narrative strand with a return to LÝtingr and the reintroduction of Ámundi (up until now only mentioned, and not active) serves to introduce new possibilities and new impetus to the feud cycle. It has already been noted that, perhaps disappointingly for the aims of the missionaries (and even some of Njála's audience), this newly-Christian community does not depart substantially from its traditional behaviour. Indeed, some critics have been inclined to say that conduct coarsens, and that 'the new law ... does not work as well as the old law',\textsuperscript{530} which at least has kept a general peace. The truth may lie, as it often does, somewhere in between those who see Njála as a Christian masterpiece and those who see in it a subtle critique of the 'New Law'. After all, as we have seen so far, this is a saga whose primary concern is with stability and control, ójafnaðr and the dangerous feuds of the powerful as they attempt to subvert or maintain the system. Christianity opens new avenues of response to these feuds, and adds a new dimension that must be considered when carrying out vengeance, but it does not suddenly shift the narrative focus onto the divine. As Allen notes:

> With the establishment of Christianity the old values of pagan Iceland (as represented in the saga) are set within a frame of new values. They are not

\textsuperscript{530} Miller, \textit{Why is Your Axe Bloody}, 188.
necessarily superseded or contradicted. What was noble in the old code had much in common with what is noble in the new, but the consequences of noble or ignoble actions become weightier.\textsuperscript{531}

We shall see later the opportunities for new response in the struggles of Hallr of Siða to restore peace, and ultimately in Flosi and Kari’s dealing with each other, but the impact of Christianity on the existing values of Iceland is immediately felt. Allen’s ‘new weight’ is at once reflected in the sagaman’s decision to interrupt the Lýtingr episode with the change of faith. Having just witnessed this significant change, the reader is then immediately confronted in the next chapter with yet another new character, and a return to feud and violence. Ámundi, like his father, is illegitimate, and thus the law, Christian or pagan, has no response for his request for compensation. Ámundi’s prayer following the rejection, however, immediately moves the petition to a higher law: ‘...enda kann ek at segja þér, ef ek væra heileygr báðum augum, at hafa skylda ek annathvárt fyrir þóður minn féboetr eða mannhefnindir, enda skipti guð með okkr!’\textsuperscript{532}

Ámundi’s temporarily-restored sight is quite possibly the only persuasive case for divine intervention within the saga, and his response to it gives further weight to Allen’s assertion above.\textsuperscript{533} On the one hand, the audience is almost preempted to sympathise with the blind Ámundi when he strikes, in opposition to a Lýtingr who has already made a name for himself as an arrogant man and an unprovoked killer. On

\textsuperscript{531} Allen, \textit{Fire and Iron}, 117.
\textsuperscript{532} \textit{Njála}, 273. ‘...and yet I can say this to you, if I became healed in both eyes, I should have one of two things for my father, compensation or blood vengeance, and may God decide between us!’
\textsuperscript{533} Njáll’s unburnt body has also been seen as miraculous both within the saga and without, and this will be discussed detail below.
the other hand however, the apparent intervention of the divine immediately raises ethical questions. Finnur Jónsson was troubled enough by Ámundi’s triumphant hymn of praise as he buries his axe in Lýtingr’s skull that he called it blasphemous, and both Andrew Hamer and Theodore Andersson note the apparent moral dilemma posed by a supposedly-merciful Christian power restoring Ámundi’s sight so that he can immediately slay his enemy. Where Andersson questions the ethics of the Conversion in light of this *deus ex machina* however, Hamer takes a slightly different approach, and focuses instead on Ámundi’s choice. It must be remembered Ámundi’s response to Lýtingr’s refusal did not demand blood vengeance: the option for at least apparently peaceful resolution remained until Ámundi struck the blow. Ámundi’s assertion that he is aware of God’s reasoning for restoring his sight requires the reader to decide whether they believe Ámundi, as there is no divine validation and as Hamer notes, the divine intervention was not one act, but two: ‘[God] gives Ámundi his sight, and he takes it away again.’ Perhaps this removal was, as implied, a measure of divine displeasure at Ámundi’s actions, but more important than this possibility is the implication which comes with it that the vengeance-action ethos now brings with it an added weight. It is perhaps with this very concern in mind that Flosi will later remark of the choice to burn ‘er þat þó stór ábyrgð fyrr guði, er vér erum kristnir sjálfir.’

The impact of this change is immediately observed in the positioning of the Ámundi episode, but the actions that will lead to the burning are themselves secular.

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536 Hamer, ‘*Njáls saga* and its Christian Background,’ 129.
537 *Njála*, 328. ‘and that is yet a great responsibility before God, when we are Christian men ourselves.’
in origin. The instigators themselves, Mǫrðr and Valgarðr, immediately reframe the feud in its pre-Conversion origins by their reappearance, but they also serve to counteract any attempt to read Njáll’s enemies without ethical nuance. Aside from a single line detailing their initial resistance to Þangbrandr’s missionary efforts, neither has been active in the saga since the death of Gunnarr. Indeed, the mention of them here appears to be out of place within the narrative, and perhaps simply reflective of a desire to differentiate the two men from those named before and after them: Njáll and Hallr. In editing the text, Einar Ól. Sveinsson notes the line to be written as ‘en þeir Mǫrðr ok Valgarðr gingu mjók í móti trú’ in mss. M, Gr, and R, but as ‘en þeir Mǫrðr Valgarðsson gekk mest á móti’ in KtS, and suggests the scribe of KtS as correcting the text in light of Valgarðr’s depiction as an avowed pagan when he returns.\textsuperscript{538} Given Valgarðr’s departure from Iceland much earlier in the saga and his stated return here, it would be unlikely he was present for the coming of Christianity; certainly, he has been abroad since the creation of the fimmtardóm, here occurring before the Conversion. Further complicating matters, the sagaman will later move to portray Mǫrðr in contrast to his father as an apparently sincere convert, in conflict with his earlier reported resistance. Mǫrðr’s attempt to convert his father is, strangely for Mǫrðr, seemingly devoid of any selfish machination. Despite the majority of their interaction focusing on Mǫrðr’s goðorð, the son chooses to relate the new faith not to political legitimacy or necessity, but to Valgarðr’s waning life: ‘þat vilda ek, faðir, at þú tœkir við trú ... þú ert maðr gamall.’\textsuperscript{539} Whether this move and his resistance to Valgarðr’s counteroffer are truly reflective of a sincerity of faith is never explicitly

\textsuperscript{538} Ibid., 261, n. 2.
\textsuperscript{539} Ibid., 275. ‘I wish for this, father, that you take up the faith...you are an old man.’
confirmed or denied, but it is notable that in one of his few private moments in the saga, Mörðr refuses to abandon his principles.

Sveinsson saw in Mörðr a similarity to the other 'villains' of the saga, all of whom are 'branded with the same mark: they lack moral checks and restraints, and live according to the view that they have a right to do as they please.' In this he was largely correct, although we have seen that it is not merely his four villains (Mörðr, Þjóstólfr, Hrappr, and Skamkell) who fall into the trap of unrestrained action, or of conducting themselves with little regard for others in the pursuit of their own interests. However, where Sveinsson discounted the 'struggle for power' and saw Mörðr's motivated by an envy originally fixated on Gunnar, which later expands to include Njáll as a result of the latter's aid to Gunnar, it is perhaps more suitable to look towards the same source that has compelled much of the feuding to this point. The source of Mörðr's envy is here, as it always was, grounded in his own ambition, at odds with the ambitions of Njáll and Gunnar, and now Hóskuldr. When Valgarð moves to goad his son, the reader is first reminded from Mörðr's own mouth precisely why Hóskuldr and Njáll's friendship should chafe him:

Mörðr segir: 'Hér eru tekin upp ný goðorð ok fimmtardómssög, ok hafa menn sik sagt ór þingi frá mér ok í þing með Hóskuldi.' Valgarðr mælti: 'Illa hefi þú launat mér goðorðit, er ek fekk þér í hendr, at fara svá ómannliga með.'

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540 Sveinsson, Njáls saga: A Literary Masterpiece, 100.
541 Ibid., 104-5.
542 Njála, 274-5. 'Mörðr said, "Here are now taken up new goðorð and the fifth court, and men have declared themselves out of þing from me and in þing with Hóskuldr." Valgarðr declared: "I'll have you repaid me for the goðorð, which I placed in your hands, to fare so unmanly with it."'
Mǫrðr's chieftaincy is in decline thanks to the ascendant Hǫskuldr, a decline that manifests itself even physically in Valgarðr's report of their broken booths set opposite the site of new construction. However, while this may represent the lowest ebb of Mǫrðr's power, it is not the first time Njáll and his compatriots have hemmed in the chieftain's ambitions. As was noted earlier, the very existence of Njáll and Gunnarr's faction has from its beginning created a difficult space for local goðar to navigate. The two households apparently operated independently of the existing political structures, to the point where the audience never knows with whom they are 'in þing', yet they also occupy a position implicitly challenging those chieftains by rivalling them in terms of social importance. Men had traditionally gone to Njáll and/or Gunnarr for support, neither of whom were subject to the same obligations and outlays of being an actual goði. Over time, this problem grew to affect even non-local leaders as the two men became too great to be contained within the compromise-oriented system.

With Gunnarr gone, Mǫrðr and the other chieftains must have expected their troubles to be at an end, even more so when the Njálssons and Sigfússons embroil themselves in rivalry. Now, however, Njáll has single-handedly managed to upset not just the local, but the national system once again with the creation of the fimmtardóm. The installation of a new goði in the area, and one who is openly loyal to Njáll, has all the appearance of making that former implicit challenge an open and explicit one. As discussed earlier, the goðar felt the economic stress of Icelandic life no less than their followers; the strain on one's resources due to the obligations of the office (most notably surrounding the costs of þing journeys) and requirements of the lifestyle (such as gift-giving and ostentatious shows of hospitality) was undoubtedly
severe. The success of an individual goði was normally tied to his followers, whose allegiance had to be maintained lest they support a rival. For Mørðr at least, losing both followers and status to this newcomer is not merely a possibility, it is rapidly becoming a reality. Maintaining his goðorð in the face of competition from two other goðar and Bergþórshvoll was already taxing: if the new Hǫskuldr is unchallenged, Mørðr’s future is in doubt.

This is not to say the sagaman is mounting a defence of Mørðr, or trying to create sympathy for him: far from it. The complex political structure of his world and his concern with existing power structures is such that none of the major factions within Njálæ can be considered wholly innocent or wholly victims. In an ideal world, a man like Mørðr with a reputation for unfairness or unpopularity would, by the structure of the system itself, have to adapt or die: to continue to behave badly is to risk losing his followers, as indeed begins to occur. Realistically however, the ‘right’ of transferring allegiance was anything but common or accessible to those it was meant to serve, and goðar tended to be able to maintain their power through fair means or foul. Mørðr exemplifies this reality, tenacious in his machinations to survive as a goði, like his father before him. Like Njáll or Gunnarr or so many chieftains and ‘big men’ across the islendingasögur he is unwilling to play second fiddle or to brook what he sees as an open threat to his position. The demands of honour have not changed either, and where Mørðr differs from Njáll is in the particular honour cost of losing a goðorð. For Mørðr, the old problem plays out once again: to shore up his position he will take drastic action, taking the life of a rival, a good man within anyone’s

543 Byock, Medieval Iceland 77-102. See also ch. 1, n. 54 of this study for further discussion.
understanding, largely to set in motion the deaths of other men who are even more of a threat to him, and crippling his enemies by whatever means necessary.

Mǫrðr is disadvantaged by his rival's position: at least legally, he has no tenable complaint against Hǫskuldr or his allies. To circumvent this, he must manoeuvre all his enemies into providing the means of their own destruction. Mǫrðr, however, cannot rely like Njáll did on his enemies damning themselves of their own initiative: he must take an active role. Hǫskuldr is almost immediately out of the question, too loyal to Njáll and too wary of Mǫrðr's reputation to even consider the slanderous words. How is it, then, that the Njállsons let themselves be taken in? They have experience dealing with Mǫrðr; they know his reputation, and his propensity for slander is infamous. Indeed, when Mǫrðr first visits Bergþórsvald it seems Skarpheðinn is quick to sniff out some ulterior motive: in response to Mǫrðr's flattering words and wishes, the narrator reports that 'Skarpheðinn tók þvi òllu vel, en kvað hann þó þess ekki leitat hafa fyrri.'

Nor is there any indication the Njállsons are overly gullible or short-sighted, to the degree that simple flattery will cloud their previous experience. Far from it: Skarpheðinn's ability to read a crowd or discern intent is usually as well-tuned as his father's. Mǫrðr's words are so successful because they play on a growing distrust between Njáll and his sons, magnified by what Parkes sees as an 'uneasiness about foster-kinship' within the sagas. Specifically, within the family sagas the possibility of friction arising between the natural-born children of foster-fathers and the children being fostered is a constant reality. This remains true even when, as in the case of

545 Njála, 275-6. 'Skarpheðinn took all of this well, but said [Mǫrðr] had yet not looked for this before.' 546 Peter Parkes, 'Fosterage, Kinship, and Legend: When Milk was Thicker than Blood?' Comparative Studies in Society and History 46, no. 3 (2004): 603.
Kjartan and Bolli of Laxdæla, the relationship between foster-brothers begins positively. Indeed, Skarpheðinn and his brothers are initially implied to be fond of Hóskuldr when first he moves away: they are said to often visit each other and travel together. The seeds of distrust, however, are sown long before Móður's slander, arguably originating following the failed killing of Lýtingr.

Njáll and his sons may not have damned themselves à la Þráinn, but their familial disunity presents Móður with the opportunity he needs. The narrative effect of closing chapter 99 with a moment of unresolved tension between father and sons, and then deferring that tension over the course of the Conversion and subsequent chapters serves to amplify the growing rift within Njáll's closest kingroup. The reader has been presented with a Njáll who will overextend himself to assist Hóskuldr, giving him the opportunities and independence never granted to his own sons, and even, in the eyes of those sons, to sacrifice his own Hóskuldr. For Skarpheðinn himself the situation must be especially difficult to navigate, bearing as he does the responsibility for killing both Sigmund Lambason and, more importantly, Hóskuldr's father. A younger Hóskuldr may have once said the matter to have been closed by settlement, but Skarpheðinn knows better; he has seen, as the reader has seen, that compensation rarely brings a permanent peace. Even if Hóskuldr himself has no intention of taking up the feud, he has already shown himself obligated to defend those like Lýtingr who do, and Njáll has shown himself willing to side with his protégé. To Skarpheðinn then, the weight of Njáll's famous 'prediction' to Gunnarr becomes increasingly heavy: he has already killed twice in the same family, and has been pushed to strike near to it again in response to Hóskuldr Njálsson's death.
The killing of Þóskuldr Þráinsson is a long time coming, a crucial, unjustifiable act that encapsulates the ultimately self-destructive nature of the ójàfnaðarmaðr. While Mórrðr may have finally given the Njálssons the excuse they needed to act, the sin is not entirely his, although the situation is exacerbated by his jealous nature. To return to the central charge against our protagonists, this is the outgrowth of an ambition that began with Gunnarr and Njáll, and grew quickly out of control. Again, we have seen over the course of the saga that Njáll has done everything in his power to create a parallel power structure of sorts for himself and his allies, a network of influence that gives him primacy within his area and a means to advance his family’s power while not being bound by the strictures, obligations, and rivalries of the godar class. According to Gaskins, Njáll has sought to maintain this independence against would-be challengers by a mixture of legal manipulation and the creation of a complex web of alliances, a ‘bold strategy intended to disrupt and confound prevailing family loyalties’547. Such manoeuvring however does not come without cost: time and again it demands sacrifice in the name of Njáll’s plan. Sons are kept at home, even after marriage; they are expected to follow their father’s decisions even when it is to their detriment, and even when it means a brother’s vengeance is deferred to keep things tidy with their father’s favourite foster-child. Eventually, the pressure from within becomes too much, and the control Njáll has been exerting over his sons breaks down.

Þóskuldr pays the immediate price, but the long-term damage will consume both Njáll’s family and, eventually, the entirety of the Commonwealth. If killing twice in the same family ensures that one will not die peacefully of old age, Þóskuldr’s killing made Bergþórshvoll’s end inevitable. Relations between the Njálssons and the

547 Gaskins, ‘Network Dynamics in Saga and Society,’ 201.
Sigfússons have deteriorated to such a point now that the reader must struggle to remember how many of the latter have been slain by the former. From such a promising beginning, it is now Njáll and his group that pose the single biggest threat to the continued life of Icelandic social systems, and avoiding the charge of ójafnaðr is all but impossible in slaying so promising and good-willed a figure as Hóskuldr. In a sense, Njáll’s strategy has begun to turn against him, disrupting his own family loyalties while thrusting unity on his enemies. As Miller is quick to point out, as far as the turning of the Njálssons against Hóskuldr is concerned, the origin of the fault lies within, rather than without, immediately following the settlement for their brother: ‘this breach between father and sons, by the way, occurs without mention of Mord, for he had absolutely nothing to do with it.’

At the same time, that formerly-prudent move to invest Hóskuldr with a goðorð turns dramatically into a disadvantage by bringing Flosi into the equation. Flosi is a man of power and means, no simple Sigfússon who can be moved around or dealt with summarily, but who can unite all those with grievances (a group which has, if anything, grown) when it comes time to bring the matter to law.

One final word must be said of Mórðr’s role in the events leading up to this moment of no return. Thus far, all of the sagaman’s major characters have been much more than simple stereotypes or pastiches; their actions and fates are significant and full of their own character. For this to be true in reference to Mórðr however is to create another ‘troubling’ passage when it comes to assigning guilt for Hóskuldr’s slaying. It ought to be deeply unsatisfying for the audience that Njáll and his sons should be set up for a shocking death, while Mórðr apparently pirouettes out of

548 Miller, Why is Your Axe Bloody, 177.
danger. Karma and the expectations of fiction almost demand Mórðr be punished, but he not only escapes, he is shifted to the pro-Bergþórshvoll side following the burning and helps to prosecute the killers. To keep Mórðr alive in this way is perhaps one of the masterstrokes of the saga: it may offend the reader’s sense of what is ‘right’ and ‘just’, but in doing so it exposes what is truly being interrogated in this narrative. The burning of Njáll is not about the killing of one good old man, but about that same old idea of stability, and the exercise of power or influence with jafnaðr on a much grander scale. Mórðr’s actions may be unpopular, but to the assembled powers of Iceland, Njáll is threatening something much more unsettling:

While probably portrayed as more inept than he really is, Mord keeps his ambitions within conventional limits. His ambitions are quite predictable. He just wants to be a leading cheiftain in his district. The Bergthorsknoll crew is another matter. They are to be reckoned with ... Because they are a family who have been on the rise, and they still seem to have ambitions to keep rising, no one can be quite sure of the limits of their ambitions.\(^{549}\)

Njáll and his family now occupy the same space as Gunnarr did earlier in the narrative, the targets not only of envy or ire, but of uncertainty and deep social concern. With Gunnarr at least, the opposing chieftains knew the sort of man they were dealing with; Njáll and Skarpheðinn pose a bigger problem.

One man was able to fundamentally restructure the nation to better suit his ambitions, exercising precisely the sort of influence that the Commonwealth had been

\(^{549}\) Ibid., 196.
created to avoid. While it would be an exaggeration to say the anti-Njáll party fears him becoming an autocrat, his power has certainly made him something of a problem for the goðar class. Even prominent leaders are now reticent to come to his aid for fear of what taking sides will entail or where Njáll’s machinations will lead them. Of all the famous names visited by the Njálssons for support, only Guðmundr inn ríki will offer aid, and even then it is only due to a change of heart after Skarphéðinn witheringly damns his rival Þorkell hákr. It is only when the legal case falls apart (itself a result of the legal manoeuvring the reader has come to expect from Njáll and his protégés) that these men will involve themselves directly, but this is clearly more an attempt to forestall further chaos than it is a desire to help Njáll. No less famous a person than Snorri goði himself will make this apparent in his haste to have the matter settled. It is his words that open the chapter, open the settlement, and immediately close the debate: ‘nú eru vér hér tólf dómendr, er málum þessum er til skotit. Vik ek biðja yðr alla, at vér hafim enga trega í málum þessum, svá at þeir megi eigi vel sáttir verða.’

The doomed settlement for the slaying of Hóskuldr could be considered an abortive attempt at damage control, and yet it does not truly belong above with Njáll’s other attempts at maintaining his status quo. It is instead, like the later burning and the events surrounding the battle at the Alþing, characterised by ‘troubling’ scenes that seem almost to imply self-sabotage, and which highlight the now broken nature of the tripartite system of feud-response upon which Njála turns. Chief among these is the incident of the infamous cloak, an insulting gift given by Njáll when resolution

550 Njála, 311. ‘Now are we twelve judges here, to whom these suits have been given. I wish to ask you all, that we raise no difficulties in these suits, such that they may not become well settled.’
551 Jesch, ‘Good Men and Peace,’ 65, 68.
appears at hand and which ultimately dooms any mediation. It remains perhaps one of the most elusive questions in studies of the saga: why does Njáll, lawyer and manipulator par excellence, so misjudge the moment? Njáll is no fool when it comes to law and arbitration or to judging character, and neither is the sagaman: the missteps of his lawyers are never a result of legal ignorance, but rather of the impossibility of their situations. For the man whose social awareness is second to none in his saga, Njáll's refusal to explain or retract the insulting gift cannot be unintentional. Njáll can do easily what the reader can only do indirectly, he is able to observe the atmosphere in the room, to gauge Flosi and to see that the question and the laugh are anything but friendly: as soon as Flosi picked up that cloak, Njáll must have known the settlement beyond salvation.

The collapse of the settlement returns the reader to the central problem that has fixated the sagaman: the need for an effective systemic response to feud, and the effects of the chaos engendered by unbalanced exertion of power. The Bergþórshvoll group have backed themselves into a corner, but they remain a potent force: to escape judgement now would open the door for further trouble later. And yet, for a brief moment in narrative time, it seems that not only will they walk away settled for the most indefensible killing in the saga, they will also do so bloodlessly. Of course, it will not be so easy, for Njáll or for the sagaman's audience. The reader knows objectively that the settlement must fail, because the narrative demands a fire at Bergþórshvoll and the slaying of Njáll and his family. To this, the sagaman adds another requirement: the settlement must fail because his saga can only end 'when vengeance
has been stretched to its fullest extent’.\textsuperscript{552} It will only be after such a moment, when all traditional responses have been tried and failed, that men will turn to new ways to restore the balance and in doing so lay the groundwork for a lasting peace. At this point within the narrative however, any such attempt will ultimately be impossible.

Both sides here obviously desired peace in the abstract, as seen in their willingness to turn the case over to arbitration, but when it came time to affirm that publicly, Flosi was unwilling, or rather unable, to pull the trigger. To Jesch, the cloak was significant in this in that it reminded Flosi of Hóskuldr’s own bloody cloak, a gift from Flosi that was returned dramatically by Hildigunnr.\textsuperscript{553} To this I would add the honour demand placed on Flosi is made explicit not only by the rest of the settlement, but by the very physical presence of Skarpheðinn standing opposite him. It is Skarpheðinn, not Njáll, who takes the leading role in his party: ‘Skarpheðinn gekk á meðalpallinn ok stóð þar.’\textsuperscript{554} As Flosi advances to accept the amount, Skarpheðinn is implied by the narrator to be very much front and centre; so too must he have been in Flosi’s mind. The sagaman is once again showing off in refusing to allow his narrator or Flosi to make the latter’s thoughts plain, forcing the reader to look back with Flosi over the course of what has led him here. What he sees before him finally convinces Flosi, and apparently Njáll as he watches, that the peace both sides wanted is no longer possible.

The settlement itself has been commented on both within the text and without for its size, more than any man had ever been valued at. And yet, as Miller notes, it is still lacking in real effect: firstly because Njáll and his sons are only required to pay a

\textsuperscript{552} Ibid., 65.
\textsuperscript{553} Ibid., 72–3.
\textsuperscript{554} Njála, 313. ‘Skarpheðinn went to the middle bench and stood there.’
third of it, and secondly – and perhaps more importantly to Flosi – because it does
nothing to remove the threat of further violence.\textsuperscript{555} When Gunnarr settled his final
time, the prevailing wisdom was to include an outlawry sentence, to remove the
possibility that one side might break the truce. No such stipulation is added here:
Skarphéðinn is plainly not going anywhere, as his central presence underlines. To see
Skarphéðinn before him must have intensified the sting of that cloak as well, coming
with the implication that Flosi will accept money for his Hóskuldr from a man who
would only accept blood for his Hóskuldr.

It is clear the sagaman intended to make Flosi a sympathetic figure, a noble
man in a difficult position, hesitant to shed blood if it can be avoided. Yet, he is also
burdened with the weightiest and most horrific act of the saga, ordering the burning-
in. In the burning itself then, we are primarily concerned here with the portrayals of a
few principal characters – Flosi, Njáll, Skarphéðinn, and Kári – in this final stand, and
the impact they will have on the ultimate breaking and reforging of the Icelandic
system of order. Although hardly the only important characters, these four perhaps
speak most to the issue we have been examining here: the sagaman’s approach to the
effects of ójafnaðr on wider society, and the threat to that society posed by continued
escalation. To this point, the sagaman has only hinted at solutions, all the while
steadily increasing narrative tension as he presses his society to the breaking point.
How this act of vengeance is carried out will inform the remainder of the text. Once
Njáll is burnt, the requirements of the reader’s understanding of the overall narrative
are almost complete: the informing social context tells the reader only that Njáll is
burned, and that the following session of the Alþing is marked by a kind of strife never

\textsuperscript{555} Miller, \textit{Why is Your Axe Bloody}, 215-6.
before seen. Everything that follows this is effectively uncharted territory. It is therefore an intensely psychological moment, in which every utterance, action, and grin becomes noteworthy, and every decision is directed to the end of the feud. The burning is the final moment of no return, an indefensible crime to repay an indefensible crime, but it is also the fulcrum upon which the restoration of civil society swings. Flosi’s choice is a hateful but ultimately unavoidable act that will at last firmly reject the notion that the feuds of the powerful can ever be truly isolated when it casts the question back onto the polity at the later trial and battle.

Flosi and his party can no more turn away than could Gizurr, Geirr, and their followers: as Flosi himself notes, to turn one’s back on Skarpheðinn and Njáll is as good as accepting death, however long it may be in coming. That the central role in the burning falls to Flosi, a man who is elsewhere restrained and kindly, and one who will not die by human violence, cannot be anything but intentional. It is a scene designed to cause discomfort in the reader, to force the question of what it is that provokes good men to do the indefensible. Flosi’s choice to burn is not being excused – if it were, he would not have to endure punishment in Iceland and penance in Rome. Flosi himself appears to be aware of this when he speaks of the ‘great responsibility before God’ that such a deed invokes now. That it does not stop him from burning has raised questions as to the limits of his ‘Christianity’, but such a view is perhaps mistaken in its target. As was shown in the Conversion, the coming of the new religion did not considerably change feud, which has always been secular in nature and concerned with balancing inequitable behaviour. Flosi’s remarks here reflect a conscious understanding of the consequences of his behaviour, but it does not change the impossibility of not killing the Njálssons by any means necessary. There is no
clear-cut solution anymore, when the aforementioned unbalancing has become so drastic, and as Flosi himself will note once the ashes settle, 'bæði munu men þetta kalla stórvirki ok illvirki.'\textsuperscript{556} This understanding does however, appear to moderate Flosi’s behaviour somewhat. Although his next words affirm his conviction that a settlement is impossible if the Njálssons survive, he begins to exclude targets, first women, children, and servants, and then Njáll and Bergþóra. Though the perpetrator of an evil deed, Flosi is not himself motivated by evil, just as Njáll and Gunnarr were not motivated by it even when their actions threatened the stability of the district and Commonwealth.

In spite of this seemingly-merciful act, Njáll chooses death, but even in doing so he consciously moves to reshape that Commonwealth one final time. The decision to go inside and remain there was not a failure of some second sight, but a realisation of the wider impossibility of maintaining this position. The feud cycle is balanced around compromise and sacrifice, and compromise is no longer possible. Regardless of whether the Njálssons prevail today, the slaying of Hóskuldr finally tipped the scales too far in one direction: the feud will only end once one or both sides have been exterminated. This includes Njáll whether he and Flosi wish to admit it or not (and indeed, Flosi does not, explicitly removing Njáll from the list of those with whom he will not settle). At present, the means does not exist to ensure a lasting peace in a conflict of this size: were Njáll to leave, the demands of the feud would be on him to avenge his sons even though he is old and never a fighter. Since the failed settlement, Njáll has realised, like Gunnar did, the inevitability of his death and prepared accordingly. However, where Gunnarr attempted (futilely, as it transpired) to limit

\textsuperscript{556} Njála, 334. ‘Men will call this both a great deed and an evil deed.’
the effects of his death and make certain it will be in a manner which will reiterate his
heroic status, Njáll brings to bear his skill at manipulation one last time to force the
issue back to the Alþing. Njáll's unburnt body is no true miracle, as the oxhide
blanket, the careful selection of a witness, and Þórðr's exposed, burnt fingers serve to
suggest. It does, however, have all the appearance of one, certainly enough of one to
provoke visceral reactions from believers on both sides of the argument. Njáll
effectively recasts himself as a martyr to dictate the conversation whenever his case is
discussed by the supporters he knows will be rallied by the likes of Þórhalla. In doing
so, the man who once deadlocked a country to suit his ambitions will do so again, and
although the consequences are potentially disastrous, it will only be in that final
moment of ultimate fracture that the potential for a new response will be found.
Everything will now depend on the existence of göðgjarnirmenn capable of sacrificing
enough to balance the intolerable weight of ójafnaðr.

Njáll is not the only one inside looking to the future and Bergþórhvoll's role in
creating it, either. Once his father has apparently died, Skarpheðinn does a bit of
'prognostication' himself in deciding who will escape the flames. After a brief debate
over who will leap first, Skarpheðinn forces the issue – he will remain behind. In their
final words to each other, both Kári and Skarpheðinn seem aware of their own
respective limitations, Kári acknowledging the greater fortitude of his kinsman, and
Skarpheðinn the necessity of his own death:

557 See Miller, *Why is Your Axe Bloody*, 231-4. Miller provides a more detailed discussion on the
unburnt bodies and the comparison to Hóskuldr’s martyrdom.
Kári mælti: 'Þat er hverjum manni boðit at leita sér lífs, ok skal ek svá gera. En þó mun nú sá skilnaðr með okkr verða, at vit munum aldri sjásk síðan; ef ek hleyp út ór eldinum, þá mun ek eigi hafa skap til at hlaupa inn aprt til þín í eldinn, ok mun þá sín leið fara hvárr okkarr.' Skarpheðinn máltilt: 'Þat hlœgir mik, ef þú kemsk á braut, mágr, at þú munt hefna vár.'

Kári's admission here is a potent one, the kind of behaviour that may at first be called unsageworthy. And yet, it is not quite the cowardice one might suspect at first, but rather a self-awareness foreshadowing his later role as both avenger and peacemaker. He is not abandoning the fight in this moment, or Skarpheðinn would not be so confident in sending him out; instead, he is expressing a refusal to commit the sort of self-destructive behaviour that honour and feud would demand of another man less 'comfortable in his skill'. Skarpheðinn here is that other, cast opposite Kári in this moment by the unfinished assertion in Kári's speech, the implication that Skarpheðinn does nothing to deny, that he himself would in fact leap back into the fire and to his death.

The question of who, if anyone, must be left to avenge has clearly been on Skarpheðinn's mind from the beginning of the attack. It was Skarpheðinn who protested moving indoors, who knew that to do so would be death. He accepted this death sentence with his usual wryness, but his words to Kári imply plans of his own. From the outset, Kári is set off from the rest of the victims: although Skarpheðinn

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558 *Njála*, 332. 'Kári said: "Every man is obliged to save his own life, and so I shall do it. But now the parting between us will mean that we two will never see each other again; if I leap out of the fire, then will I not have the courage to leap in to you in the fire again, and then each of us will have to go our own ways." Skarpheðinn declared: "It cheers me, kinsman, (to know) that you will avenge us, if you escape."'
exhorts him to stay close so that no one is separated, the Njálsson leader immediately follows this by an act of verbal separation: 'hefn þú vár ... en vér skulum þín, ef vёр lifum eptir'. By itself, such a separation might be excused as the result of a private conversation between the two men, but a scant few lines later, Skarpheðinn's grinning response to Kári's praise adds another layer of meaning to his word choice.

Skarpheðinn is a man who chooses his words for maximum effect, and so he does again when to Kári's assertion that 'þú ert vár frœknast', the reader hears "'eigi veit ek þat," segir Skarpheðinn; só at hann brá við grønum ok glotti við.' It would be shockingly out of character for the confident Skarpheðinn to show false modesty in the face of a compliment, especially when it comes to arms where he is without peer. Skarpheðinn's 'out' comes in the word central to this praise, frœknast. In Kári's intended sense of 'most brave' or 'most valiant', Skarpheðinn certainly applies, but Skarpheðinn has already suggested what he suspects the future will hold. If he is right, the task of avenging his family properly will be a long and arduous one; it will demand a new kind of frœkn, something wholly different from simple courage in the face of death. The question for Skarpheðinn now is, what will that be, and who will be best suited to it?

To return to the final moment of decision, the son must have surely been listening when the father refused to leave, as his insistence on Kári leaving first suggests. The two men clearly have no illusions that the beam will hold a man's weight twice, or that there will be another opportunity, and when the time comes to

559 Ibid., 327. 'You avenge us... And we shall avenge you, if we live after.'
560 Ibid. "'You are the most valiant/brave of us"...I don't know about that," said Skarpheðinn; and he drew up his lips and grinned.' Einar Ól. Sveinsson, on the só, illustrates in n. 5 that it endures as só, at hann in Gr, as só ek at hann in M and K, and is changed to ok in R. The wording in Gr, M, and K would suggest a tone of personal report, adding further emphasis to an already significant grin.

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make a decision, Skarpheðinn must make an admission of his own: of the two of them, only Kári represents an opportunity to end the feud. If Skarpheðinn goes now, he will be compelled to pursue it to his own destruction, having killed too many Sigfússons, and lost so many of his own family in return. For the good of everyone, it must be Kári.

**Repentance and Salvation**

Before Kári can ever countenance peacemaking however, the opportunity to see an end to the feud must first be dramatically created through death and sacrifice. Having hinted since the beginning of this arc that a new approach to conflict resolution is necessary, the sagaman now manoeuvres his actors and audience to discover that approach by presenting them with an unprecedented problem. The outgrowth of earlier ambitions is a feud so massive and all-consuming that it will very literally threaten to destroy the *lög* in one pitched battle at the *lögberg*. Unique in its scale, setting, and damage, the violence resulting from Njáll's burning pulls in powerful chieftains from every quarter of Iceland, carrying with it subtle pre-echoes of the Commonwealth's death struggles in the civil war waged by the mighty. Miller sees the climactic battle in *Njála* as a result of a *lög* weakened by external forces, notably the earlier conversion to Christianity, but perhaps the problem was born with the Commonwealth itself. In order for the Conversion to cause this decline, it would necessarily require a weakness to exploit either within the law itself, or else a polity changed substantially enough by the Conversion as to account for their sudden

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disregard for the log – both the law itself, and the community that exemplifies that law. In contrast, I propose the basis for this catastrophic battle was laid, as we have seen, long before the Conversion, to Gunnarr’s career. Some of the players may have changed, or else changed sides, but the chain of causality can be traced back to those first feuds. The laws and dictates of honour remain the same, and thus far so do all men’s responses. It is the ability of those responses to effectively stop the impetus for violence that is now being called into question: the feud itself has become too large to simply forestall. Settlements are marked by compromise and sacrifice, both of which were features of the Conversion decision, but how does one engineer a compromise between two sides who cannot survive compromise, and how does one atone for two indefensible crimes?

Of course, Miller is correct in writing that the saga is not, as some might see it, an indictment of the law per se, a law which, for most of the saga, has admirably brought parties to arbitration and restrained outbreaks of violence, and which, masterfully applied, prevented a schism during the Conversion. The law fails in this instance, as he notes

...not because the problem is one with the law, or because the law is corrupt, or because the law is stupid, but because the problem is political and institutional (or more precisely the absence of institutions) more than it is legal.562

To this, I would add that the problem lies with the people employing and living the law: it surely does not help that some among the most knowledgeable legal minds are

562 Ibid., 264.
by this time not only accepting violence as a forgone conclusion, but subtly communicating their desire for it. Where traditionally the audience might expect to see the performance of a violent element in one or both parties being tempered by a restraining element, this feature is almost entirely absent, with the notable exception of Hallr of Síða and (arguably) Snorri goði. All other arbitrators and lawyers are engaged in a performance that has as its goal a battle to end all battles, whether it restores peace or not. Having already seen the case sent to adjudication rather than arbitration, the resultant tit for tat exchange is calculated by the legal architects on both sides to maximise goading and embarassment, eagerly pushing for the inevitable breakdown.

Is the audience to believe, for example, a prosecution led by Þórhallr Ásgrimsson would normally make as many errors as it does, or give the burners as many chances to respond as they do? Þórhallr was not only trained by Njáll himself, he has been twice referred to as the third greatest lawyer in the land.\textsuperscript{563} No less notable an authority than Skapti himself further comments on the completeness of Þórhallr's legal understanding during the proceedings, even expressing surprise: 'En þó ætlaða ek, at ek einn munda nú kunna þessa lagaréttning, nú er Njáll er dauðr, því at hann einn vissa ek kunna.'\textsuperscript{564} On the opposite side, the burners are led in defence by Eyjólfr Bølverksson, a lawyer of similar skill. Eyjólfr is clearly set up to be Þórhallr's mirror, and is even given the same social standing as the third greatest lawyer.\textsuperscript{565} Yet, neither of these parties appear to be motivated by the best interests of the community or the

\textsuperscript{563} Njála, 279, 359. Both descriptions, in chs. 109 and 135, use the phrase 'inn þriði mestr lögmaðr á Íslandi'.
\textsuperscript{564} Ibid., 389-90. 'And yet I thought, that I alone would have now known this law, now that Njáll is dead, because he was the only one I knew to know it.'
\textsuperscript{565} Ibid., 363. The phrase used here is the same as that above for Þórhallr.
thought of peace: Eyjólfr and the larger portion of Flosi's supporters are convinced by the promise of payment, Þórhallr and the other prosecutors by wrath and the promise of blood vengeance.

That conflict is a foregone conclusion is apparent even before the opening arguments: a substantial portion of the usual support-musterung process appears to be focused on battle preparations. Notably, the sagaman places his prediction of violence in the mouth of Snorri, a choice which not only gives it the weight of that famous ancestor of the Sturlungs, but further adds a note of force to the gravity of the situation. In his last appearance, Snorri stood apart as the only chieftain or 'big man' who remained unmoved by Skarpheðinn's goading words; now, he brings that same careful outlook to bear once more. With his trademark caution, Snorri excludes himself from the legal proceedings after making it clear what he expects: 'Er þat líkast, at þér söktið med kappi, enda munu þeir svá verja; ok munu hvárigir gera ǫðrum rétt. Munuð þér þá eigi þolal þeim ok ràða á þá, ok er þá só einn til....'66 As such, Snorri informs both his allies and the reader that, while the legal opening act is being performed, he will be in the wings, preparing for the real show.

Visiting chieftains for support, then, is little more than a way for both sides to take the measure of who they will be able to rely on when the fighting begins, not if. By this point, it is mostly a formality: there are no neutral parties anymore. Even distant chieftains have over the course of the saga slowly but steadily gravitated either to Njálir's (former) side thanks to his careful planning and conduct, or reactively shifted away. The continual increase in size of Gaskins's aforementioned networks of

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566 Ibid., 372. 'This is most likely: that you will strive with boldness, but they will defend themselves (also) so; and neither of you will give the others right. You will then not endure them and will fall on them, and that will then be the only way (for it)....'
loyalties, both 'weak' and 'strong', as the narrative has progressed presents the audience with a situation that is at once novel within the *islendingasögur*, and at the same time all too familiar in reference to the later *stórgoðar* networks. By the time of the abortive settlement with Flosi’s party, the lifetime of manoeuvring between Njáll and his enemies had managed to effectively concentrate power into two (three, if the repeated intervention of peacemakers, both here and at the later battle are taken as their own group) distinct camps. This arrangement differs from the usual feud grouping by nature of its sheer size: now, at the battle at the Alþing, the scene painted by the sagaman is one of national, rather than local, feud. The wide-ranging cast of characters are, before Eyjólfr and Þórhallr (through his proxies Móðr and Ásgrímr) ever match wits, reduced in a single moment to two opposing wholes. Rather than loose affiliations of chieftain-networks, the depiction is of two armies, preparing for war: ‘Bjoggu þeir þá sik til hváritveggiu ok vápnudúsok; þeir hófdu þá ok hváritveggiu gørt herkuml á hjálmum sínum.’

So completely overwhelming is the gravitational pull of loyalty and enmity that no one is spared; even the lawspeaker, the embodiment of the symbolic *lög*, is drawn in and wounded, despite his best efforts to avoid involvement, and the resultant melee takes place with principals directing followers as commanders would troops.

Snorri predicted (correctly, as it transpired) the law would not work here because neither side was willing or able to settle. It is only thanks to Snorri’s foresight, and the intervention of Skapti and Hallr of Siða with him, that complete destruction is staved off when the three take advantage of exhaustion on both sides to interpose

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567 Ibid., 378. ‘Each of the two sides then prepared themselves and armed themselves; both sides had then also made war-tokens on their helms.’
themselves and their men between the combatants. Yet, the truce they force is brief in scope, being limited to the end of the Alþing meeting; just enough time to bury the dead and bind wounds: ’váru þá sett grið fyrst um þingit. Var þá búit um lík ok færð til kirkju, en bundin sár þeira manna, er sárir váru.’ Likewise, the first attempts at mediation fall on deaf ears: although Hallr’s opening speech has the approval of the narrator with its ’morgum fógrum orðum’, it is immediately followed by Kári’s own announcement that he will never settle. Tensions are still high, as expected, and insults are jeers are exchanged. Even Snorri, who had made his support in the fighting contingent on Kári and Ásgrímr’s agreement to let him intervene and set the terms of settlement when he judged the killing to have gone far enough, cannot help but be drawn in and offer a verse of his own.

Hallr is at this moment struggling to be heard over the laughter of the assembled as they taunt each other, and with him, the entire feud system. All of the usual methods for controlling violence have been tried and failed at this point, and it is tempting to see in this the sagaman indicting a failed system and suggesting the futility of peacemaking and arbitration in the face of violence and ójafnaðr. Yet, as Jesch notes, so pessimistic a reading of Njála is not in keeping with the undercurrent of responsibility and sacrifice that has been steadily been growing even as the violence escalated:

The long and interrelated conflicts of the saga are not an essay in how to achieve peace through war. It is true that the saga does offer a rather negative

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568 Ibid., 408. ‘Then there was a truce declared for the duration of the þing. The bodies were then prepared and brought to the church, and the wounds of the men who were injured were bound.’
569 Ibid. ‘many fair words...’
analysis: the emphasis is entirely on how not to arrive at a peaceful solution. But within this negative paradigm a more positive programme can be perceived, a programme for peace.\textsuperscript{570}

If we have a new problem, we need a new answer; if the system has been drastically unbalanced, it needs a drastic rebalancing. Hallr of Síða is the sagaman’s choice to illustrate this as he offers up his own slain son to form the foundation of the peacemaking in a move that Ordower calls ‘unprecedented in the world of the family saga where honour is so important’.\textsuperscript{571} Over the course of the saga, Hallr has been a constant reminder of the importance of peacemakers, a voice calling for the intervention of ‘good men’; as such, it only fitting that he set the tone now.\textsuperscript{572} Further, Hallr’s reputation outside of the saga positions him as an indisputable exemplar of moral responsibility to which the text can refer. As the Conversion-era Christian lawspeaker who handed over his position to Þorgeirr to press the compromise, Hallr represents a blend of the old and the new, a man dedicated to maintaining the *lóg* and open to mercy and self-sacrifice. Like Ámundi or Flosi, Hallr’s decision is still oriented within the feud-arbitration mode of the rest of the saga, but perhaps more than any other Christian within the saga (with the possible exception of Hôskuldr), Hallr of Síða recognises and capitalises on the political potential (and shock value) of absolute forgiveness.

Doubtless, it is a political move, and one only he can make. Hallr has greater distance from the feud than Flosi, Njáll, and Skarpheðinn, for example. Likewise,

\textsuperscript{570} Jesch, ‘Good Men and Peace,’ 74.
\textsuperscript{571} Ordower, ‘Law and Litigation,’ 53.
\textsuperscript{572} See Jesch, ‘Good Men and Peace,’ 75-7. Jesch not only considers Hallr’s specific role, but also his relationship to the concept of *góðir menn* within the saga.
being a wealthy man, it will be easier for him to absorb the loss of compensation he is about to incur. Yet, before we allow ourselves to minimise the death of Ljótr Hallsson, we must remember the importance given him by the sagaman. There is no record of Ljótr in any other source aside from *Porsteins saga Síðu-Hallssonar*, and this brief saga would appear to be informed either by the same source as *Njála*, or by *Njála* itself in part.\(^{573}\) Nor does he appear in *Landnámabók*, where Hallr's family is delineated. It is possible Ljótr Hallsson is an invention of the sagaman, created to die so that Hallr may sacrifice him, but the sacrifice will hardly be an easy one. Within the narrative, Ljótr is given a pre-eminence among Hallr's other children, the 'bezt hófðingjaefni austr þar', of whom it is said, should he ride home safely from three meetings of the Alþing, that he will become 'mestr hófðingi sinna frænda ok ellstr....'\(^{574}\) The loss of so promising a son is a heavy one, regardless of the possibility of compensation, and so it must add a special weight to Hallr's plea:

> Allir menn vitu, hvern harm ek hefi fingit, at Ljótr, son minn, er látinn. Munu þat margir ætla, at hann muni dýrstr gǫrr af þeim mǫnnum, er hér hafa látizk.
> En ek vil vinna þat til sætta atleggja son minn ógildan ok ganga þó til at veita þeim bæði tryggðir ok gríð, er mínir móttstóðumenn eru.\(^{575}\)

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\(^{574}\) *Njála*, 287. 'The best chieftain-to-be there in the east...the greatest chieftain of his kin, and the eldest(-lived)....'
\(^{575}\) Ibid., 411-2. 'All men know, what harm I have taken, that Ljótr my son is slain. Many will expect this: that he will be the most expensive (to compensate for) of those men who have here fallen. But I wish to work this towards a settlement: that my son lie uncompensated, and I will go yet further to provide to them both pledges and peace, who are my enemies.'
Hallr's decision to forgo compensation for his son is, while striking, perhaps not what one might immediately identify as a major turning point. Yet, placed as it is following a chaotic and bloody battle at the spiritual and physical heart of Icelandic law and order, the reader is confronted, along with the feuding parties, by its immediate call to unity and a return to order in the face of intolerable loss felt and feared. We should not see in the renunciation a conscious attempt to create a new legal narrative, but rather a recognition of the gravity of the post-battle situation and an attempt by one man to reassert the importance of a united log over any one individual, no matter who that individual may be. Obviously, it would be ridiculous to assume that any of the bystanders would think of Hallr of Síða as being the litilmenni, or man of no importance, that he introduced himself as. His modest declaration is a carefully crafted show of good will and a call to remember what is truly at stake following the sudden upheaval of established norms. In disqualifying himself and declaring that the famous Hallr of Síða is unimportant in comparison to what must now be done, Hallr actually manages to set himself up as the exemplar of the peacemaking process, prefiguring his sweeping forgiveness in an attempt to confirm the peace. The significance of Hallr's move is validated by the community in their unanimous decision to compensate him. Ljótr's nameless killer is never sought, discovered, or mentioned again, presumably melting back into the ranks of Guðmundr's supporters. In his place, the united bœndr and goðar of Iceland join together without regard to their roles and sides in the previous fray, effectively endorsing a shared responsibility in the peace.

The terms of the settlement also serve to foreshadow the events that follow, semantically separating three notable figures from the rest of the disputants to
underline both their later importance and the underlying justifications for their
behaviour. The most obvious of these separations is the aforementioned communal
reward for Hallr of Síða, removing him effectively from the feud and the events that
follow. Not only has the community united in its payment of compensation for Ljótr,
but Hallr himself stands alone among Flosi’s party: ‘allir aðrir, þeir er med Flosi hofdu
verit, fengu engar bœtr fyrir vansa sinn ok unðu við it versta.’

Hallr’s concern is and always has been with the maintenance of the peace, and in order for him to later
broker a truce between Þorgeirr skorargeirr and Flosi (and by extension, Flosi’s
compatriots), it is necessary here to emphasise him as distinct, a neutral arbiter for the
community rather than a simple supporter of his son-in-law.

Perhaps more importantly than even Hallr, however, is the attention paid to
Flosi and Kári’s own roles in the settlement. Obviously, Kári does not submit to the
judgement, but it does not appear to be particularly out of pride or vindictiveness.
Rather, it is because he is not fully compensated by the terms laid out: the sagaman
elliptically remarks that the killing of Þórðr was not settled. Likewise, Flosi, when
given the opportunity to receive some compensation for his wounding in the battle,
declines on the grounds that it would be using his body for bribe-money. Flosi’s
refusal, though tinged with a note of personal pride, sends a clear message that he
wishes nothing more to do with the feud now being settled – his mind is already on
fulfilling the settlement and finding absolution. Further, coming as it does after the
announcement that Kári’s son is uncompensated, the singling out of Flosi serves to

576 Ibid., 414. ‘all of the others, they who had been with Flosi, received no compensation for their losses
and were ill-pleased with that.’
draw attention to the two men, and to reorient the feud as based on Flosi's own relationship (as the leader of the band that killed Kári's son) to Kári.

In addition to highlighting the salvation of the peacemaking process by Hallr, the focussing on these two men is perhaps the most important narrative aspect of the settlement's terms itself, for the simple reason that Flosi and Kári still have real duties and expectations laid upon them. Their relationship to each other, separate from the long-running bloodfeuds of Bergþórsvoll, indicates a final purpose in the sagaman's mind to explore the relationship between vengeance, settlement, and this new idea of Hallr's, unconditional forgiveness. Judith Jesch sees in Flosi the means to break the cycle of violence, noting that he is the first major character to keep his end of a settlement fully. This cannot be disputed, but to it I would add that Flosi, in his repentant state, represents a culmination of the movement towards breaking that cycle started by Hallr. His eventual pilgrimage to Rome and his unflinching acceptance and excusal of Kári's vengeance-taking on his comrades have the same colouring of a new openness to mercy and forgiveness, but, like Hallr's forbearance, are still first and foremost centred on a respect for the true holy of holies, the lög. Hallr's touch may even be seen in the pilgrimage itself which, though not mentioned as part of the settlement, appears to be assumed as part of the process in a later conversation between father- and son-in-law: 'efn þú vel, mágr, sætt þessa, bæði utanferð þína ok suðrgöngu ok fégiðl.' Moreover, it is likely the sagaman intends to show that Flosi is not alone in this work. He will eventually bring Kári to the same

577 Jesch, 'Good Men and Peace,' 75.
578 Njála, 423. 'Hold well, kinsman, this settlement, both your travel abroad and pilgrimage, and the payment.'
end, albeit only after a long and difficult process. Flosi is, after all, not the only one who will find atonement in Rome.

To defend Kári is a difficult task; to excuse him, harder still. His campaign of revenge is a troubling turn from the peaceful mediation we have witnessed, and a sharp contrast from the merciful self-sacrifice of Hallr. The opportunity for settlement was there, and yet Kári refused to take it, seemingly proving right those like Gunnhildr who, as Jesch notes, would argue there can be no settlement but bloodtaking. Yet, while it is easy and admittedly tempting to write Kári off as a relatively flat character, his adventures and behaviour the product of the sagaman’s stofffreude, to do so would be to do a disservice to an author who has thus far been masterful in his subtlety and storycraft. Instead, the reader must accept the uncomfortable and at times unsatisfactory final segments, venturing as they do into the continental Romance mode with the arrival of comic relief in Björn the miles gloriosus, and with the scores of enemies faced by Kári that would make even Grettir Ásmundarson think twice. Contained within is a difficult character, a Kári who must lay the old feud to rest on his side as Flosi does on his own.

Where Flosi’s trial is ending, Kári’s is only now beginning. The ease with which Kári is able to dispatch his foes, and his dogged persistence in hounding them even after they leave Iceland may at first blush make him seem a bloodthirsty avenger, but this would ignore the difficulty of his situation, and how Kári perceives it. Likewise, while the reader risks, like Björn of Mørk, getting caught up in the ‘fun’, the perceived glory and adventure, Kári’s stoicism serves a subtle reminder of the weight this he assigns to his vengeance. His position is not considerably different from Flosi’s when

the latter attacked Bergþórshvoll: Kári is bound to seek vengeance in a way that his allies are not. He is the last male survivor of the Bergþórshvoll fire, charged with taking vengeance but keenly aware of what further violence risks. It is perhaps with this awareness in mind that Kári moves to further sever his ties from that initial feud, encouraging his then sole companion Þorgeirr skorargeirr to settle. Certainly, he hints at as much in his parting from Þorgeirr, declining to remain with his kinsman even after the latter has secured him full rights to remain with him, on the grounds that 'ef ek veg víg nõkkut, þá munu þeir þat þegar mæla, at þú sér i ráðum með mér, ok vil ek þat eigi.' Clearly, this is a task Kári intends to take upon himself, insulating all of those attached to him by removing them from the equation.

Further evidence Kári is taking a long view, not perhaps immediately apparent to the reader, comes from his selection of targets. Far from a chaotic attack on the burners as a whole, there is a suggestion, however unlikely it may at first sound in light of the body count, that Kári’s campaign is carefully moderated, oriented towards only a few specific targets. Perhaps the most notable feature of this 'moderation' is Kári’s apparent unwillingness to target Flosi, matched on the other side by Flosi’s refusal to pursue Kári. It is not for lack of opportunity the two never come to blows: Kári is within distance to strike or be struck on at least one occasion. According to Miller, the explanation for this, along with Flosi’s apparently phlegmatic acceptance of Kári’s attacks on his men, is simple: both men are aware that Kári never intends to

580 Njála, 423. ‘If I do any slaying, then they will immediately say that you are allied with me, and I don’t want that.’

581 Notably, before parting from Þorgeirr, Kári hands over his lands and goods to Þorgeirr to look after, much like Njáll advised Gunnarr to do before he was meant to depart to keep his own settlement. Doing so protects Kári’s wife as well, denying his enemies the means to chip away at their holdings.
attack Flosi, as Flosi is too 'big', just like Geirr goði was.\textsuperscript{582} That Kári has no plans to attack Flosi cannot be disputed; whether this is a function of Flosi's position, and whether it accounts for Flosi's willingness to excuse his comrades' deaths, is a less solid claim. Certainly, Flosi's social standing accounts for his relatively light sentence of three years, compared to the four permanent exiles,\textsuperscript{583} but there is no evidence Kári himself is taking this into account.

Having assented to and led the burning effectively makes Flosi responsible for Þórðr's death, and ostensibly it is for Þórðr that Kári wages his one-man feud now. When pressing Þorgeirr skorargeirr to make peace with Flosi, Kári insists the burning itself has been accounted for, and what remains must be for Kári alone to do: 'en þó kalla ek nú, at vit hafim hefnt brennunnar, en sonar míns kalla ek vera óhefn, ok ætla ek mér þat einum, slikt sem ek fæ at gört.'\textsuperscript{584} This decision seems to be largely arbitrary: most of the burners that Þorgeirr swore never to make peace with are still alive, most notably Flosi, and yet it is perhaps Kári's most clever and self-aware move yet. In reframing the vengeance, Kári not only gives Þorgeirr an 'out' (and an advantageous one, at that) to return to peace, but he also shifts the responsibility for deciding the scope of that vengeance to himself. The Njálsson-Sigfússon bloodfeud is beyond Kári's control, and would necessarily demand the deaths of otherwise good men like Flosi and Ketill of Mórk along with the likes of Gunnar Lambason and Grani Gunnarsson. In contrast, vengeance for Þórðr is fully in Kári's hands to judge, allowing him to remove the truly dangerous elements on the opposing side in the

\textsuperscript{582} Miller, \textit{Why is Your Axe Bloody}, 289-91.
\textsuperscript{583} See Heusler, \textit{Das Strafrecht der Isländersagas}, 141-3.
\textsuperscript{584} \textit{Njál}, 422. 'Although I may now say that we two have avenged the burning, my son I say to be still unavenged — and I intend to take that on myself alone, and do such as I am able [for him].'}
context of this entirely different feud. It is a heavy responsibility, recalling Flosi’s own reflection, but ultimately it will prove to be a liberating one.

Both Ketill and Flosi were co-opted into the feud against their will; the death of Hóskuldr forced their hands. For Ketill at least, forgiveness is a given, as Kári makes plain whenever their paths cross. Not only are they related through their wives, but Ketill’s conduct during the feud and his past history with Njáll and his sons earns him a reprieve: ‘sá riðr siðast, er ek vil eigi drepa...því at vit eigum systr tvær, en honum hefir þó farit bezt í málum várum áðr.’\(^585\) Even when Ketill and his band attack and are defeated by the woefully-outnumbered Kári and Björn, Kári’s understanding controls his desire for vengeance, culminating in the vow that ‘skal ek þik þó aldri drepa, Ketill.’\(^586\) Flosi likewise cannot be placed in the same category as the chaotic and intractable Sigfússons, despite his leadership at the burning. Indeed, following the burning Flosi has seemingly become an entirely different man, with Miller seeing in him the same despondence and surrender that he believes Njáll to have felt at the end of his life.\(^587\) He is wholly dedicated to the settlement, sympathetic to Kári’s position, and determined to ensure no further dishonour comes to the dead who were forced to become his enemies. He may not get the immediate pass that Kári allows Ketill, but if he has truly atoned, then to add Flosi to the list of targets would not only be unfair, it would be an act of ójafnaðr.

Yet the Kári-vengeance arc, with its burlesque and occasionally comic violence would seem to impinge on the very idea of moderation and evenness. How can the refusal to accept a settlement be seen as anything other than óhóf, and the exchange

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\(^{585}\) Ibid., 418. ‘there rides last one whom I wish not to kill...because we two are married to two sisters, and he has yet fared best in our earlier suits.’

\(^{586}\) Ibid., 435. ‘I shall nevertheless never slay you, Ketill.’

of one life (Þórðr’s) for so many others be anything but ójafnaðr? In order to ease the eventual final peacemaking, the reader must first do some balancing of their own in Kári’s feud. The question of Kári’s guilt and possible offences against höf must be weighed alongside the threat posed by the continued actions of those burners he slays, who, it must be noted, rarely seem to be penitent or mindful of the settlement and their own responsibility in it. Although the sagaman does not make this judgement easy or provide an unequivocal answer (and rightly so, if we accept his saga-long concern with the aforementioned effects of ójafnaðr and óhóf), he does provide something in the way of a hint earlier in the narrative, bridging the burning to the Alþing meeting and eventual vengeance-taking.

Long before the disaster that was the prosecution of the burners, Flosi himself seems to have been given a brief glimpse into the future, more blatant and difficult to dismiss than any of Njáll’s prophecies. His dream of the figure Járngrímr not only informs the reader of the breaking-up of the Alþing, and the attacks that will echo in the hills, it names the victims and the exact ordering of their deaths: “þat er hugboð mitt,” segir Ketill, “at þeir muni allir feigir, er kallaðir váru.”588 Now, as Kári’s campaign with Björn is picking up speed (and bodies), Flosi pulls Ketill and the reader back to that earlier moment, reminding both that Kári’s killings have thus far been in keeping with the mysterious Járngrímr’s prediction. To Flosi at least, it is clear that something beyond the simple vengeance of one man lies behind the deaths, warning that ’skaltú nú ok, Ketill, muna draum þann, er ek sagða þér ... því at margir eru þeir nú í fór með þér, er kallaðir váru.’589

588 Njála, 348. “‘This is my sense,” said Ketill, “that they will all be fated to die, who were named.’”
589 Ibid., 427. ‘Ketill, you shall now also recall that dream, which I said to you...because many of them are now travelling with you, who were called.’
As has been noted elsewhere, Járngrímr's approach and call significantly parallels a scene from Gregory's *Dialogues* which, though differing in its *vox dei*, follows the same pattern. In Flosi's dream, however, it is the guilty rather than the virtuous who are being called from life, and their caller is something not altogether Christian. Indeed, the figure described by Flosi bears a striking similarity to another mountain-dwelling spirit, the giant *landvættr* of Óláfs saga Tryggvasonar. In Snorri's account of King Haraldr Gormsson's failed attempts to land in Iceland, he is repelled at one stage when 'þar kom í móti honum bergrisi, ok háfði járnstaf í hendi, ok bar hófuð hans hæra en fjöllin....' Flosi's 'Járngrímr' vision may not explicitly be described as a giant, but the nature of the figure, coming from and entering again into the mountains, clad in a goatskin with iron staff in his hands, is unmistakeable. Much like the strange, disir- or valkyrie-like figures witnessed on Good Friday at the same time the burners at Clontarf are being killed, Járngrímr is something much older mixed with something newer, a *landvættr* perhaps, one with the blush of Christianity, but a representation above all of the spirit of Iceland.

The message then is becoming clear, if uncomfortable. Those named by Járngrímr are destined to die, as Ketill predicted, but along with it comes the suggestion that their deaths are assented to (perhaps even required) by the land itself which has made a judgement on who must be removed. Járngrímr himself must have had Kári in mind when he spoke of a *herði-Þundr* who would stretch the sounds of

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591 ÓláfsTr., 271. ‘There came against him a mountain giant, and he had an iron staff in his hands, and bore his head higher than the mountains....’
592 The term *maðr* (man) is used, but no other reference is made that might hint at size.
battle across the hills. Before there ever was a settlement, the men named were effectively excluded from it, and Kári was chosen as avenger for the Commonwealth. It is a bitter pill to swallow in light of the later peacemaking efforts of men like Hallr and Snorri, but one which serves to highlight the difficult position of Kári, and the significance of his sparing of Ketill and Flosi, and his final repentence. In order for the feud to be quelled once and for all, those who pose the greatest threat to the balancing must be removed, but as with all the other inescapable killings, it remains stór ábyrgð, a heavy responsibility.

Certainly, the reader should not see Kári being excused on the grounds of national necessity or divine intervention. To imply this is to ignore the chain of cause and effect the sagaman has so carefully drawn the reader's attention to time and again. The final statement on Kári's actions, both their necessity and the necessity of taking responsibility for them, is itself nearly a footnote: a brief mention that begins the final chapter, and yet is, in its placement, heavy in its impact. Included in Kári's travels following Flosi's trip to Rome and absolution is the curious mention that 'hóf upp göngu sina í Norðmand í ok gekk suðr ok þá lausn ok fór aprtr ína vestri leið....'

Unlike Flosi, who was obliged either by the settlement or by agreement with his father-in-law to do penance in this way, Kári is under no legal obligation. The decision is his own, and must therefore reflect a conscious awareness of the gravity of the killings he has, under the reader's eye, so unflinchingly carried out.

If before, bodies could only be offset by bodies (or temporarily by money), then the movement to Rome represents something new, the outgrowth of Hallr's sacrifice.

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593 Njála, 348. 'a hardy-Pundr... (a warrior)'
594 Ibid., 462. '[Kári] began his trip/pilgrimage in Normandy and went south, and then was absolved and went back again on the western way....'
The feud-arbitration mode struggled to keep up with the increasing demands of the ever-widening cycle of violence engendered by the conflicting ambitions of powerful men; the stakes effectively became too high for usual modes of peacemaking to balance. Now, however, both men have placed their duty to respond in kind out of their own reach through the acts of penance and atonement. If the Hallr of Síða introduction of mercy and forgiveness can provide an adequate substitute for bloodtaking, then there is hope yet. And yet the sagaman still manages both to surprise and to put his theory to the test in the situation he places Kári in – shipwrecked and in the face of a coming blizzard, the two former enemies finally come face to face with Kári at a clear disadvantage. If Þórðr is to finally be avenged, it will be here, and likewise, if Flosi hopes to avenge his compatriots, the advantage is his. Yet, Kári does not go seeking vengeance. At last, he puts into words what he has been putting into practice, his unwillingness to attack Flosi if the latter has truly paid for the sins of the burning: 'hann segir þat ráð sitt at fara til Svínafells ok reyna þegnskap Flosa.'595 It is no surprise to anyone, least of all Kári, that Flosi is up to the task, and in a masterful moment of understatement the two are reconciled without mention of compensation. To understand how these two are able to reconcile after a saga so steeped in blood requires the reader to go back to the burning, to Kári’s escape and Flosi’s conduct, and work forward again. This is precisely why Skarpheðinn pushed Kári to leap first, even after Kári’s admission of his inability to leap back in. Kári has pursued vengeance with the sort of martial relentlessness that Skarpheðinn himself would have admired, but now, as in the flames, he knows the limit, and will not pursue a self-destructive course. In the name of avenging Þórðr, Kári has left himself

595 Ibid., 463. ‘He said that it was his plan to go to Svinafell, and test the hospitality of Flosi.’
control over the scope of his vengeance, and used this justification to pursue the last of those chaotic elements in the Sigfússon line. Flosi however, is no such element: he is a patently good man, thrust into an impossible situation, who did the indefensible but emerged repentant and atoned completely.

After a long and arduous journey, the narrative brings the reader from the point of apparently unreconcilable conflict to a complete and unbroken peace, and from the darkest moment in the Commonwealth's short history to a triumph of jafnaðr and hóf. In the life and death of Njáll, the sagaman has been able to explore the most significant threats to and weaknesses of so precariously-balanced a system of social order, bending it until it breaks and then masterfully reforging it. It is perhaps difficult to call this a truly 'happy' ending, but perhaps that was not the point: to borrow an insight from Jesch, the lack of peace in Njála is hardly surprising given the function of the text – and all the islendingasögur – as explorations of conflict. Yet peace was clearly the goal, or the sagaman would never have questioned why the conflicts here could not be resolved, how a feud can grow from a fight over seating into a nationwide melee, or what it would take to ultimately restore the balance in the aftermath. In choosing for his characters such great men as Gunnarr, Njáll, Flosi, and Kári, the sagaman has intentionally put his reader into the difficult situation of deciding how to judge those who can be the most noble and at once the most dangerous. While he does not endeavour to comment openly on the morality of these men, presenting both sides of the 'big man', the mikilmenni and the ójafnaðrmaðr, thrusts the question directly into the hands of the reader. What makes a good man, and what makes a bad one? In a system that depends on careful balance and order,

596 Jesch, 'Good Men and Peace,' 80.
this difficult question and the sagaman's complex presentation of it provides the possibility of an answer.
Final Comments and Future Applications

Over the course of this study, we have examined some of the ways 'big men' in Iceland exercised power, the threat power posed to the community when their power resisted or undermined social norms, and the means by which the community responded to those who disregarded the accepted behaviour of power. Be it through physical force, as Þorbjörn in Håvarðar, control and manipulation of language, as Björn and Þórdr in Bjarnar, or even through mastery over the law itself, as Njáll in Njála, even one 'big man' and/or his network of associates could threaten not only their immediate district, but the Commonwealth itself, if unchecked. Although necessarily limited in scope, it is hoped the research here may provide a useful basis for further examinations of power relations and conflict resolution within the islendingasögur.

Studies of these themes of power, conflict and stability are important not only from a narratological standpoint, but also for what they may be able to tell us about how the Icelanders perceived themselves and their identity as a distinct people and heirs to an ancient tradition of independence and self-governance. Gilbert, for example, in considering the trope of the Icelander abroad, sees in the sagas an admiration for kingship conflicting with a resentment towards royal power, and a desire to retain the tradition of Icelandic independence 'that perhaps encouraged thirteenth-century writers to emphasise the independence and self-regard of
Icelanders at the Norwegian court.\textsuperscript{597} This same concern to maintain that sense of identity was just as prevalent at home, explored in the legal battles and power struggles of Icelandic 'big men' from a time that was passing or had passed by the thirteenth and fourteenth centuries.

The \textit{íslendingasögur} had the potential to connect this traditional identity to contemporary audiences and to their concerns regarding their changing relationships to each other and to royal power in a time of economic and political uncertainty. Informed by their place within a 'great national project of self-justification',\textsuperscript{598} the family sagas explore Icelandic society at its most vulnerable, the moment of stress when individual power risks growing too great. They thus provide both a critique of the dangers associated with its original values of independence and competition, and a reassertion of the important role played by the community in restoring order and limiting violence. During and following the destructive stór-feuds of the Sturlungaöld, and the submission to Norway, the \textit{íslendingasögur} provided a stable reference point for exploring Icelandic identity. While we may never be able to directly converse with the authors of the sagas on this question of Medieval Icelandic identity, through their literary endeavours, modern readers and scholars are at least invited to explore the tradition themselves.

The patterns observed within these three sagas are not unique to them, but are present across the tradition. It is at times difficult to speak of a unified 'theme' in the \textit{íslendingasögur}, while acknowledging both the richness of their content and the time that elapses between the composition of the earliest and latest. Yet, through their


\textsuperscript{598} Ibid.,
feuds and resolutions, we may observe an enduring concern with questions of power and stability, of ensuring peace in a frontier society which lost its frontier within two generations: highly competitive, with a strong sense of self-reliance, but in a setting constrained by limited resources, growing ecological stress, and declining independence.

Because of this, the social advancement of one Icelander within the Commonwealth always comes at a cost to another, and the sagas reflect the tension inherent in this. Honour and position are constantly adjusted among the leading classes (almost exclusively composed of land-owning Icelanders), with a potential for gain or (more worryingly) loss in every exchange of gifts, words, goods, and lives. It is therefore hardly surprising the sagamen, living during and after a period of considerable social upheaval, should take interest in these men who risked everything including their lives and the fortunes of their kingroups for the possibility of advancement. In their striving and feuding, contemporary questions of both personal and national independence and honour play out against a background of increasing economic, environmental, and social uncertainty. With no central authority to enforce law, the maintenance of equity and social control is diffused throughout the collective polity. When the polity collectively is unable or unwilling to restrain feuding parties through adjudication or arbitration, local feud quickly becomes national concern, fracturing the Commonwealth to draw in larger and larger parties in an attempt to prevent complete social breakdown.

Yet, there appears to be on the whole no indication in the sagas that arbitration and the social contract of Icelandic power relations were to blame for these explosive and damaging stór-feuds. Indeed, the system is shown time and again to successfully
restrain destructive impulses and restore order. It was the Icelandic lög which ensured a nation faced with increasing environmental and economic strain nevertheless not only survived, but thrived for several centuries. The success of this system is visible in the sagas even at their darkest moments, inspiring W. P. Ker to remark:

The whole of Icelandic history is miraculous ... It looks like anarchy. But immediately they begin to frame a Social Contract and make laws in the most intelligent manner ... The settlement of Iceland looks like a furious plunge of angry and intemperate chiefs, away from order into a grim and reckless land of Cockayne. The truth is that these rebels and their commonwealth were more self-possessed, more clearly conscious of their own aims, more critical of their own achievements, than any polity on earth since the fall of Athens.599

Instead, the problem may lie with individual actors who, having amassed enough power, find themselves willing and able to resist a system designed to prevent any single individual or faction from outright dominance. As we have seen in this study, their motivations may be complex, and at times sympathetic, but the effect remains the same. Although not always referred to as such, the concept of ójafnaðr is arguably at the heart of the islendingasögur, dangerous precisely because it draws its momentum from the same impetus for pride, honour, and self-reliance that is elsewhere a source of praise.

Thus, even sympathetic characters like Björn Arngeirsson, Gunnar Hámundarson, and Njáll Porgeirsson may find themselves drawn into ójafnaðr from

the otherwise honourable employment of their abilities to restore damaged honour or secure their independence. On the other hand, men like Hrafnkell freysgoði or Þorsteinn Kuggason, established ójafnaðarmenn, may, from experience or example, mend their behaviour and exit a saga as respected, even honoured, members of the community. Far from being a simple trope, or a quick way of identifying a villain, as this study has seen, ójafnaðr is a complex attitude and behaviour. Not limited to archetypal villains like Þorbjörn, but potentially present in every successful Icelander, the drive to achieve total victory over one’s rivals requires constant individual and community vigilance, to be defused when discovered. Future studies of conflict resolution in the íslendingasögur may benefit from further attention to this behaviour, its origins in a unique and highly competitive society marked by limited resources, its transgression of established norms, and its role in the conflict between desired individualism and necessary unity.

The effects of ójafnaðr begin to destabilise the community around the actor from an early stage, eventually threatening not only the standing of other big men, but the independence and even the lives of other Icelanders throughout the social hierarchy. Such behaviour will always result in a need for response, according to the sagamen: it cannot be ignored, and the pressure of the system for arbitration was designed for this. At times, arbitration may be sufficient to effect a readjustment, a successful settlement righting the accepted order and returning a degree of stability. In such cases, what constitutes ‘good’ settlements appears to be a degree of community involvement, with at least outwardly neutral third parties restructuring the relationships of disputants to each other and to the wider Commonwealth. Good settlements provide a degree of honour and rebuke to both parties, create new bonds
of loyalty or kinship to confound the impulse to feud, and attempt to remove the
impetus for blood vengeance through monetary compensation (again, often aided in
payment by the arbitrator or other third parties) or removal of troublesome elements
through outlawry, temporary or otherwise. While not always permanent, such
settlements are beneficial insofar as they create a necessary period of peace and
mitigate damage done to and stress placed upon the community. In contrast, one-
sided settlements, those settlements which do not treat the underlying cause of feud,
and settlements that lack the element of communal responsibility are often
abandoned or quickly broken, the feud resumed in short order and, often enough, the
victorious party emboldened towards further resistance. In applying this approach to
future saga studies then, we must look not only to the development of the
ójafnaðarmaðr (the economic and social pressures acting upon him, and the effects of
his actions), but to the ways in which the communities of the íslendingasögur
integrated the character of such men with the community’s need, where they
succeeded and where they failed. The recurring image appears to be one of communal
survival and of group unity triumphing over even the most damaging feuds. The
Commonwealth ultimately endures, even if the means by which it does so are at times
drastic, and the costs high.

In Hávarðar, the community of Ísafjörðr, embodied by Hávarðr and his band,
and aided by the outsider-góðar Steinþórr and Gestr, is vindicated after a long period
of oppression by the Þjóðrekssons. Their actions are not without consequence –
Hávarðr is forced to leave the district, and many of his followers are subjected to lesser
outlawry – but lasting peace is assured, and Hávarðr himself is given an almost saintly
death for his role in removing the ójafnaðarmaðr. The sagaman neglects to replace
Þorbjörn, but following the disgrace and later death of his brother Þórarin, and the return of the now-famous nephews of Bjargey, Ísafjörður recovers quickly. In Bjarar, the reality is tragic, the death of Björn closing off any possibility for a positive ending. The feud of the poets proved ultimately unmanageable. Its underlying causes remained untreated by a community unable to engage with the disputants on their own linguistic level, and was inadvertently intensified by a royal authority incapable of enforcing its will within Iceland. Through Björn, a grave reality was made clear: the potential for socially-destructive behaviour is not limited to the Þórðrs of the world. Otherwise good men who found themselves unwilling to settle, fixated on a sense of pride, and driven by injury could fall into the same self-destructive behaviour. The community will ultimately survive following Björn’s death, disgracing and pushing out of the saga the troublesome Þórðr with the intervention of Þorsteinn. The cost, however, is great, exemplified by Oddný’s mourning and the saga’s distinctly uncomfortable close. Likewise in Njála, the audience is presented not with the simple destructive potential of feud, but with the difficult question of what differentiates a good leader from an ójafnaðarmaðr. Njáll and Gunnarr are sympathetic characters, not outright villains like Þórðr or Þorbjörn, yet they too are threatening to accepted Icelandic social norms and systems. In attempting to create a parallel power network independent of goðar, backed by Gunnarr’s martial skills and Njáll’s legal ones, the two friends eventually succeed in isolating their households before falling into self-destructive feud. The fire at Bergþórhvall will eventually force the entire Commonwealth to action, as they confront and attempt to repair nationwide divisions. Their success in doing so, initiated by Hallr of Sída and echoed in the reconciliation of
Flosi and Kári, is masterful, but the saga's close is bittersweet, following the necessary but tragic deaths of so many noble men and women.

In examining two shorter and less-studied sagas alongside the masterpiece of *Njála*, we have been able to observe these themes as enduring across a long tradition of introspective saga-writing. The aforementioned means by which the Commonwealth endured, binding together a network of fiercely individualistic settlers, and how exactly the Commonwealth grappled with the unique problems of their society, was a clear concern to authors and audiences throughout the saga-writing period. Further, it is possible that in proposing deeper critical analysis of the sociopolitical concerns of *Hávarðar* and *Bjarnar* in particular, we may find fertile ground for analysis of those sagas long held to be 'too rough' or 'too late' for serious consideration alongside their more celebrated fellows. Composed at three distinct moments in the nation's history, *Hávarðar*, *Bjarnar*, and *Njála* feature differing approaches to their subject matter, and integrate themes and motifs from continental romance to varying degrees. Their central concerns, however, are very much the stuff of Iceland, and at their heart are more alike than different. We may never fully grasp the original intent of the sagamen, but in the sagas as they are now we are at least able to converse with them. We may look to these authors and see in the feuds that fascinated them an attempt to establish and protect a unique national identity, and to grapple with the unique challenges that society created and overcame for nearly three centuries. Likewise, we may turn to Hávarðr, Bjǫrn, and Njáll, to saga heroes throughout the period, those who became ójafnáðarmenn and those who moved to rectify their damage, and see in them a question much older than them, and still
known today: quid aliunt amarent quam gloriam, qua volebant etiam post mortem tamquam vivere in ore laudantium?^{600}

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^{600} CCSL DCD Vol. 47:148. 'What else but glory should they love, through which they should wish even after death as if to live in praising speech?'
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