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Central Feud in Njáls Saga.

William I. Miller
University of Michigan Law School, wimiller@umich.edu

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SAGAS OF THE ICELANDERS
A Book of Essays

Edited by
John Tucker

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William Ian Miller

The Central Feud in *Njáls saga*[1]

Njáls Saga is above all a story of feud, and a complicated one at that. This paper attempts to give sense to those aspects of the feud between the Sígfussons and the people at Bergþórshváll most frequently perceived by readers to be glaring weaknesses in a nearly perfect work. I refer to the apparent lack of motivation for the killing of Hǫskuldr Hvítanessgoði, an act which has universally appalled critics and commentators of the saga,[2] and the ease with which Mǫrðr Valgarðsson is able to "trick" Skarpheðinn, a person otherwise characterized by a brutal wit and penetrating intelligence. In what follows I will offer two complementary explanations for the killing. The first places the death of Hǫskuldr Hvítanessgoði firmly within the context of the feud between the Sígfusson kin group and the Bergþórshváll household. It is in the early stages of this feud that the saga writer sets forth a model of the bloodfeud which I call, for lack of a better name, the balance-sheet

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1 This article is an abridgement and revision of arguments more fully developed in "Justifying Skarpheðinn: Of Pretext and and Politics in the Icelandic Bloodfeud."

2 E.g., Hallberg, *The Icelandic Saga*, p. 134: "an unheard of deed of infamy"; Sveinsson, *Njáls Saga: A Literary Masterpiece*, pp. 138 and 151: "an almost incredibly atrocious crime" and a "contemptible crime"; Allen, *Fire and Iron*, p. 111: "an evil deed"; and Lönnroth, *Njáls Saga: A Critical Introduction*, pp. 95 and 96: "senseless" and "a revolting display of brutality."

model.[3] In this construct specific wrongs create debts of blood or debts of honor that require repayment. Bergþóra uses the idiom of this model when she describes the insults levelled at her husband and sons: "You have all been given gifts and it would be a dishonor if you did not make a return."[4]

The model has a discernible tendency toward symmetry, with each hostile action demanding a reaction and the sides alternating the roles of aggressor and victim. According to this model Hǫskuldr Hvítanessgoði dies as the concluding act of vengeance for the killing of Hǫskuldr Njálsson. No victim in the course of the Bergþórshváll-Sígfusson feud falls without having arguably incurred some liability, explaining, if not quite justifying, his expiation within the construct of the model. This paper discusses some of the rules determining liability and attempts to show how the parties manipulate them to rationalize their hostile acts as justified retribution.

But the balance-sheet model has certain inadequacies which require a complementary explanation. This second explanation, which will be dealt with in part II, places the feud in the broader context of district politics. Here the feud is seen not only as a series of reprisals and counter-reprisals repaying specific wrongs, but also as a social institution which defines relations between competing groups

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3 "Talion model" would be prettier, but it carries a sense of precise equivalence in matters of vengeance which was generally not the rule in the Icelandic bloodfeud. For more on the Icelandic bloodfeud see my "Choosing the Avenger," and "Avoiding Legal Judgment"; see also Heusler, *Das Strafrecht der Isländersagas*, and Byock, *Feud in the Icelandic Saga*.

4 *Gjafir eru yðr gefnar feðgum, ok verðið þér litlir drengir af, nema þér launið* (ÍF XII, Ch. 44). All references, henceforward enclosed in brackets in the text, are to this edition. On gift exchange and the feud see my "Gift, Sale, Payment, Raid."

independent of specific wrongs. The bloodfeud is the main construct in which the competition for power—politics —takes place. The two explanations are not offered as alternatives; they are bound together. The balance-sheet model serves as a kind of ideology adopted by the saga characters to account for their social reality.[5] Lacking a theory of politics, they understood politics in terms of a model of the feud which emphasized reciprocity and symmetry. Yet, as we shall see, this model cannot account adequately for a crucial aspect of the Bergþórshváll-Sígfusson feud: the timing of the killings of Þráinn and the two Hǫskuldrs.

A bloodfeud is difficult to talk about without being fairly circumstantial. Present in every discrete event in the feud is the entire history of relations between the feuding groups. To isolate one particular incident, such as the killing of Hǫskuldr Hvítanessgoði, is to misrepresent the significance of the act. So in what follows, fairly detailed attention will be given to the background of Skarpheðinn's killing of Þráinn, and to the death of Hǫskuldr Njálsson and the settlement for his death. The events are all interdependent, part of one continuous feud. The structure of that feud at the time both Þráinn and son are killed has some striking parallels, which, once adduced, will provide some reason and motive for the supposedly senseless killing of the son.

The sources of Þráinn's liability

For some years Njáll's and Gunnarr's households have been exchanging killings of slaves and servants. The dispute is presented mainly as a women's affair, with Gunnarr's wife Hallgerðr and Njáll's wife Bergþóra being the main disputants. The dispute is articulated wholly in terms of the balance-sheet model. In fact, it seems that part of the

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5 My discussion here and elsewhere in this paper owes a general debt to Peters, "Some Structural Aspects of the Feud Among the Camel-Herding Bedouin of Cyrenaica."

author's concern in this episode is to describe the model in its pure form. Each killing is quickly compounded for by the husbands, who each time, as a matter of course, grant the other self-judgment, transfer silver, and reaffirm their friendship in spite of the enmity of their wives and servants who prefer to settle their debts in blood (Ch. 36-40). The dispute remains relatively circumscribed in these earlier stages. It is expanding, but slowly. The juridical status of successive victims increases and with it the amount of compensation exchanged by Njáll and Gunnarr. However, as long as the women are only recruiting non-kin housekarls to do their killings, the men can remain detached, either with amusement, like Skarpheðinn, or with taciturnity, like Gunnarr and Njáll (Ch. 37).

The killing of Þórðr leysingjason (Freedmanson), foster-father to the Njálssons, however, is a critical event in the escalation of the feud;[6] his death draws men of the warrior class into the fray. When Skarpheðinn hears of Þórðr's death he is no longer amused: "but what has to happen before we will strike?"[7] His recruitment to the feud will soon follow. On the other side, the actors are not housekarls or distant kinsmen of Hallgerðr like Brynjólfr, but rather Gunnarr's kinsmen, men of status and independent means. Sigmundr, Gunnarr's first cousin once removed, and Sigmundr's companion, Skjǫldr, promised Hallgerðr to do the killing, while Þráinn Sígfusson, Gunnarr's mother's brother, promised to be present. The action follows in accordance with these promises. Sigmundr and Skjǫldr's actions clearly incur the feud, but what may be surprising to some is that both the saga and the laws confirm that Þráinn's

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6 I take issue here with the characterization of the Bergþóra-Hallgerðr episode in Byock, *Feud in the Icelandic Saga*, p. 53, and in Andersson's *The Icelandic Family Saga*, p. 46, both of whom treat it as severable from the saga's central feud.

7 . . . *hvar skal þá komit, er vér skulum handa hefja?* (Ch. 43)

activities make him subject to justifiable reprisal also. This can be deduced from Njáll's answer to Skarpheðinn's "Who killed him?" "Sigmundr and Skjǫldr did it. But Þráinn Sígfusson was also present."[8] The answer from a skilled lawyer is intended to name all those who have engaged in liability-producing conduct. *Grágás*, the early Icelandic compilation of laws, explicitly allows the prosecutor in a killing case to name any one of those present as the actual killer;[9] it also provides that the liability for plotting harm is the same as the liability for the harm which actually occurs (Gg 1a.152, 178, 145-46).

Why is it that Þráinn allows himself to get involved in an action where he can acquire no glory and can only incur liability? The answer is illustrative of the problems of the person caught in the middle. Þráinn is obligated to Hallgerðr in her own right since her daughter by a prior marriage is Þráinn's wife. She invokes this bond when she asks Þráinn to kill Þórðr: "You would seem a *son-in-law* to me if you killed Þórðr leysingjason."[10] Þráinn refuses to kill Þórðr, alleging his obligation to Gunnarr, his sister's son: "That I will not do for it would earn me the anger of my *kinsman* Gunnarr."[11] Þráinn is obligated to both Gunnarr and Hallgerðr, and rather than choose one over the other he evaluates the bonds and their attendant obligations roughly the same. He will take part in Hallgerðr's plans, but to a lesser extent than she requested. Hallgerðr loses little with Þráinn's compromise; she succeeds in having Þórðr killed, in making Þráinn liable for his death, and in so doing

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8 *"Hverir hafa vegit hann [Þórðr]?"*
"Sigmundr ok Skjǫldr, en Þráinn var þó nær staddr." (Ch. 43)

9 *Grágás* ed. Vilhjalmur Finsen. Citations to *Grágás* (Gg), including volume and page, appear parenthetically in the text.

10 *Mágr þœtti mér þú vera . . . ef þú dræpir Þórð leysingjason.* (Ch. 41)

11 *Eigi mun ek þat gera . . . þvi at þá mun ek hafa reiði Gunnars, frænda míns.* (Ch. 41)

involves the most prominent member of her husband's kin group (outside of Gunnarr himself) in an escalating dispute her husband is trying desperately to contain.

Gunnarr recognizes the seriousness of Þórðr's death to the Njálssons. In the past he and Njáll had been content to settle up between themselves alone. This time Gunnarr suggests that they vary their past practice by having the Njálssons be party to the settlement. Njáll advises against this. He knows that if his sons were present they would explicitly refuse to take part, whereas if they are absent, he feels he can bind them through their obligation to him. Skarpheðinn is not happy with the settlement. Nevertheless he agrees to honor his father's request not to break it. He makes clear, however, that his willingness to comply with the settlement is to be very narrowly construed. To Skarpheðinn the settlement does not conclude hostility, or even purport to institute good relations; it does no more than pose a legal barrier to immediate vengeance for Þórðr. Nor does Skarpheðinn intend to forget the matter: "But if there is any further trouble, we shall remember what they have already done to us."[12]

Technically, Skarpheðinn never breaks the settlement. For in the next chapter there occurs "further trouble" which provides independent grounds for killing Sigmundr and Skjǫldr. Sigmundr, at Hallgerðr's instigation, composes verses libelling both Njáll and his sons (Ch. 44). The laws provide, and the sagas confirm, that verses impugning one's manliness incur the feud (Gg 1b.183-84). Making fun of Njáll's inability to grow a beard, suggesting effeminacy, is well within the bounds of prohibited insult. The news of Sigmundr's verse heats the Njálssons' blood to the boiling point. Their mother urges immediate "repayment"; even Njáll approves of the vengeance expedition, though it be in

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12 . . . *en ef til verðr nǫkkut með oss, þá munu vér minnask á inn forna fjandskap.* (Ch. 43)

an obscure fashion:

> "Where are you going, Skarpheðinn?" he asked.
>
> "To look for your sheep," replied Skarpheðinn.
>
> "You wouldn't be armed if that was what you intended," said Njáll. "You must be up to something else."
>
> "We are going salmon fishing, father, if we can't find the sheep," said Skarpheðinn.
>
> "If it's to be that way, it would be best not to let the catch get away," said Njáll.[13]

Njáll is unambivalently pleased when he hears of the deaths of Sigmundr and Skjǫldr (Ch. 45). He would surely not have been pleased if he felt the killings violated the settlement with Gunnarr. And to be noted too is that when Skarpheðinn confronts Sigmundr and when he hands Sigmundr's head to Hallgerðr's shepherd, he does not mention Þórðr's death; he refers only to the actionable verses (Ch. 45). But the saga writer indicates in several ways that it was more than the verses that was being avenged. First, Þórðr predicts that Skarpheðinn will avenge him (Ch. 42). Such predictions are never made idly and invariably have the effect of prophecy. Þráinn too refuses Hallgerðr's original proposal to kill Þórðr in part because "it will soon be avenged."[14] But most important is that many years and chapters later, when Skarpheðinn is setting out to kill

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13 *"Hvert skal fara, Skarpheðinn?"*

"Leita sauða þinna," segir hann.

Njáll mælti: "Ekki mundu þér þá vera váprnaðir, ef þér ætlaðið þat, ok mun annat vera ørendit."

"Laxa skulu vér veiða, faðir, ef vér rǫtum eigi sauðina," segir hann.

"Vel væri þat, þó at svá væri, at þá veiði bæri eigi undan," segir Njáll. (Ch. 44)

14 *. . . því at vígs þess mun brátt hefnt verða.* (Ch. 41)

Þráinn, the author has him and Njáll reenact their brief exchange about looking for sheep. Njáll recalls that he's heard this little joke before, and Kári wants to be let in on it:

> "When did you tell that before?" asked Kári.
>
> "When I killed Sigmundr hvíti, Gunnarr's kinsman," replied Skarpheðinn.
>
> "For what?" asked Kári.
>
> "He had killed Þórðr leysingjason, my foster-father," said Skarpheðinn.[15]

There are two things to note about the repetition of the sheep-searching motif. First, it allows Skarpheðinn to give one of the reasons Sigmundr was killed which could not be revealed at the time he was killed. Second, he is now giving one reason why Þráinn is about to be killed. Skarpheðinn is making a clean sweep of all those who participated in the attack on his foster-father, while still honoring the letter of his father's settlement with Gunnarr.

Þráinn's death, however, is not a simple matter. He was, as mentioned above, a legitimate vengeance target for his role in killing Þórðr. There was also the incident in Norway in which Grímr and Helgi Njálsson were bound and otherwise humiliated because they refused to betray Þráinn to Hákon jarl (Ch. 88-89). This incident and Þráinn's refusal to compensate Grímr and Helgi for their troubles were insufficient to justify killing Þráinn. Njáll explicitly says so: "If they [Þráinn and his men] were killed, it would

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15 *"Hvé nær mæltuð þér þetta fyrri?" segir Kári.*

"Þa vá ek Sigmund hvíta, frænda Gunnars," segir Skarpheðinn.

"Fyrir hvat?" segir Kári.

"Hann hafði drepit Þórð leysingjason, fóstra minn," segir Skarpheðinn. (Ch. 92)

be thought unjustified."[16] And he then advises his sons how to go about manufacturing the necessary provocation. It amounts to getting Þráinn and his men to make enough insulting remarks so that, in the community's opinion, there will be adequate justification for reprisal. One specific insult does the job: it is Hallgerðr's epithets which were the subject of Sigmundr's unfortunate verses. The Njálssons do all they can do to provoke their utterance. Þráinn never says the words himself; he, in fact, actively tries to silence his men, but to no avail. In the eyes of the community this apparently is enough to justify killing Þráinn.

It is a nice legal issue whether Þráinn can fall for the libellous utterances of his mother-in-law and household. The answer appears to be yes. No uproar follows the death of Þráinn and no one seems so anxious to avenge him that a monetary settlement won't do. If Þráinn's death were unjustified we would expect either a killing case on his behalf or greater resistance than there was to accepting compensation. Moreover, vicarious liability for the wrongs of one's household members was well established. *Njáls Saga* itself shows many examples. Thus it is that Gunnarr and Njáll pay for the killings done by their thralls, housekarls, and guests and, in turn, receive compensation for their household men who are killed (Ch. 36-45). Indeed, herein may lie the reason that Þráinn tries to silence his men. He knows that the liability is his.

The role that insult plays in the death of Sigmundr and in the death of Þráinn, however, is not quite the same. When Sigmundr was killed the insult genuinely enraged and it was genuinely being avenged; of course, no small part of its force was the fact that it issued from the mouth of the killer of the Njálssons' foster-father. But eliciting the slander in Þráinn's case is coldly calculated to provide justification for an attack made, if not in cold blood, then in

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16 *Þat mun þykkja um sakleysi, ef þeir eru drepnir.* (Ch. 91)

lukewarm at best. Time is hard to compute in the saga, but Þórðr has probably been dead for some fifteen years or so. The hot blood-nights on his score have long since passed. The passage of time makes revenge for Þórðr look to be no more compelling a motive to kill Þráinn, than the events in Norway or the consciously provoked slander.

I will restate briefly some of the issues raised by the events surrounding Þráinn's death. The events illustrate quite clearly how difficult it is to find the specific wrong that is being repaid by a vengeance killing. But what is especially interesting is that we see how the astute avenging party looked ahead to provide specific and sufficient legal justification for the killing, even though the justification had to be contrived and might be purest pretext. The death of Þráinn also shows how a party might test out a possible justification and, when its sufficiency appeared doubtful, abandon it and change strategies. Hence the Njálssons originally intended to make the Norway incident the wrong that needed repayment, but adopted a different approach pursuant to their father's advice. There is here an indication of the processes by which parties sought to reify generalized hostility and vague animosity into a "gift," a wrong of some specificity which the community would recognize demanded repayment. The legitimacy of hostile action in the feud depended very much on how successfully that action could be made to look like reasonable reaction.

Our account is far from complete. Something else is required to explain the present desire to reopen hostilities dormant for so long. We have yet to determine why Skarpheðinn kills Þráinn when he does, rather than sparing him entirely or dispatching him when the loss of Þórðr was more greatly grieving him. We will return to this matter later.

* * *

In the settlement concluded for Þráinn's death Njáll pays wergeld to Þráinn's brothers. He then induces Ketill, his son-in-law and Þráinn's brother, to adopt Hǫskuldr Þráinnsson so that he can in turn adopt Hǫskuldr as his foster-son from Ketill. The adoption is extremely risky and is inviting trouble. The son would be expected to avenge his father and the sagas are full of such examples. This is why Njáll questions Hǫskuldr closely before adopting him. Hǫskuldr gives Njáll the answer he is looking for:

> "Do you know how your father died?" asked Njáll.
>
> "I know that Skarpheðinn killed him," the boy replied. "But we do not need to recall that, full compensation has been paid for it."[17]

In Hǫskuldr Njáll has found a kindred spirit. Both are peacemakers.

Njáll is willing to risk adopting Hǫskuldr, apparently for this reason: He is a promising youth and is likely to become the leader of the Sígfusson kin group. He is as yet too young to marry, and even if he were of age there is no evidence that Njáll has marriageable women in his family, at least that are suitable to Hǫskuldr. Furthermore, the marriage tie that already exists between the groups—Ketill's marriage to Njáll's daughter—has not been a deterrent to continued killings, though Ketill has been a strong force for settling troubles once they have arisen. Fosterage is a different type of link and more, perhaps, is to be gained from it. For one thing, the fostering relation often served as a status marker between the fosterer and the party giving the child out to be fostered. Generally, "he who

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17 *"Veiztu," segir Njáll, "hvat fǫður þínum varð at bana?"*

Sveinninn svarar: "Veit ek, at Skarpheðinn vá hann, ok þurfu vit ekki á þat at minnask, er sætzk hefir á verit ok fullar bœtr hafa fyrir komit." (Ch. 94)

fosters another's child is always called the lesser man."[18] By offering to foster Hǫskuldr, Njáll is taking, in effect, a levelling oath,[19] ritually humbling himself before the Sígfussons, who undoubtedly feel humbled themselves by having accepted compensation for their brother rather than having pursued vengeance.

Interestingly enough, Njáll's assessment of Hǫskuldr's future and character was right. At the time of the adoption the Njálssons had no scores left to settle with the Sígfussons, so Njáll had no reason to expect trouble from his sons. Had nothing else happened between the two groups, Njáll's plan would have worked. As when Gunnarr was alive, the two leaders would once again be strongly tied to each other and would, as before, manage to keep any hostilities that might arise between their kin groups and households within acceptable and compensable limits. But Lýtingr's killing of Hǫskuldr Njálsson would change everything.

The death of Hǫskuldr Njálsson: some problems in the structuring of settlements

The death of Þráinn left the next move to the Sígfusson kin group and reprisal should not have been unexpected. The history of the dispute between the two households provided more than sufficient indication that although compensation payments might buy peace for a while, in time blood too would be taken. This does not mean that settlements served no purpose. Peace for a while was no small achievement. Settlements subjected the parties to obligations and

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18 . . . *er sa kallaðr æ minni maðr, er oðrum fóstrar barn.* (*Laxdœla saga*, ÍF V, Ch. 27)

19 See Foote and Wilson, *The Viking Achievement*, p. 428: "In Danish law a man who accepted money atonement for an injury was also assured by his opponent on oath (the so-called 'levelling oath') that if he were in his position he too would accept atonement—i.e., he would not have spurned it and held out for blood vengeance."

community expectations that were not taken lightly. A broad-based settlement might even succeed in assuaging the honor of those kin and affines of the victim whose duty to take blood might not be so clearly defined. Lýtingr, Þráinn's sister's husband, was just such a person. Indeed, he indicates that some payment would have satisfied him, but that in its absence only blood would do:

> "Everyone knows that I received no compensation for the death of my brother-in-law Þráinn. I shall never be content until he is avenged."[20]

Once Lýtingr killed Hǫskuldr Njálsson it was the Njálssons who had a debt of blood to repay. They set out to do it immediately. Skarpheðinn kills Lýtingr's two brothers who had participated in the attack, but Lýtingr escapes to Hǫskuldr Hvítanessgoði and asks him to arrange a settlement with Njáll and the Njálssons on his behalf. A quick agreement is reached in which Lýtingr is to pay two hundreds of silver. Hǫskuldr asks Njáll whether his sons shouldn't be present. But, as in the settlement for Þórðr leysingjason (Ch. 43), Njáll commits his sons in their absence to honoring this settlement because "they will honor any settlement I make."[21]

The exclusion of his sons from the settlement is, on one level, pragmatic. They would not agree to it and Njáll is anxious to oblige Hǫskuldr's request. But on another level the exclusion, occurring as it does in the midst of the Lýtingr episode, is bitterly ironic. Njáll has just excluded his sons from a settlement for their brother when that brother was the victim of someone who was himself

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[20] *Þat vitu allir, at ek hefi ekki við bótum tekit eptir Þráin, mág minn; skal ek ok aldri una því, at engi komi mannhefnd eptir hann.* (Ch. 98)

[21] *. . . halda munu þeir þat, sem ek geri.* (Ch. 99)

resentful of having been excluded from a settlement for his wife's brother. It takes no careful reader to note that Lýtingr, too, dies because Hǫskuldr Njálsson's illegitimate son Ámundi inn blindi was not included in any settlement for his father (Ch. 106).[22]

There is a murky but crucial legal issue here. To what extent are non-parties to a settlement obliged to observe its terms because they are otherwise obliged by kinship or marriage ties to the obligors? Or phrased another way, was Njáll able to oblige his sons or were Þráinn's brothers able to oblige their sister's husband to observe settlements they entered into? The answer is, of course, a resounding "it depends." But a quick look at the results in *Njáls Saga* indicates that it was ill-advised to count on the performance of a settlement by one who was not expressly made a party to it. We have only to note what little sense of security the servants of Hallgerðr and Bergþóra must have felt from the knowledge that Gunnarr and Njáll had settled their wives' dispute (Ch. 36-42).

Avenging Hǫskuldr Njálsson: the liability of the peacemaker

The discussion that follows details the complex process by which Hǫskuldr Hvítanessgoði is substituted for Lýtingr as the final expiator for the killing of Hǫskuldr Njálsson. I then suggest that peacemaking, under certain conditions, can engender liability for the peacemaker similar to that

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22 "Baugatal" (Gg 1a.201) classifies the victim's sister's husband (i.e., Lýtingr with regard to Þráinn) and his illegitimate son as *sakaukar* and entitles them to a payment from the killer's sister's husband or illegitimate son respectively if there are either. The applicability of "Baugatal" to the sagas is problematic and has occasioned a substantial literature; see, e.g., Phillpotts, *Kindred and Clan in the Middle Ages and After*, pp. 11-39; Sveinsson, *Um Njálu*, pp. 55-61; and Heusler, *Das Strafrecht der Isländersagas*, pp. 206-07.

which the person protected by the settlement had incurred. I also sketch out some of the factors by which the party still owing the debt of blood, in this case the Njálssons, decides who in the opposing group will be made liable for the actions of that group's members.

The state of the feud immediately subsequent to the settlement that spares Lýtingr bears some instructive correspondences to the situation subsequent to the killing of Þórðr leysingjason. In both cases two of the three primary vengeance targets are killed within a short time and settlements are interposed protecting the remaining target. The settlements are structurally similar. Both are concluded between Njáll and the leader of the Sígfusson kin group, who in each case offers Njáll self-judgment. On each occasion he is asked whether he wishes his sons to be there. The sons are excluded each time on Njáll's motion and committed to honoring the settlement by filial duty rather than by promises undertaken to the compensation-paying party. These correspondences suggest that we might expect Lýtingr eventually to fall to Skarpheðinn just as Þráinn did, expiating some new liability, manufactured or provoked so as to comply technically with the settlement. Yet Lýtingr is removed from the scene before any convenient pretext arises. He is the unfortunate object of one of Iceland's first Christian miracles in which God grants Ámundi inn blindi his sight just long enough to cleave Lýtingr's skull (Ch. 106).

The author, however, has already taken care to let the reader know that the Njálssons are not complicit in Lýtingr's death. His last words before interrupting the narration of the feud to devote six chapters to Iceland's conversion to Christianity had been an emphatic statement regarding Hǫskuldr and Njáll's settlement on behalf of Lýtingr: "It is to be noted about this that this settlement was

upheld by them."[23] The writer is not often given to making editorial comments of this sort. When he makes one here he indicates that it was surprising the settlement was kept and that it was just the kind of settlement least likely to have been kept. But more importantly he wants the reader to know that when Amundi kills Lýtingr it was not in connivance with the Njálssons. The community is apparently ready to believe the contrary. Thus much of Mǫrðr's slander to Hǫskuldr Hvítanessgoði involves insinuations that the Njálssons set Amundi up:

> "They also broke," said Mǫrðr, "the settlement with Lýtingr."
> "I do not think they are to blame for that," said Hǫskuldr.[24]

Hǫskuldr's response suggests some uncertainty. And Mǫrðr's slander is merely insipid unless this indeed was what everyone thought had happened.

There is then definite indication that people expect further action from the Njálssons in the matter of their brother's death. The killing of Lýtingr's brothers was insufficient to avenge Hǫskuldr Njálsson properly. The balance-sheet model made distinctions in the quality of expiators and victims. Two scoundrels of ill repute, though free men, such as Lýtingr's brothers, did not necessarily equal one man of good character, though illegitimate, such as Hǫskuldr Njálsson. Lýtingr was off-limits to the Njálssons because of the settlement concluded by their father and Hǫskuldr Hvítanessgoði. And they could derive no great satisfaction from Lýtingr's death at Amundi's hands because they did not aid Amundi. The benefit of Amundi's having taken vengeance on Lýtingr runs only to himself and not to the Njálssons. There is, in other words, still something to be done.

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23 *Nú er at segja frá því, at þessi sætt helzk með þeim.* (Ch. 99)

24 *"Þeir rufu ok," segir Mǫrðr, "sætt á Lýtingi."*
"Ekki ætla ek þat þeim at kenna," segir Hǫskuldr. (Ch. 109)

With the death of Lýtingr, the appropriate target of vengeance is removed, but circumstances suggest a fitting surrogate. Just as Lýtingr found it a provocation that Hǫskuldr Njálsson often rode by his farm (Ch. 98) so too the Njálssons must have found it a provocation to know that for the sake of Hǫskuldr Hvítanessgoði their father composed the killing of their brother Hǫskuldr Njálsson. The name Hǫskuldr alone must have been provocation and a constant reminder that but for Hǫskuldr the foster-son, Hǫskuldr the natural son and their brother would have been avenged. The Njálssons with deadly appropriate irony resort to the law of the talion, and take perfect vengeance for their brother: a Hǫskuldr for a Hǫskuldr.

Hǫskuldr Hvítanessgoði's death, however, is more than just a matter of homophonic attraction. The killing provides a useful example both of types of conduct that create liability and the extent of vicarious liability in the Icelandic bloodfeud. Hǫskuldr clearly bears no direct liability for the attack on Hǫskuldr Njálsson. He neither participated in it nor counseled it. And although he was present at the planning of it he emphatically repudiated Lýtingr's invitation to avenge his father in blood (Ch. 98). Nor does it appear that he incurs liability for failing to warn, because there was no time to make a warning. But the legal issue is severely complicated with respect to Hǫskuldr's liability as soon as he interposes himself on behalf of Lýtingr and uses his influence with Njáll to conclude a settlement that spares Lýtingr. Hǫskuldr has in effect become the shield behind which Lýtingr is protected from the blows of Skarpheðinn. The mere fact of Hǫskuldr's having so interposed himself calls into question the sufficiency of his repudiation of the attack on Hǫskuldr Njálsson. To the Njálssons he might appear to be ratifying Lýtingr's actions. The interposition, to push the shield metaphor to its limits, also makes Hǫskuldr a likely recipient of blows that would have struck Lýtingr if no settlement had been negotiated.

The peacemaker cannot, it seems, escape some responsibility for the acts of the person benefitting by his

peacemaking.[25] Gunnarr, for example, manages to dissipate any hostility he might have incurred for having settled with Njáll on behalf of the killers of Þórðr leysingjason by his subsequent unequivocal repudiation of Sigmundr. Gunnarr not only tells Sigmundr he disapproves of his versifying, he shows publicly that he disapproved by letting Sigmundr lie uncompensated for and by refusing to take any action over his death (Ch. 45). This is in fact the reason Skarpheðinn gives Hǫgni Gunnarsson for why he is willing to help him avenge his father: "I remember how Gunnarr acted over the death of your kinsman Sigmundr."[26] Skarpheðinn's statement suggests that had not Gunnarr so behaved, he, like Hǫskuldr, would have been tainted by his peacemaking.

The liability Hǫskuldr engenders directly as a result of his peace-making is reinforced, if not augmented, by the liability that attaches to him vicariously as the leader of the Sígfusson kin group. Here we must note briefly some aspects of group liability in the Icelandic bloodfeud. The make up of the vengeance-receiving group is to a great extent determined by the perceptions and choices of the vengeance-taking group. This does not mean that the extent of passive solidarity—that is, the group make-up as

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25 *Grágás* recognizes the ambiguous significance of peacemaking. It provides that a person separating people fighting incurs liability for aiding and abetting unless he gets a verdict that he would have separated them even if the injuror's and injured's roles were reversed (Gg Ia 146). To be noted here also is the common peacemaking tactic of threatening to join the side that first accepts the peacemaker's intervention. The willingness of the peacemaker to change his status from third party to principal shows that liabilities incurred for peacemaking were actively accepted by peacemakers, not simply imposed upon them by disgruntled principals. See further Miller, "Avoiding Legal Judgment," pp. 104-04, notes 27 and 33, for examples.

26 *Nú skal ek þat muna, hversu Gunnari fór eptir víg Sigmundar, frænda yðvars.* (Ch. 78)

perceived and defined by an outsider, as opposed to active solidarity which is the group that actually acts together[27] —are solely at the whim of vengeance takers. The vengeance takers' choice of expiator is governed and limited by norms which the community recognizes and enforces when it is called on to support one side or the other in various contexts, such as lawsuits and arbitrations. The ultimate legitimization of any vengeance killing that falls on someone not primarily liable depends on whether a substantial number of third-parties are willing to perceive the vengeance target as a member of the liability-bearing group.[28]

The events surrounding the death of Hǫskuldr Njálsson give a remarkable picture of the differences in the active and passive solidarity of the vengeance-taking group on one hand, and the vengeance-receiving group on the other. When Lýtingr takes it upon himself to attack Hǫskuldr Njálsson, he sets about actively recruiting the group for the expedition using relationship to Þráinn as the focal point for group recruitment (Ch. 98). He looks to Þráinn's blood kin: Þráinn's son, his brother's sons, and his sister's son's son. They all refuse. The group Lýtingr actually succeeds in recruiting is organized with himself as the focal point and is made up of his own blood kin, his brothers, and members of his household, all of whom owe little if any duty to Þráinn. However, to the opposing side, the Njálssons, Lýtingr's attack on their brother can only be construed as in vengeance for Þráinn. Hence they will define the group to be held liable, not in reference to Lýtingr, but in reference to

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27 For a useful discussion of group liability and on the difference in perspective of "insiders" and "outsiders" regarding group make-up, see Moore, "Legal Liability and Evolutionary Interpretation," pp. 82-134.

28 On the extent of the class of possible expiators, that is, the practical limits of passive solidarity, see the examples in Heusler, *Das Strafrecht der Isländersagas*, pp. 57-59; see also the following note.

Þráinn. Indeed, this was how Lýtingr himself originally defined the group. Of what effect then are the refusals of Þráinn's son and nephews to join Lýtingr? To the Njálssons, not much. As I suggested regarding Hǫskuldr Hvítanessgoði's liability for peacemaking, in the absence of an explicit and public repudiation, Lýtingr will be perceived to be an accepted member of a group whose leader is Hǫskuldr Hvítanessgoði.

Did the community agree with the Njálssons' assessment of the extent of acceptable passive solidarity and vicarious liability? The community reaction to Þráinn's death indicated that his death was well within those norms, but whether Hǫskuldr's death conformed to them is far from certain. If we take the support that each side is able to muster in the killing case for Hǫskuldr as indication of the community's views on the matter we can only conclude that it is deeply divided. This is a fairly significant index since people without a direct and primary obligation to the Njálssons could readily have used the un-popularity of the cause as a convenient excuse to justify non-involvement or even alignment with the other side.[29] Yet each side is able to assemble significant support. Community ambivalence is given concrete expression a year after Hǫskuldr's death when the lives of Skarpheðinn and Hǫskuldr are valued equally and set off against each other: "the killing of Skarpheðinn was equated with the killing of Hǫskuldr Hvítanessgoði" (*víg Skarpheðins skyldi jafnt ok víg Hǫskulds Hvítanessgoða*, Ch. 145). But the difference in community

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[29] The justice of one's cause was frequently reflected in its popularity which in turn directly affected the ability of the party to muster support for the defense or prosecution of his case. Thus Flosi on hearing that Hǫskuldr had been "killed for less than no cause": "Then they will find it hard to get support" (*Þá mun þeim verða illt til liðveizlumanna*, Ch. 115). Flosi happened to be over-optimistic in his prediction for reasons this article suggests.

reaction is one of few significant contrasts among some noteworthy correspondences between the deaths of Þráinn and his son. Both die as much because of their position in their kin group and for the deeds of those for whom they are held to be responsible as for any specific conduct of their own. Both die by the same hand. And both are the third and final expiators in the very complete vengeances Skarpheðinn takes for his foster-father, Þórðr leysingjason, and his brother, Hǫskuldr Njálsson.

II

The preceding exposition shows one way in which the saga accounts for the killings of Þráinn and his son Hǫskuldr. Each killing could be explained as a repayment of a specific wrong. This balance-sheet model, as I have chosen to call it, could rather ingeniously impose order on a complicated series of events. Most hostile action could be integrated into it, either by an accommodating and generous application of the rules of passive solidarity and vicarious liability, or by the manufacture of new liabilities invoked to justify what might often be unsolicited aggression. I have suggested that the manipulation of these rules and the manufacture of pretexts need not be attributed to the cynicism of the actors, although Snorri the Priest and Mǫrðr Valgarðsson show that cynicism was certainly possible. The model had a powerful hold on the imagination of the actors; in its terms the saga people saw not only the processes of dispute resolution but also the competition for power, that is, politics.

The author, like his characters, engages in occasional manipulations to fit the course of events to the structure of the model. Thus it is that he may telescope long periods of historical time into short narrative time in order to give the sense that certain events bear much more marked causal connections than is perhaps really the case. One such instance, which we will return to later: Hǫskuldr Njálsson is killed within six brief chapters of Þráinn's death (Ch. 92,

98). Yet in those six chapters enough time passes to let Hǫskuldr Þráinnsson grow up, marry and be established as the Hvítanessgoði. The narrative time makes Hǫskuldr Njálsson's death seem a simple matter of Lýtingr avenging Þráinn. There is, however, more to it than that.

The manipulations of both author and characters point up some inadequacies in the balance-sheet model. It is unable to account for one crucial feature of the Sígfusson-Bergþórshváll feud which requires further explanation: Why are Þráinn and Hǫskuldr his son killed *when* they are? The author suggests some possible answers and provides sufficient material to support a reasoned hypothesis that the feud had as much to do with the competition for power in the district as it did with the talion.

Power in the district

One of the notable things about the saga writer's treatment of power in Fljótshlíð and Landeyjar before the rise of Hǫskuldr Hvítanessgoði is the absence of powerful chieftains in the district. Gizurr hvíti makes his presence felt, but only occasionally. He is not a constant force in the area. The same is true of Rúnólfr Úlfsson. The chieftaincy of Mǫrðr and Valgarðr was never an especially powerful one after the death of Mǫrðr gígja (Fiddle). Valgarðr spends most of his time abroad, and Mǫrðr has the ignominious distinction of never winning a lawsuit in the entire saga. Power in the district is largely in the hands of big men of the *bóndi*[30] class. Such are, at various times, Gunnarr, Njáll, Þráinn (briefly) and Skarpheðinn.

From the time of his marriage until shortly before his death, Gunnarr was, in the saga's terms, the most powerful man in the district. He derived much of his influence from his own strength of character, not to mention his numerous and substantial kinsmen, his powerful West Quarter affines

30 A free farmer who is also a head of a household.

and especially his continued good relations with another substantial *bóndi* in the district, Njáll. Gunnarr and Njáll do not compete for power; their unshakeable alliance as well as their genuine mutual affection prevent it. No doubt much of the inability of any chieftain to make a substantial inroad into the district was due to the continuing alliance between Gunnarr and Njáll, this in spite of the feud that was escalating in seriousness between their households and kin groups.

Gunnarr's death created a power vacuum in the district and the rush to fill it would revive old hatreds and create new ones. Njáll and Skarpheðinn move immediately to eliminate possible competitors. The way they go about it offers a clear example of how action largely political was accommodated to the structure of the balance-sheet model of the feud. It is to be noted that neither Njáll nor Skarpheðinn have any formal obligation to avenge Gunnarr; they are not his kin or sworn avengers.[31] Yet they more than actively assist in Hǫgni Gunnarsson's

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[31] A sworn avenger is rendered in Icelandic as *fóstbróðir*, i.e., foster-brother, often translated as "blood-brother"; the relationship was undertaken formally in a blood mixing ritual. Detailed descriptions of the ceremony are found in *Gísla saga Súrssonar* (Ch. 6) and *Fóstbrœðra saga* (Ch. 2), ÍF VI. The term is also used where two boys are raised together because one is being fostered by the other's parents. It should be noted that Hǫskuldr Hvítanessgoði is not *fóstbróðir* to the Njálssons and nowhere in the saga is he referred to as such. Hǫskuldr and the Njálssons are not *fóstbrœðr* in the first sense. Although it might have been appropriate for Hǫskuldr to be fostered by the well-intentioned father of his father's killer, it would have been utterly disgraceful to become a blood-brother to Skarpheðinn, his father's killer. The age difference between the young Hǫskuldr and the Njálssons would seem to prevent them from being *fóstbrœðr* in the second sense. Technically, Skarpheðinn kills his father's foster son, not his foster brother. See further Miller,

vengeance-taking, they appropriate it completely to themselves. It is Njáll who counsels taking blood, since avenues of legal recourse had been foreclosed by Gunnarr's outlawry (Ch. 78), and it is Skarpheðinn who directs the choice of targets (Ch. 79). The vengeance expedition not only settles the debt for Gunnarr's death, it is also a major setback for two of the most likely competitors for power in the district, Geirr the Priest and Mǫrðr Valgarðsson.

Geirr had moved into the district immediately following Gunnarr's death (Ch. 77). But by directing vengeance against Geirr's illegitimate son and his homeman, Skarpheðinn not only gets Geirr out of the district, he gets him out of the saga: "Geirr goði lived at Hlíð until he died and he is out of the saga."[32] Mǫrðr, as is only too well known, manages to remain in the saga; but he is publicly humiliated by Skarpheðinn, forced to give Hǫgni self-judgment and pay for the liabilities incurred by Hǫgni and Skarpheðinn in avenging Gunnarr (Ch. 79-80). Roughly twenty years will pass before we hear again of Mǫrðr's meddling. Njáll and Skarpheðinn are thus able to secure their own political advantage while acting solely within the norms of the balance-sheet model of the feud. Gunnarr has been avenged and they are now *primi inter pares* in the district. It is into this state of affairs that Þráinn returns from Norway. He is soon established as the head of his kin group: "All Þráinn's kinsmen now looked on him as a leader."[33] Of all the Sígfussons who could have emerged as leader of the group, Þráinn was the one, for reasons noted earlier, most likely to incur the Njálssons' hostility. And now there is another reason, more immediate. Þráinn is killed *when* he

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"Justifying Skarpheðinnn," pp. 319-20.

32 *Bjó Geirr goði í Hlíð til dauðadags, ok er hann ór sǫgunni.* (Ch. 80)

33 *Allir frændr Þráins heldu hann fyrir hǫfðingja.* (Ch. 88)
The context here requires that *hǫfðingi* be translated more generally as "leader" rather than as "chieftain."

is because he is aggressively competing with the Njálssons for power and prestige in the district (Ch. 91). Had another Sígfusson emerged as leader, Þráinn might never have expiated his complicity in the death of Skarpheðinn's foster-father. Þráinn's pretensions to power made the Njálssons remember old debts and invent new ones, claiming Þráinn as the cause, however tenuous, of their having incurred Hákon jarl's wrath in Norway.

Can it be merely coincidental then that Þráinn's son Hǫskuldr is killed only when he has become the head of his kin group and the pre-eminent man in the district? The saga is explicit that the reason Mǫrðr is hostile to Hǫskuldr is political. Mǫrðr is losing thingmen to Hǫskuldr's chieftaincy (Ch. 107). But Mǫrðr is not the only one in the district losing power and prestige to Hǫskuldr. So are Skarpheðinn and his brothers. After the death of Þráinn, and until the rise of the Hvítaness chieftaincy, Njáll's household is the primary locus of power in the district. The Sígfussons have been reduced to a client kin group, with their most able members attached to Njáll in one way or another: Ketill as an affine, Hǫskuldr as a foster-son and household member. But with the rise of Hǫskuldr's power the patron-client relationship is inverted; the Njálssons become no more than Hǫskuldr's thingmen.

Had the Njálssons forseen this, one assumes that they would have objected to Njáll's having obtained a chieftaincy for Hǫskuldr. But the saga mentions no disagreement between Njáll and his sons on this matter, and it must be presumed that there was none. There are, in fact, some hints in the text that the Njálssons had reason to expect the chieftaincy would be primarily an appurtenance to Bergþórshváll, to be shared by Njáll's sons, blood and foster. The sharing of chieftaincies was common enough practice in Sturlunga times when title to one and the power that went

with it were not necessarily held by the same person.[34] Njáll and his sons act so as to keep Hǫskuldr's power firmly within their influence, even if not completely under their control. Thus Hǫskuldr remains a member of the Bergþórshváll household more than a year after obtaining the chieftaincy. When he is established in his own household it is on a farm and with dependents selected by Njáll (Ch. 97). Even then counsel taking and decision making is done jointly: "They were all so close that no one thought any course of action was final unless they all counseled together about it."[35]

The understanding that the Hvítaness chieftaincy was to be oriented toward Bergþórshváll is also confirmed by the fact that, at least on one occasion, Skarpheðinn took up Hǫskuldr's chieftaincy when Hǫskuldr failed to attend the Fifth Court (Ch. 109). Skarpheðinn could have been authorized to act in Hǫskuldr's place in two ways: either by Hǫskuldr directly (Gg 1a.141) or by the chieftains of Hǫskuldr's district who had the power to appoint a replacement for the chieftain who failed to arrive at the Althing at the proper time (Gg 1a.43). In either case we get an admission by others of the Bergþórshváll people's interest in the Hvítaness chieftaincy.

But whatever the intention of the parties regarding the sharing of power might have been, Hǫskuldr's establishment at Ossaby forces him into representing interests hostile to the Njálssons. No sooner is he installed at Ossaby than he is looked to as the leader of the Sígfussons. And no sooner do the Sígfussons have a leader of ability established independently than one of their members renews hostilities between the groups. Hǫskuldr Njálsson rode past Lýtingr's

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34 See Sveinsson, *The Age of the Sturlungs*, p. 10, and footnote 3, p. 159, for examples.

35 *. . . svá var dátt með þeim ǫllum, at engum þótti ráð ráðit, nema þeir réði allir um.* (Ch. 97)

farm for years without provoking an attack. That he should provoke one now cannot simply be a matter of Lýtingr's anguish over Þráinn's death or irritation over having received no wergeld for it, even though this is the reason he invokes to justify the attack. In terms of the balance-sheet model Lýtingr is reasserting a dormant claim; but in terms of the feud as politics, the dormant claim is asserted to justify a new claim to pre-eminence and prestige at the expense of the Njálssons, a claim whose only objective basis is the independent establishment of Hǫskuldr Hvítanessgoði. In this light consider that the saga gives us only two descriptions of Hǫskuldr's participation in arbitrations and lawsuits. Both are on behalf of members of the extended Sígfusson kin group: Lýtingr and Lýtingr's kinsmen (Ch. 99, 106). The saga's silence about Hǫskuldr's other presumably extensive judicial activities only emphasizes the divergence of interest between him and the Njálssons brought about by his position as a chieftain and as the leader of the Sígfusson kin group.

Hǫskuldr Hvítanessgoði dies then for much the same reason his father died. Both die when and because they have emerged as leaders of a group competing with the Njálssons for power in the district. But this realization is obscured from the actors in part by the model of the feud to which they subscribe and by whose terms Þráinn and Hǫskuldr are balanced against Þórðr leysingjason and Hǫskuldr Njálsson. There remains one last matter.

The alliance with Mǫrðr

The alliance is not as unnatural as it may seem. There is a certain structural logic to it. Both Mǫrðr and the Njálssons have been in a state of feud with variously composed segments of the Sígfusson kin group for some thirty years. Mǫrðr had been opposed to Gunnarr, and after Gunnarr's death Skarpheðinn had been opposed to Þráinn. Gunnarr and Þráinn were at those times each the leader of the Sígfusson kin group. One generation later Hǫskuldr Hvítanessgoði is the successor to both Gunnarr and Þráinn and

the coalescence of these persons in his person brings about a correlative alliance between the enemies of the Sígfussons of the prior generation. Skarpheðinn is making use of Mǫrðr's hostility to the Sígfussons just as Mǫrðr is using Skarpheðinn's. Neither is tricked into alignments not already largely determined by the history of relations among the contestants for power in the district.

An additional matter, however, further complicates the structure of the dispute. Mǫrðr still owes Skarpheðinn for Skarpheðinn's role in directing the vengeance for Gunnarr against him (Ch. 79-80; 107). From Mǫrðr's perspective his hostility to Skarpheðinn is but another aspect of his feud with Gunnarr and his successors. There is here an interesting illustration of the process of group formation and transformation in the feud. The Njálssons actively define themselves in opposition to the Sígfussons; but the rules of passive group definition allow Mǫrðr to treat the Njálssons as an extension of the Sígfussons. It is exactly this passive grouping that Njáll foresees when he tells Gunnarr: "These troubles will enmesh my sons when you are dead."[36]

Mǫrðr, then, is in a state of feud with the Njálssons no less than with the Sígfussons. But because Mǫrðr wishes to act with the Njálssons, and to treat them for the time being as they see themselves, i.e., as opposed to the Sígfussons, he needs to make some formal indication that he is redefining his relations with them. Herein lies the explanation for the friendship—*vinátta*—between Mǫrðr and the Njálssons. *Vinátta* means both more and less than friendship in our sense of the word. *Vinátta* is less a state of reciprocal affection than a quasi-juridical status.[37] Thus it is that

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36 . . . *þangat mun snúit vandræðum, þá er þú ert látinn, sem synir mínir eru.* (Ch. 75)

37 See also Byock, *Feud in the Icelandic Saga*, where *vinátta* or *vinfengi* is described as a "reciprocal political arrangement" (p. 95) in which "men of equal power ... allied themselves through contractual pledges

friendship is often described as mutual consultation rather than mutual affection (see, e.g., Ch. 97 and 108), as alliance formation more than amicable companionship. Of course friendship need not be just a cold agreement to consult together, a mere matter of expediency understood as such by the parties. The friendship of Gunnarr and Njáll shows that it could also accommodate enduring and genuine fellow-feeling. It is more that when non-kin wished to take counsel together there were only a few social relationships within which such behavior was customary or even possible. Kinsmen were under strong constraints to take counsel together; and what I suppose here is that friends were too. Formal friendship was one of the few ties non-kin had available to them which obliged them not to act contrary to the other's interests. There simply were no structures available within which only political action took place. In other words, much of what today would pass for politics was embedded in structures like friendship, marriage, and especially the blood-feud.[38]

Before we accept uncritically that Mǫrðr somehow tricked the Njálssons into doing something against their will, consider that the Njálssons did not become Mǫrðr's friends in our sense of that word, just as they were never Hǫskuldr's friends in that sense. Skarpheðinn was not tricked by Mǫrðr any more than Mǫrðr was tricked by him. Both men elicit promises from the other to attack Hǫskuldr and both keep them. Mǫrðr as well as Skarpheðinn inflicts wounds on Hǫskuldr and this was general knowledge well before Flosi set out to avenge Hǫskuldr (Ch. 121). Mǫrðr was no less legally liable,[39] no less justifiable a vengeance

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of mutual support and friendship." (p. 42)

38 I borrow the concept by way of analogy from Polanyi's discussion of pre-market economies, *The Great Transformation*, p. 57.

39 See also Gg 1a.145-47, 152, 178. Liability attaches to Mǫrðr for inflicting a wound, for being in the company of those who inflicted

target than the Njálssons were. The success of Mǫrðr and Valgarðr's plans (Ch. 107) owes less to Mǫrðr's machinations than to Flosi, whose choice it was to direct the vengeance against Njáll's household rather than against Mǫrðr. And Flosi's decision was a matter totally beyond Mǫrðr's control. It was not Mǫrðr, but old Valgarðr who astutely assumed that the Njálssons would be selected as the expiators for the death of Hǫskuldr Hvítanessgoði: "There are many who will take action over him, and the Njálssons will be killed on that account."[40] Valgarðr apparently surmised that in the struggle for succession to Hǫskuldr's power, Skarpheðinn and his brothers, because more formidable than Mǫrðr, would draw the hostility of other competitors for power in the district; Mǫrðr would not be worth their while.

In sum, the balance-sheet model, as we have seen, was able to explain Hǫskuldr's death, after the fact, as expiation for Hǫskuldr Njálsson. But, it is doubtful it could ever have predicted the choice of expiator. This is because the model often confuses pretext for cause, rationalization for explanation. I suggested that this model was how the saga characters understood the feud. People went to great lengths to conceive of hostile actions in its terms; they manufactured claims and manipulated the norms of group definition and the rules of vicarious liability to justify violence whose motivation was often political rather than retributive. We suggested that this model was incomplete, that it needed to be supplemented by a view which recognized that the feud was the means by which groups competing for power and prestige defined their relationships. In this context Skarpheðinn's killing of Hǫskuldr Hvítanessgoði was

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wounds, for plotting to kill, and for improper publishing of the killing. (Gg 1a 155)

40 *En þar eru margir til eptirmáls um [Hǫskuld], ok munu þá Njálssynir af þeim sǫkum drepnir verða.* (Ch. 107)

mainly a political act, the bloodfeud being the very stuff of politics in early Iceland.