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Gift, Sale, Payment, Raid: Case Studies in the Negotiation and Classification of Exchange in Medieval Iceland

By William Ian Miller

Near the end of *Eyrbyggja saga* Þórir asks Óspak and his men where they had gotten the goods they were carrying. Óspak said that they had gotten them at Þambárdal. "How did you come by them?" said Þórir. Óspak answered, "They were not given, they were not paid to me, nor were they sold either."¹ Óspak had earlier that evening raided the house of a farmer called Álf and made away with enough to burden four horses. And this was exactly what he told Þórir when he wittily eliminated the other modes of transfer by which he could have acquired the goods.² There is no question of thievery here. An Icelandic thief had to conceal the taking, and Óspak was not so craven.³ His taking was open and notorious, and Þórir did not fail to conceive his meaning. This was a *rán*, an open, hostile taking.⁴

Óspak is also saying something about modes of exchange in medieval Iceland. He is listing, apparently in descending order of probability, just how

Icelandic names appear without the nominative inflection when in English text. I would like to thank Kathleen Koehler and James Krier for reading and commenting on earlier drafts.

¹ *Eyrbyggja saga* 58, p. 161, Íslenzk fornrit 4: "Hvern veg kómusk þér at því?" segir Þórir. Óspakr svarar: 'Hvárki váru gefin né goldin né sölum seld.'" The family sagas are cited by chapter and page number in Íslenzk fornrit (Reykjavík, 1933–), hereafter ÍF. The chapter divisions of this edition are maintained in most accessible English translations of the sagas. I supply the volume number in ÍF for the first citation of a saga or *þáttur*.

² I refer only to inter vivos transfers, in which the parties to the exchange meet or know the identity of each other; acquisitions by inheritance and by finding are thus excluded.

³ See Theodore M. Andersson, "The Thief in *Beowulf*," *Speculum* 59 (1984), 493–508, at pp. 496–98. The relevant provision in the laws of the Icelandic commonwealth can be found in *Grágás*, 1b:162, section 227. These laws date mostly from the twelfth and thirteenth centuries. Citations of *Grágás* are to the volume, page, and section number of the editions of Vilhjálmur Finsen: *Grágás: Íslændernes lovbog i fristatens tid, udgivet efter det kongelige biblioteks haandskrift* (Copenhagen, 1852), hereafter *Grágás*, 1a and 1b; *Grágás efter det Arnamagnæanske haandskrift nr. 334 fol.*, *Staðarhólsbók* (Copenhagen, 1879), hereafter *Grágás*, 2; and *Grágás: Stykker som findes i det Arnamagnæanske haandskrift nr. 351 fol.*, *Skálholtsbók . . .* (Copenhagen, 1883), hereafter *Grágás*, 3. All three volumes were reprinted in 1974 by Odense Universitetsforlag. Sections 1–116 of *Grágás*, 1a have recently been translated in Andrew Dennis, Peter Foote, and Richard Perkins, *Laws of Early Iceland: Grágás* (Winnipeg, 1980).

⁴ *Grágás*, 1b:164, section 228. I translate *rán* variously as raid and forceful taking. For a good discussion of the distinction between theft and *rán* and the moral and social values associated with them see Andersson, "The Thief in *Beowulf*," pp. 497–98.

goods were likely to be transferred between two people of roughly equal social standing: as a gift, as a payment (presumably by way of compensation in the settlement of a claim),⁵ or as a purchase. Last comes *rán*, unmentioned because it was unsociable. Students of the economy of the medieval Icelandic commonwealth have been less willing than Þórir to understand Óspak's message.⁶ Óspak has declared himself to be neither borrower nor lender, neither purchaser nor merchant, neither importer nor exporter — in short, no one in whom a traditional economic historian would be interested. But a discussion of the early Icelandic economy can no more ignore gift exchange and compensation awards than the price of *vaðmál*⁷ in relation to silver; it cannot ignore marriage practices, raids, or the debts incurred in the blood feud any more than the carrying capacity of Viking ships. Internal exchange is not as well documented as long-distance trade, but it is much better documented than has been assumed.⁸ When the sagas speak of the host who

⁵ *Gjalda* (verb) describes generally the act of requiring an obligation; it can refer to the debt repaid to a creditor, the price given to a seller, the countergift returned to the giver, and frequently the compensation of a wrongdoer paid to an injured party: see, e.g., n. 121 below. Whatever the precise meaning of *gjalda* here, Óspak's sense is clear; he is denying that the loot was taken in satisfaction of a prior claim. See also *An Icelandic-English Dictionary*, ed. Richard Cleasby and Gudbrand Vigfusson, 2d ed., William A. Craigie (Oxford, 1957), s.v. *gjalda*, hereafter Cleasby-Vigfusson.

⁶ General treatments of the medieval Icelandic economy have attended well to domestic production, but less so to domestic distribution. See, e.g., Jón Jóhannesson, *A History of the Old Icelandic Commonwealth*, trans. Haraldur Bessason (Winnipeg, 1974), pp. 288–335. Discussions of exchange focus almost exclusively on long-distance transactions of distinctly mercantile character. See, e.g., Bruce Gelsinger, *Icelandic Enterprise: Commerce and Economy in the Middle Ages* (Columbia, S.C., 1981). Studies of Viking activity on the continent and of Dark-Age exchange have not limited themselves in this fashion; see, e.g., Philip Grierson, "Commerce in the Dark Ages: A Critique of the Evidence," *Transactions of the Royal Historical Society*, series 5, 9 (1959), 123–40; Georges Duby, *The Early Growth of the European Economy: Warriors and Peasants from the Seventh to the Twelfth Century*, trans. Howard B. Clark (Ithaca, 1974), pp. 52–57; Richard Hodges, *Dark Age Economics: The Origins of Towns and Trade, A.D. 600–1100* (London, 1982); and Peter H. Sawyer, "Kings and Merchants," in *Early Medieval Kingship*, ed. Peter H. Sawyer and Ian N. Wood (Leeds, 1977), pp. 139–58.

⁷ A coarse woolen cloth used both as a money substance and as an article of trade. See Jóhannesson, *History*, pp. 312–13, 330–34.

⁸ The tiresome debate on saga historicity has led to a "failure of nerve" regarding the value of much of the saga material for social and legal history. I am here borrowing Patrick Wormald's description of the scholarly reaction to the quality of Scandinavian sources for Viking studies, from sagas and saints' lives to law codes. He notes that historians have "moved from a position of not believing everything, to one of not believing anything, in them." Patrick Wormald, "Viking Studies: Whence and Whither?" in *The Vikings*, ed. Robert T. Farrell (London, 1982), pp. 128–53, at pp. 129–31. His observation is equally applicable to saga studies in the Icelandic context. The remarkable fit between the descriptions of dispute processing in the sagas and in modern ethnographic studies of preindustrial societies suggests that fictionalizing dialogue and chronology does not mean fictionalizing the processes of exchange and feud. The negative judgment on saga historicity was too hastily extended to include matters not fully understood or satisfactorily disproved.

sends his guests away with good gifts, or when they take care to note that two men took turns inviting each other to feasts, we are not entitled to dismiss this as mere literary commonplace.⁹ Nor need we look to Celtic sources to explain the appearance of a cattle raid in a saga.¹⁰

The domestic economy of medieval Iceland was not to be found in towns and villages, which did not exist until the early nineteenth century. The basic unit of residence and production was the household farm. These farms were largely self-sufficient, but this did not preclude internal trade.¹¹ Peddlers and beggars wandered from farm to farm bearing both gossip and goods.¹² The *things* — the Althing in the summer and local *things* in spring and fall — also provided regular meeting places where various types of exchanges and the settling of debts could occur.¹³ Fairs were held in conjunction with

⁹ See, e.g., Lars Lönnroth, *Njáls saga: A Critical Introduction* (Berkeley, 1976), p. 54. Literary scholars, not surprisingly, tend to treat similarity exclusively as a matter of literary influence; see, e.g., Einar Ól. Sveinsson, *Um Njálu* (Reykjavík, 1933), pp. 140–41, finding that the author of *Njáls saga* borrowed the refusal of the request to buy hay from *Hænsa-Þóris saga*. See further cases 1 and 2 below, at nn. 36 and 71, and cf. n. 87.

¹⁰ See the introduction to *Laxdæla saga*, trans. Magnus Magnusson and Hermann Pálsson (Baltimore, 1969), p. 37, and cf. below, n. 84.

¹¹ Except for a few isolated sales, evidence of systematic local trade involving goods of local origin is sparse. Váli, in *Bandamanna saga* 4, p. 313 (ÍF 7), has sold wares throughout the district. In *Þorsteins þátrr stangarhöggs*, p. 69 (ÍF 11), it is mentioned that Þorstein and his father made money selling horses. In *Guðmundar saga dýra* 5, St. 1:169, a man loaded a ferry each summer with “fastday food,” presumably fish, and bore it about the district selling to the farmers: *Sturlunga saga*, ed. Jón Jóhannesson, Magnús Finnbogason, and Kristján Eldjárn, 2 vols. (Reykjavík, 1946). References to the *Sturlunga* compilation are by chapter number, followed by St. and the volume and page number. A man described as a wanderer sells casks: *Íslendinga saga* 94, St. 1:365. Grain sales are mentioned once in conjunction with a guild feast, but the source confirms their irregularity; the guild would hold a feast each summer “if two measures of grain were available for purchase at the Þórsnessþing”: *Þorgils saga ok Haflíða* 10, St. 1:27; see also below, n. 106. Provisioning the episcopal sees required buying and selling, as is indicated by the ban three chieftains impose on trading with Bishop Guðmund: *Íslendinga saga* 20, St. 1:245–46. There are also indications of loans: see, e.g., *Njáls saga* 6, p. 22 (ÍF 12); *Hænsa-Þóris saga* 1 and 2, pp. 6 and 7 (ÍF 3). The amount of attention Grágás gives to loans, especially of livestock, and the proper procedures for repayment of loans and recouping delinquent debts suggests the frequency of the practice and that it was a frequent source of conflict as well: 1b:140–48, sections 221–22; 2:213–28, 236–38, sections 177–85, 201–4. These apparently were not usual arrangements between people of equal station, and their existence often indicated or presaged some kind of clientage for the debtor: see Jóhannesson, *History*, p. 334, and *Þorsteins saga hvíta* 1, pp. 4–5 (ÍF 11). Short-term loans of horses, clothing, or weapons, however, are usually a type of gift.

¹² *Droplaugarsona saga* 3, p. 144 (ÍF 11); *Njáls saga* 22 and 49, pp. 59–63 and 125; *Hænsa-Þóris saga* 1, p. 6; *Íslendinga saga* 94, St. 1:365.

¹³ See Jóhannesson, *History*, pp. 35–83, and particularly on the *skuldaþing*, i.e., debt assembly, pp. 81–82; Grágás, 1b:140, section 221, and 2:208, section 176. One person made more money than friends selling ale at the Althing: *Ólkofra þátrr* 1, p. 83 (ÍF 11). There is the reference to grain sales at the Þórsnessþing, above, n. 11, and the evidence of the place-name Kaupangr, i.e., market, a farm located within a mile of the site of the Vöðlaþing: see *Víga-Glúms saga* 27, p. 93 (ÍF 9).

certain feast days at the two episcopal sees, and markets might materialize whenever and wherever a trading ship landed.¹⁴ Luck in fishing launched at least one very successful career in trading.¹⁵ Exchange of fish for farm produce must have been fairly common between fishing stations and inland, nonriparian farms, but the sagas do not take much interest in it.¹⁶

Under usual circumstances, when harvests were adequate and the weather bearable, the household was able to provide itself with basic necessities. There were regular exchanges of tangibles between households, but these exchanges were submerged in social relations rather than undertaken for purely economic reasons.¹⁷ Friends, kin, and affines exchanged invitations to feasts and sent their guests away with gifts.¹⁸ These exchanges were domesticated by habit and ritual. This is not to say they were free of conflict. Feasts were the occasion for insult and slighted sensibilities¹⁹ no less than for conviviality, for renewing and reaffirming bonds of blood and alliance. Gift exchange, though sociable, was hardly disinterested and could mask strategies not so amiable.²⁰ But the gamesmanship and tactics of sociable exchange had the virtue of familiarity and regularity. Overt conflict was euphemized or even suppressed entirely by densely hedging the transaction with

¹⁴ See Helgi Þorláksson, "Comments on Ports of Trade in Early Medieval Europe," *Norwegian Archaeological Review* 11/2 (1978), 112–14; Gelsinger, *Icelandic Enterprise*, pp. 32 and 214, nn. 36–37.

¹⁵ See the career of Odd Ófeigsson, *Bandamanna saga* 1, pp. 293–97; compare, however, the misfortunes of Ólaf Hildisson, *Þorgils saga ok Haflíða* 4, St. 1:15–16.

¹⁶ See the remark of Þorgils to Ólaf: "we won't need to buy fish anywhere but from you" (*Þorgils saga ok Haflíða* 5, St. 1:16); and *Íslendinga saga* 183, St. 1:507, where a spy's intended travels cause no suspicion when his stated purpose is to buy fish from a certain farmer. See also *Bjarnar saga Hítðelakappa* 18, p. 156 (ÍF 3). A fourteenth-century source, *Finnboga saga* 41, p. 333 (ÍF 14), mentions large movements of men in the fall to buy stockfish.

¹⁷ The image of the submerged or embedded economy is Karl Polanyi's formulation, derived in large part from Malinowski's work. See Polanyi, *The Great Transformation: The Political and Economic Origins of Our Time* (1944; repr. Boston, 1957), pp. 43–55; also, Raymond Firth, *The Elements of Social Organization* (London, 1951), pp. 136–38, and more recently Marshall Sahlins, *Stone Age Economics* (New York, 1972), pp. 185–275, and Pierre Bourdieu, *Outline of a Theory of Practice*, trans. Richard Nice (Cambridge, Eng., 1977), pp. 159–97. Among historians see Moses I. Finley, *The Ancient Economy* (Berkeley, 1973).

¹⁸ *Laxdæla saga* 44, p. 134 (ÍF 5); *Njáls saga* 35 and 108, pp. 90–91 and 276–77. At times saga writers indicate unfriendly partings from feasts by noting that "it was not mentioned that [the guest] was sent on his way with gifts": *Bolla þátr* 85, p. 243 (ÍF 5); also *Þorgils saga ok Haflíða* 10, St. 1:27.

¹⁹ *Ljósvefninga saga* 11, pp. 58–59 (ÍF 10); *Njáls saga* 35, p. 91; *Eyrbyggja saga* 37, pp. 98–99; *Þorgils saga ok Haflíða* 10, St. 1:23–27.

²⁰ There is an extensive anthropological literature on competitive gift exchange. See, e.g., Helen Codere, *Fighting with Property: A Study of Kwakiutl Potlatching and Warfare, 1792–1930* (New York, 1950), pp. 62–97; Michael W. Young, *Fighting with Food* (Cambridge, Eng., 1971), pp. 189–227; and more recently D. J. J. Brown, "The Structuring of Polopa Feasting and Warfare," *Man* 14 (1979), 712–33 and the works cited therein.

safeguards of peacefulness. Shows of generosity were to be met with shows of gratitude.

When transfers of goods were sought which were not already regularized by well-defined norms or habit, and especially when they were not initiated by the present possessor, tensions and uncertainties surfaced. This did not mean that there would be no transfer, but it put the parties to the burden of defining the transaction. If food and fodder were consumed at another's farm, if the host's horse or cloak left openly with the visitor after a meal, the transfer was unambiguously by way of gift; this was true even if the gift was a thinly disguised payment for support, or a kind of enforced hospitality.²¹ But if food and provisions were taken away uneaten, if swords and horses were removed secretly or without a meal having first been taken, the nature of the transaction was uncertain unless the parties first actively defined it. The uncertainty made for irritated sensibilities and could lead to misunderstanding and easy offense. The transfer still might be by way of gift, but it could be a purchase, or a payment in settlement of some prior wrong, or, to recall Óspak, an open expropriation.

I do not propose here to offer a model of exchange types,²² but some general remarks are nevertheless in order. Each mode of exchange had its norms and vocabulary. The words of the parties, checked for irony and misrepresentation by reference to their deeds and to the narrator's commentary, are our best evidence as to the mode in which the transfer took place.²³ When a party sought to *fala* or *kaupa* something, he typed himself as a buyer. If the other party in response to this sold or gave for a price there was a bargain or purchase (*kaup*).²⁴ In this mode, the amount of return and the

²¹ E.g., the visitations of Guðmund inn ríki to his thingmen: *Ófeigs þáttir* 1–2, pp. 117–21 (ÍF 10); also *Njáls saga* 136, pp. 360–61.

²² See, e.g., Bronislaw Malinowski, *Argonauts of the Western Pacific* (1922; repr. New York, 1961), pp. 176–91. Recent influential constructs are found in Sahlins, *Stone Age Economics*, pp. 185–230; and C. A. Gregory, "Gifts to Men and Gifts to God: Gift Exchange and Capital Accumulation in Contemporary Papua," *Man* 15 (1980), 626–52, and "A Conceptual Analysis of a Non-Capitalist Gift Economy with Particular Reference to Papua New Guinea," *Cambridge Journal of Economics* 5 (1981), 119–35.

²³ Disagreement between the parties regarding the classification of a transaction was, of course, possible: e.g., *Hávarðar saga Ísfrðings* 14, p. 337 (*rán* or sale), and 15–16, pp. 343–45 (*rán* or gift) (ÍF 6); *Eyrbyggja saga* 33, p. 91 (gift or loan). All transactions were subject to redefinition over time to accord with the present state of relations between the parties or their successors. What the original parties thought was a gift need not be thought so by their heirs. Such redefinition is what lay behind the dispute over driftage rights between Flosi Eiríksson and the Önundarsons in *Grettis saga* 11–12, pp. 26–33 (ÍF 7), and between Þorstein Egilsson and Steinar in *Egils saga* 82, pp. 287–88 (ÍF 2). Sometimes the modern observer might be hard pressed to classify an exchange because the economic effects of the various modes were often indistinguishable. But the Icelanders were not subject to the same sources of confusion since they lacked the accounting methods and theory to see all classes of exchanges in purely material terms: see further Finley, *Ancient Economy*, pp. 20–27, 110, 116, 144.

²⁴ *Fala* generally describes the initiatory action of the would-be purchaser. I translate it "to ask

time and place of payment were bargained over and specified. A significant feature of this arrangement was that it purported to relate only goods to each other, not people, and as such was a denial of continuing social relations between the principals.²⁵

Gift giving, by contrast, gave rise to social relations and adjusted the status of the parties in relation to each other.²⁶ The giver gained prestige and power from the exchange. He exacted deference from the receiver and obliged him to reciprocate.²⁷ But the amount and place of return, and above all its timing, were left open and to the discretion of the recipient.²⁸ In gift exchange, time was not something that burdened the debtor with exponential increases in the value of his obligation;²⁹ time was his to manipulate,

to buy, to seek to purchase." *Fala* is to be distinguished from *kaupa*, which refers to the completed action of acquiring or agreeing to acquire a thing for a price. Cf. Cleasby-Vigfusson, s.v. *fala* (verb), *kaupa* (verb). Note, e.g., *Reykðæla saga* 9, p. 173 (ÍF 10): "... keypti Vémundr þegar viðinn, þann er hann hafði áðr falat" ("Vémund immediately bought the wood which he earlier had sought to purchase").

In transactions where payment is in kind, or in money substances which also have a common use value like *vaðmál*, it may be conceptually difficult to determine exactly who is the buyer and who is the seller. Where both parties seek the exchange and payment is in kind, each party plays both roles: Anne Chapman, "Barter as a Universal Mode of Exchange," *L'homme* 20/3 (1980), 33–83, at p. 35. I accept the parties' characterization of the transaction. A buyer will *fala* or *kaupa* and be obliged to *gjalda* from a seller who will *selja* or *gefa* for a consideration. It is also helpful to note the usual sequence of the S to B and B to S transfers. Buyers take the goods first and arrange for future payment (see *Grágás*, 3:600, s.v. *eindagi*); buyers are obligors, sellers extend credit.

²⁵ Gregory, "Analysis of a Non-Capitalist Gift Economy," pp. 124–25.

²⁶ The classic treatment of gift exchange is Marcel Mauss, *The Gift*, trans. Ian Cunnison (New York, 1967), who takes his epigraph from "Hávamál." See also the works cited above in nn. 20, 22. In the Germanic context see the fine piece of A. Ya. Gurevich, "Wealth and Gift-Bestowal among the Ancient Scandinavians," *Scandinavica* 7 (1968), 126–38; also Edward G. Fichtner, "Gift Exchange and Initiation in the *Auðunar þátr vestfirzka*," *Scandinavian Studies* 51 (1979), 249–72, and Hans Kuhn, "Das Schenken in unserem Altertum," *Zeitschrift für deutsches Altertum und deutsche Literatur* 109 (1980), 181–92.

²⁷ *Grágás* purports to legalize the repayment obligation when the recipient has promised to repay. The amount owing is to be determined by a panel of five neighbors: 2:84–85, section 66; 1a:247, section 127, is less clearly to the same effect. The sagas, to my knowledge, show no prosecution based on these provisions. Moreover, the context in which they appear — that is, in sections setting forth limitations on the power to give without the heir's consent and giving the heir an action to set aside gifts that wrongfully disinherit him — suggest they are intended to confer a cause of action on the heir of the giver, rather than on the giver himself. In the sagas, however, there are firm normative statements about the obligation to return a gift: e.g., *Njáls saga* 44, p. 114; *Þorgils saga ok Haflíða* 15, St. 1:32.

²⁸ The discretion was hardly unfettered, but the point survives nevertheless.

²⁹ In distinguishing the differences between "commodity-debt" and "gift-debt," Gregory notes that the amount of the latter is "always measured at its historic level at the time of the gift and no interest accrues" ("Analysis of a Non-Capitalist Gift Economy," p. 125). A return in an amount greater than the original gift constitutes a new gift debt, not interest on the original sum. See also Gregory, "Gifts to Man," pp. 638–39. While Gregory's distinction was derived from ethnographic data assembled from communities practicing ceremonial cyclical exchanges,

so as to readjust and redefine the relations between himself and the giver.³⁰ He could choose the insult of the too hasty return, the sullenness of excessive delay, or no return at all, which, depending on the circumstances, could signal utter contempt for the giver or permanent subordination to him. Social relations, their definition, and the determination of status were much of what motivated gift exchange. When the source names the thing transferred a *gjof* I accept the classification even though a *gjof* may at times be little more than a quid pro quo for services rendered.³¹

Rán, like gift exchange, admitted reciprocity and defined social relations. But it inverted the movement of property as against the duty to make return.³² It was now the prior possessor who owed a response, not the raider; and it was the raider who achieved social dominance from the transfer, not the prior possessor. Here too the timing and quality of return were left to those who had the return to make. And timing was no less significant here than in the world of gift exchange: "Only the slave avenges himself immediately, but the coward never does."³³ The meaning of the mode of exchange, whether *rán*, gift, sale, or payment, was dependent on a host of variables which the context provided and which I will return to in more detail later.

In the cases that follow the parties were forced to deal with each other outside the regularized convivial channels and outside the boundaries of a place clearly designated as a marketplace. At times the pressing need of famine and hay shortage brought them together, at times the desire for a specific prestige good, like fine horses or fine swords, and at times the demands of liability in law and feud. The cases are remarkable in their detail, and they reveal how, in the absence of a market economy and its

he argues its validity to "gift-economies" generally. The Icelandic materials are basically consistent with his point; cf. below, n. 74.

³⁰ The role of time and timing in gift exchange and vengeance is ably treated in Bourdieu, *Theory of Practice*, pp. 5–9.

³¹ No verb is exclusively associated with gift exchange. *Gefa*, *veita*, or *launa* may all mark a transfer by gift but need not do so. It is necessary to heed the surrounding circumstances. Between equals outside a designated marketplace gift exchange is the expected mode of transfer unless another mode is actively substituted for it. The use of *gefa* to describe a handing over will indicate a gift, if a value in a money substance is not then stipulated as a return. Hagglng is inappropriate to the mode, although at times it may be difficult to discern a difference between this and some requests for gifts: see, e.g., *Ljósvetninga saga* 21, p. 104; *Þorgils saga ok Haflíða* 12, St. 1:30.

³² Sahlins, *Stone Age Economics*, pp. 191–96, places exchanges on a "continuum" of sociability, ranging from the "generalized reciprocity" of the putatively altruistic gift to the "negative reciprocity" of self-interested seizure, which includes haggling, gambling, and the "well-conducted horse raid." Sahlins's continuum of reciprocities is mainly a moral one, but the notion of a continuum is somewhat misleading to the extent that it suggests that gifts slide into sales which shade into takings. The modes of exchange were discrete; as we shall see, parties consciously abandoned the idiom of one to choose the idiom of another.

³³ *Grettis saga* 15, p. 44. On the timing of vengeance see Bourdieu, *Theory of Practice*, pp. 6–7.

accompanying mercantile assumptions, parties went about defining the nature of a transaction. We find that the completion of a transaction did not depend on the determination of a mutually acceptable price, but rather on the determination of the mode in which the transfer, if there was to be one, would take place. We also see that there was a resistance to transfers by sale between members of the same social rank.

This paper is not intended to be a definitive study of Icelandic exchange. There is no discussion of exchanges of women and the property arrangements accompanying them, the nuances of the gift-exchange system, or the intricacies of compensation and wergeld payments. I have instead confined myself to cases in the sagas that show members of the *bóndi*³⁴ class dealing with each other explicitly about goods. The sagas are the only sources that preserve circumstantial accounts of these kinds of transactions, although the early laws, collectively known as *Grágás*, also provide relevant information. The cases reveal the extraordinary political and social complexity of such transactions. By calling attention to the cases and the issues they raise, I hope to demonstrate why Óspak's remark is significant for the historian and thus to claim evidence for historical inquiry that has not as yet received the attention it deserves.

1. Gunnar v. Otkel: Hallgerð's Theft

The facts below are a summary of a failed transaction and the consequences of its failure, as recorded in *Njáls saga*. These events represent the initial phase of a dispute that expanded into a complex and bitter feud. It will lead to the death of Otkel and his close kin and to the death of Gunnar as well.

Gunnar Hámundarson is a *bóndi* and a great warrior; he keeps good kinship; he is a loyal friend, and generous too. Although not a *goði*,³⁵ he is looked to as the leader of his own formidable kin group and as a "big man" in the district in which he lives. Because of famine conditions and his own generosity, Gunnar runs short of hay and food. He seeks out Otkel Skarfsson, a wealthy farmer, who is apparently well stocked in spite of the famine. Gunnar offers to buy hay and food from Otkel. Following the counsel of his friend Skammkel, who is described as ill-willed, a liar, and unpleasant to deal with, Otkel refuses to sell, and he also refuses Gunnar's request for a gift. Tempers start to get hot among the members of both parties, but nothing comes of the encounter except that Otkel offers to sell

³⁴ *Bændr*, pl., a free farmer who qualifies as a householder: see *Grágás*, 1a:136, section 81; 2:272–73, section 242.

³⁵ Usually rendered as chieftain, pl. *goðar*. A *goði* owned a *goðorð*, a chieftaincy. A *goðorð* was freely transferable. The office carried with it certain judicial and administrative responsibilities. All free men had to be attached to a *goði* for purposes of *thing* attendance. Thingmen could transfer their allegiance fairly easily. At the time of the events related here there were thirty-six chieftains in Iceland. See further Jóhannesson, *History*, pp. 53–63.

Gunnar a slave, which he buys. The slave falls well short of contemporary standards of merchantability, but Otkel makes no effort to inform Gunnar of the slave's defects (47, pp. 120–22).

Later in the summer, while Gunnar is attending the Althing, Hallgerð, his wife, orders the slave to steal enough butter and cheese from Otkel's farm to load two horses and to burn the storehouse so that no one will suspect a theft. Gunnar returns to discover the theft, knowledge of which Hallgerð does not try to keep from him (48, pp. 122–24). Eventually it becomes general knowledge, and Gunnar decides to make an offer of compensation to Otkel. Otkel, again heeding Skammkel's counsel, refuses several very generous offers of settlement (49, p. 127), choosing instead ultimately to summon Hallgerð for theft and Gunnar for illicit use of another's property (50, pp. 129–30). Once at the Althing the lawsuit never gets off the ground, because Otkel's supporters abandon him. Gunnar is granted self-judgment — the right to arbitrate the case to which he is a party — and ends up paying nothing (51, p. 132).

We are never told why Gunnar initially sought out Otkel, but it can be assumed that the state of Otkel's stores was not unknown. The saga describes the encounter thus:

Gunnar then summoned Kolskegg [his brother], Þráin Sigfússon [his mother's brother], and Lambi Sigurðarson [a first cousin] to go with him on a journey. They traveled to Kirkjubær and called Otkel out. He greeted them and Gunnar took the greeting well.

"It so happens," said Gunnar, "that I have come to ask to buy hay and food from you, if there's some available."

"There's both," said Otkel, "but I will sell you neither."

"Will you give it to me then," said Gunnar, "and leave it open as to how I'll reward you?"

"I don't wish to," said Otkel (Skammkel was contributing bad counsel).

Þráin Sigfússon said, "It'd be fitting if we took it and left what it was worth in its place."

"The Mosfell men will have to be dead and gone," said Skammkel, "before you Sigfússons will be able to plunder them."

"I won't take part in a raid," said Gunnar.

"Do you want to buy a slave from me?" said Otkel.

"I won't refuse to," said Gunnar. He bought the slave and then they went on their way (47, pp. 121–22).³⁶

³⁶ I provide key portions of the dialogue in the original here and in nn. 71 and 95 below: "... 'Svá er háttat,' segir Gunnarr, 'at ek em kominn at fala at þér hey ok mat, ef til væri.' 'Hvarttveggja er til,' segir Otkell, 'en hvárki vil ek þér selja.' 'Villtú gefa mér þá,' segir Gunnarr, 'ok hætta til, hverju ek launa þér?' 'Eigi vil ek þat,' segir Otkell. Skammkell var tillagaillr. Þráinn Sigfússon mælti: 'Þess væri vert, at vér tækim ok legðim verð í staðinn.' 'Aldauða eru Mosfellingar þá,' segir Skammkell, 'ef ér Sigfússynir skuluð þá ræna.' 'Með engi rán vil ek fara,' segir Gunnarr. 'Villt þú kaupa þræl at mér?' segir Otkell. 'Þat spari ek eigi,' segir Gunnarr."

The passage shows the parties raising three ways of transferring the food and fodder: (1) sale for a price; (2) gift with the prospect of a return gift in the future; and (3) *rán* with an immediate return dictated by the taker. All three modes are rejected. Otkel does not want to sell or give; Gunnar does not want a *rán* even though supporters of both principals were willing to agree on this mode. Skammkel, in fact, by doubting the ability of Gunnar and his companions to succeed in a violent taking, is challenging them to do so and thereby accepting Þráin's "offer" to raid.

Just why the transaction failed is complicated and requires a rather full discussion, but we can dismiss at the outset several propositions. Otkel did not refuse Gunnar's requests because he feared inadequate compensation. There is absolutely no discussion about price here. And to object that there would be no point in discussing price because in famine times the value of food reaches infinity in relation to noncaloric money substances³⁷ does not account for Otkel's lack of concern later when he hears about the fire and loss of food (48, p. 123): "He took the loss well and said that it probably happened because the storehouse was so near the kitchen." Otkel is not worried about depleting his own supplies. Something else is motivating him, and it is not merely a matter of Skammkel's malice, although, at one level, this is what the author apparently would have us believe. Otkel is also the recipient of much good counsel from his brother Hallbjörn, but he chooses to reject it (49–50, pp. 127–30).³⁸

When Gunnar arrives at Kirkjubœr, he calls Otkel out. This is the usual procedure, and it gives no occasion for insult.³⁹ Otkel's greeting and Gunnar's friendly acceptance of it show as much. Gunnar gets to the purpose of his visit immediately by asking to buy hay and food. The quickness with which the request is made indicates that Gunnar does not wish to stay; he is not a seeker of hospitality. The haste could have been motivated by a desire to signal his own sense of social superiority or by polite concern not to impose himself and his followers without having first been invited. Either interpretation implies a sense of social distance, one benign and one less so. Otkel's reading of Gunnar's motivation would have depended on the accompanying manipulation of other codes of sociability, like body language, the

³⁷ The subject of Icelandic money and ways of expressing value is complicated; reasonably clear introductions are available in Jóhannesson, *History*, pp. 328–35, and Gelsing, *Icelandic Enterprise*, pp. 33–44. There were caloric money substances. Cows were used as a measure of value and certain animals might also figure as a means of payment. See, e.g., the terms of the award in *Þorgils saga ok Hafliða* 31, *St.* 1:50.

³⁸ Otkel's inability to recognize the quality of people and the advice they give is effortlessly symbolized by the author's noting that Otkel did not have good eyesight (49, p. 128). Others who see Skammkel recognize immediately that he looks like he is up to no good (e.g., 50, p. 129). The effect of the detail about Otkel's nearsightedness is to shift the ultimate responsibility for the course of action from Skammkel to Otkel.

³⁹ The proper procedure is the subject of discussion in *Guðmundar saga dýra* 12, *St.* 1:184.

significance of visits at certain times of the day or seasons of the year, the number of companions, how they are dressed, the arms they bear, and their relationship to the principal, among many other things.⁴⁰

Each party appears to misread the other's intentions. Gunnar's expedition is not as hostile as Otkel suspects it might be, and Otkel is not as amenable to supplying him with food as Gunnar thinks he will be. So it is that Gunnar construes Otkel's remark — "there's both, but I will sell you neither" — as a hint to ask for a gift rather than as the statement of defiance it soon proves itself to be, that is, as an indication of hostility to selling rather than hostility to him. The shift from the idiom of buying and selling to the language of gift exchange is not a euphemistic way of discreetly haggling over price. It is an attempt to define the social significance of the transfer by negotiating the mode of exchange; at issue is the quality of relations between the parties, not price.

Otkel clarifies, or perhaps first formulates, his position when he refuses to make a gift. Relations have now been established between the groups and they are hostile.⁴¹ Otkel's refusal to transfer voluntarily threatens to turn Gunnar's trip to no account. Such fruitless expeditions are, everywhere in the sagas, sources of humiliation,⁴² and humiliations create debts that demand repayment. This is why Þráin urges a forceful taking and why Hallgerð later will connive a taking of her own. By refusing to transfer food, Otkel chooses to transfer insult instead. And it will be repaid. The two groups will henceforth engage in unsociable transactions, exchanging lawsuits and killings. These are not exchanges of intangibles.⁴³ Legal actions, arbitrations, and killing are invariably accompanied by property transfers, whether as compensation awards and wergeld payments,⁴⁴ confiscations pursuant to outlawry judgments, or raids. Such are the reciprocities of the blood feud.⁴⁵

⁴⁰ The manipulation of such codes is discussed in Bourdieu, *Theory of Practice*, pp. 11–71.

⁴¹ On the characterization of hostility as a form of social relationship see J. K. Campbell, *Honour, Family, and Patronage* (Oxford, 1964), pp. 203–12; and E. L. Peters, "Some Structural Aspects of the Feud among the Camel-Herding Bedouin of Cyrenaica," *Africa* 37 (1967), 261–82, at p. 262.

⁴² See, e.g., *Heiðarvíga saga* 27, p. 296 (ÍF 3); *Njáls saga* 128, pp. 326, 328; *Gísla saga Súrssonar* 27, p. 88 (ÍF 6); and *Vápnfirðinga saga* 17, p. 58 (ÍF 11).

⁴³ Injuries and killings were not allowed to become abstractions. A victim's blood and parts of his body could be saved and used as elements of a ritual that inaugurated an avenging expedition. See William Ian Miller, "Choosing the Avenger: Some Aspects of the Bloodfeud in Medieval Iceland and England," *Law and History Review* 1 (1983), 159–204.

⁴⁴ Some provocative materials on the relation of wergeld payments to gift exchange in another ethnographic context are discussed in Daryl Keith Feil, "From Negotiability to Responsibility: A Change in Tombema-Enga Homicide Compensation," *Human Organization* 38 (1979), 356–65.

⁴⁵ It is hard to overestimate the importance of the blood feud in any discussion of medieval Icelandic exchange. Marriages and fosterings were contracted with reference to it. To engage in it support was sought and bought or elicited with gifts. Fines and wergelds were paid; sheep

Otkel does not look especially admirable in this dealing. Merely to be possessed of plenty in famine times is grounds for suspicion as to character. But elsewhere Otkel is capable of generosity; he does not deny gifts and hospitality to everyone (47, p. 121; 52, p. 133). Something in the transaction itself or the identity of the would-be purchaser provokes the refusal to transfer food. Consider the events from Otkel's point of view. Otkel and Gunnar, though resident in the same district, are not mentioned as having had any relations prior to the present incident. No ties of kinship or affinity bind them or any members of their kin groups. But Gunnar's request forces the parties to establish relations that will extend beyond this one occasion unless Otkel is willing to deal in the buy/sell mode, where obligation is specific as to amount and time, and future dealings are not intended unless explicitly agreed to. Once Gunnar initiates the dealings Otkel cannot refuse to deal without insulting the other party. A refusal to sell or give might be taken as a challenge to take forcefully; and it was so construed by Gunnar's uncle Þráin. The three men accompanying Gunnar are at all times a potential raiding party.⁴⁶ Gunnar seems to have anticipated Otkel's anxieties. He kept the size of his entourage well below the saga norm of six to twelve, trying to avoid the aura of intimidation that a larger party would bring with it. Gunnar's sensitivity about the size of his party suggests a general knowledge of the intimations of insult,⁴⁷ intimidation, and violence that attached to going to another's home with the intention of bearing away provisions undigested on horseback rather than digested, as a gift of hospitality. If Otkel were a fisherman at a fishing station, Gunnar's arrival would be regularized and insignificant, but Otkel is not a dealer in foodstuffs.

Otkel is not alone among reluctant sellers in the sagas. Accounts are uniform in showing sellers to be defensive about what they perceive as aggressive acts.⁴⁸ And buyers are only too ready to confirm their fears.⁴⁹ In

were raided. To see the feud as an exchange cycle is not to impose some construct in vogue among scholars on data that resist it, kicking and screaming. Wrongs demanded repayment. The debt metaphor, the image of the return gift, was integral to the native conception of feud. Unavenged kinsmen and unavenged insults were so many gifts looking for repayment. See further William Ian Miller, "Justifying Skarpheðinn: Of Pretext and Politics in the Icelandic Bloodfeud," *Scandinavian Studies* 55 (1983), 316–44.

⁴⁶ The companions were not necessary to witness a sale, although they might be necessary to witness other claims — insults and injuries — that might arise. Except in transfers of land, seagoing vessels, and chieftaincies and betrothals of women (*Grágás*, 1b:75, section 169) a valid sale could take place without witnesses. People, however, did not travel alone except under unusual circumstances; see further below, p. 44 and n. 98.

⁴⁷ A like sensitivity is shown by Ketil, who agreed to accept liability for debts incurred by his household member before the debtor had joined his household, only if the summoning of the debtor were carried out with few men: *Gunnars þáttr Þiðrandabana* 1, p. 198 (ÍF 11).

⁴⁸ *Íslendinga saga* 69, St. 1:324 (food), and 79, 1:341 (cloak); *Reykðæla saga* 1, p. 153 (firewood); *Hænsa-Þóris saga* 5, pp. 13–16 (hay); *Laxdæla saga* 37, pp. 102–5 (horses); *Hávarðar saga Ísfrðings* 15–16, pp. 343–45 (food).

⁴⁹ Would-be buyers, as was to be expected, did not react well to refusals to sell: e.g., *Íslendinga*

one case an offer to buy food is undertaken specifically for the purpose of harassing the other party.⁵⁰ The refusal is not only anticipated but wished for so as to provide the pretext for even more aggressive action. The case illustrates that the darker significances of attempts to buy were available to disputants to be consciously manipulated in the strategies of the disputing process.⁵¹

Gunnar's failed attempt to buy hay and food ends up, strangely, with Otkel offering to sell Gunnar an extra mouth to feed, a slave whom Gunnar buys.⁵² In a nice ironic turn it is the slave, Melkólf, who is the means by which food gets transferred from Otkel to Gunnar; it is he who carries out Hallgerð's command to steal the food from Otkel and fire his storehouse. Theft, in Iceland and elsewhere in early Germania, was a contemptible deed, sharing with murder (the unannounced killing) the shame of secretiveness. Even the good-for-nothing Melkólf must be threatened with death before he will steal (48, p. 123).⁵³ The successful theft is not within the system of

saga 32, *St.* 1:261–62 (sword), and 104, 1:380 (food); *Hrafn's saga Sveinbjarnarsonar* 13, *St.* 1:216 (horse); *Þorgils saga skarða* 14, *St.* 2:123 (food); *Vatnsdæla saga* 17, p. 48 (ÍF 8) (sword); *Vápnfirðinga saga* 4, p. 29 (valuables).

⁵⁰ Sturla v. Þórhall, *Sturlu saga* 25, *St.* 1:98–99.

⁵¹ An imaginative disputant like Hvamm-Sturla could expropriate food by forcing an extra mouth on the seller. After Þorvarð sold some meal of low quality to Sturla, Sturla gave him a choice of being sued or fostering Sturla's son. Þorvarð chose the latter. *Sturlu saga* 25, *St.* 1:98.

⁵² The slave had already been an object of exchange at the chapter's start. Melkólf was originally a chattel of Otkel's brother Hallbjörn. Otkel, however, "asked to buy the slave from his brother; he said he would give him the slave, but added that the slave was not the treasure Otkel thought him to be"; *Njáls saga* 47, p. 121. The episode is included for no other reason than to invite comparison with Otkel's sale of the slave to Gunnar. The plot only requires the sale of a slave to Gunnar, not the prior transfer of that slave to Otkel. The comparison between Hallbjörn and Otkel as sellers is easy and obvious. One volunteers the commodity's defects, the other conceals them. Hallbjörn, in fact, refuses to sell the slave, choosing to give him away instead. By giving rather than selling, he intends several things: he leaves the return entirely to the estimation that Otkel will make of the slave's value at some unspecified later date; he announces his own low estimation of the slave's value; and he attempts to absolve himself of all liability for the slave's quality. The vignette illustrates how context-specific the significance of a particular mode of exchange is. Here, giving rather than selling is a statement of the worthlessness of the object transferred and not much else.

More problematic is the comparison between Otkel and Gunnar as buyers. Otkel does not ask his brother to give him the slave but offers to buy him first, just as Gunnar offered to buy the hay before he asked for a gift. But Otkel is dealing with a brother, Gunnar with a stranger, and the goods are not comparable. Still, there is the suggestion that Gunnar's etiquette was correct when he offered to buy before he requested a gift, even though it was not unknown for an initial request to purchase simply to indicate an intent to come by the item in the cheapest manner possible. In this regard note how King Harald goes about asking Auðun for his bear: "The king said, 'Will you sell us the animal for the price you bought it?' [Auðun] answered, 'I prefer not to, lord.' 'Then do you prefer,' said the king, 'that I give you twice the price . . . ?' 'Lord, I don't prefer that,' he said. The king asked, 'Will you give it to me then?' He answered, 'No, lord.' *Auðunar þáttir Vestfirzka* 1, p. 132 (ÍF 6); see also below, n. 93.

⁵³ "I have been evil, but I've never been a thief." 'What in the world!' she said, 'you think

reciprocities.⁵⁴ Because a secret crime with the thief unknown, theft, unlike *rán*, by not inviting reprisal denies all social relation. But Hallgerð is not completely secretive about the theft. She ostentatiously lets Gunnar know about it in front of visitors, proud that she has avenged her husband's humiliation.⁵⁵ Once the theft becomes general knowledge, it prompts another attempt at exchange between Gunnar and Otkel. Gunnar again rides to Kirkjubær and indicates his willingness to compensate Otkel for the losses he has suffered. This time, however, Gunnar is accompanied by eleven others, and we may presume that the significance of the increase in numbers was not lost on Otkel. As before Gunnar calls Otkel out, and as before Otkel and his companions greet him. Then the following negotiations take place, and they hold the clue as to why Otkel refused Gunnar's request in their first encounter (49, pp. 126–27):

Otkel asked where Gunnar was traveling to. "No further than here," said Gunnar. "My purpose is to tell you that the terrible damage that occurred here was caused by my wife and the slave I bought from you."

"That was predictable," said Hallbjörn.⁵⁶

Gunnar said, "I wish to make a good offer: I propose that the men of the district decide the matter."

Skammkel said, "That sounds good, but it's not fair; you are popular with the farmers and Otkel is unpopular."

"I will propose this," said Gunnar. "I will judge the case myself and conclude the issue right here: I offer my friendship,⁵⁷ to pay you a twofold compensation, and to pay it all now."

you're a good man, when you have been both a thief and a murderer; if you dare to do otherwise I will have you killed.'" See generally the discussion in Andersson, "The Thief in *Beowulf*," pp. 496–505.

⁵⁴ Cf., however, Campbell, *Honour, Family, and Patronage*, pp. 211–12. Among the Sarakatsani shepherds of northern Greece thieving is so generalized and institutionalized as to form a system of reciprocities.

⁵⁵ Although Hallgerð's theft is attributed to a flawed character by the saga and commentators alike (*Njáls saga* 1 and 48, pp. 7 and 124; e.g., Andersson, "The Thief in *Beowulf*," pp. 504–5), it should be noted that her response is determined, to some extent, by the role relegated to women in the disputing process. Women were under strong social and legal constraint, in matters of rights and honor, to act through men: e.g., *Grágás*, 1a:161, section 89, and 3:647, s.v. *loggraðandi*; Miller, "Choosing the Avenger," pp. 175–94. Hallgerð, at this juncture, has been deprived of her influence over the free men of Gunnar's kin group and their joint household, while her own kinsmen live at another end of Iceland. She had earlier found that her husband was impervious to her goading (45, p. 118). She is thus without means to organize an avenging raid on Otkel's farm. But while Gunnar is away at the Althing she can order a slave about and he is more likely to succeed at thievery than at raiding. It is worth noting that although Hallgerð suffers condemnation for the theft, she is not ridiculed with the farcical contempt that is the lot of women who do not leave the actual physical tasks of disputing to men: see, e.g., the treatment of Breeches-Auð in *Laxdæla saga* 35, pp. 95–98, and of Þuríð in *Heiðarvíga saga* 22, pp. 278–79.

⁵⁶ Otkel's brother and former owner of the slave: see above, n. 52.

⁵⁷ "Friendship" translates *vinátta*. This is more than friendship in the modern sense. It indicated a formal arrangement in which each friend agreed not to act inconsistently with the

Skammkel said, "Don't take it. That would be demeaning if you were to grant him self-judgment when you should have it."

Otkel said, "I won't give you self-judgment, Gunnar."

Gunnar said, "I notice here the counsel of those who will eventually get their just deserts. Anyway, judge yourself then."

Otkel leaned toward Skammkel and asked, "How should I answer now?"

Skammkel answered, "Call it a good offer, but submit your case to Gizur hvíti and Geir goði; then many will say that you are like your father's father, Hallkel, who was the greatest of warriors."

Otkel said, "That's a good offer, Gunnar, but, still, I want you to give me the time to meet with Gizur hvíti and Geir goði."

Gunnar said, "Have it your way, but some would say that you can't see where your honor lies if you don't accept the opportunity I have offered you."

This passage offers a nutshell exposition of the procedures for reaching a settlement without going to law and for determining payment (damages) after possession has been transferred. But just as the earlier negotiations over the purchase of food, these also break down. Here too price is not at issue, although Gunnar mistakes the rejection of his offer to submit to the arbitration of the local farmers as expressing such a concern. This is why, it seems, his next offer stipulates double compensation. The rejection of this offer turns on the significance of letting Gunnar articulate the terms of the award by conferring on himself the right of self-judgment.⁵⁸ The issue is not money, but prestige and honor. And when Otkel, following Skammkel's advice, postpones accepting Gunnar's very generous offer to let Otkel judge the dispute, it is clear that the dispute is no longer about the value of hay and food at all, but about competition for power and prestige in the district. In this context Skammkel's advice is right. Otkel gains no prestige if Gunnar freely grants the power of self-judgment. Units of prestige would only be transferred if Otkel were to force Gunnar to offer self-judgment, or if Gunnar's offer were motivated by fear that Otkel could force it from him, and not by impatient irritation to have done with the matter.

In Skammkel's sotto voce advice we can ascertain the reasons for Otkel's earlier refusal to sell and present refusal to settle. Skammkel's reference to Otkel's paternal grandfather, Hallkel, the great warrior, notes a falling off in Otkel's lineage from the previous generations.⁵⁹ The comment suggests that

interest of the other and to provide mutual counsel and support. I discuss *vinátta* at greater length in "Justifying Skarpheðinn," pp. 338–41, and see also below, n. 114.

⁵⁸ I treat the structures and strategies of arbitrated resolutions in William Ian Miller, "Avoiding Legal Judgment: The Submission of Disputes to Arbitration in Medieval Iceland," *American Journal of Legal History* 28 (1984), 95–134; see pp. 116–19 for a discussion of self-judgment.

⁵⁹ Another source reveals that Hallkel acquired his reputation by being rather particular about modes of exchange: *Landnámabók*, p. 388 (ÍF 1). He thought it cowardly to accept a gift of land from his half-brother and preferred instead to challenge another settler to a duel for his claim.

Otkel is moved by a concern to reestablish the status his lineage once had in the district. There would be no better way to accomplish this than to be known as the person who had bested the great warrior Gunnar. It is significant that Skammkel appends the reference to Hallkel to his counsel to turn the matter over to Gizur and Geir. Both these men are *goðar* and both are Otkel's patrilineal second cousins.⁶⁰ The message to Gunnar is unmistakable. Otkel wishes to expand the dispute beyond the two households now involved. Nothing could be more suitable to Otkel's agenda than to make hay of Hallgerð's disgraceful act. The theft provides a perfect opportunity to humiliate Gunnar, just as Gunnar's shortage of supplies had provided earlier. Otkel does not mean to lose this opportunity and so chooses to initiate legal action against Hallgerð and Gunnar (50, pp. 129–30).⁶¹ This can be his only motive, since in terms of the dispute as narrowly conceived — that is, as a case of reparation for theft and fire — there was little more Otkel could realistically achieve once Gunnar offered him self-judgment.⁶²

Gunnar's knowledge of Otkel's purpose is revealed in the terms of his self-judged award delivered later at the Althing in the wake of Otkel's failure to muster sufficient support for the theft cases. "This is my judgment: . . . I determine that you summoned me in order to libel me and I assess that to be no less in value than the storehouse and everything that was burned within it" (51, p. 132). The lawsuit was an insult,⁶³ and the insult, significantly, ends up being valued in terms of food. As for the theft, that is judged to be a *quid pro quo* for the faithless sale of the slave: "I will not compensate you for the slave's acts since you concealed his defects; but I adjudge him to be returned to you, because ears look best where they grew" (51, p. 132).

The impediments and difficulties which seem to attach to the transfer of food and hay contrast rather drolly with how easily property in humans is transferred. Melkólf, the slave, was the object of a gift, a sale, a payment

⁶⁰ Gizur and Geir will lead the expedition to kill Gunnar at a later phase of this dispute (75–77, pp. 184–91).

⁶¹ Hallgerð is liable for her own wrongs, and her property would be subject to confiscation should she be outlawed: *Grágás*, 2:350, section 318. Gunnar is summoned in his own right for having benefited from the use of stolen property: see *Grágás*, 1b:163, section 227, and *Droplaugarsona saga* 5, p. 150.

⁶² Had Otkel been able to muster sufficient support to follow the case through to judgment, he could have gotten Hallgerð outlawed and possibly Gunnar also. But such outcomes were difficult to achieve and left the successful plaintiff with the task of executing the judgment by doing the same to his outlaw. On the difficulty of obtaining and enforcing judgments at law see Miller, "Avoiding Legal Judgment," pp. 107–15; on the types of relief available at law and in arbitration see generally Andreas Heusler, *Das Strafrecht der Isländersagas* (Leipzig, 1911).

⁶³ The laws recognize that a summons for theft is an insult; they give a cause of action to the defendant for slander if he is proven innocent, unless the plaintiff explicitly announces that he is summoning in good faith and not for the purpose of disgracing the defendant: *Grágás*, 1b:162, section 227, and *Bolla þáttur* 84, pp. 240–41; see also Andersson, "The Thief in *Beowulf*," pp. 496–97.

pursuant to an arbitration award, and even a *rán*. His Celtic name, coupled with the brief notice that Hallbjörn brought him to Iceland, makes it highly probable that he was introduced into the stream of commerce as the spoil of a Viking raid.⁶⁴

Up to now the discussion has focused on the principals, to the exclusion of uninvolved third parties. Skammkel has told us that Otkel is unpopular with the farmers in the district, but we are not certain if this is the consequence of his hoarding in this famine or of a cumulation of past unpleasantnesses. But Otkel's refusal to sell elicits unambivalent comment and direct action by others. Thus Gunnar's friend Njál to his wife Bergþóra (47, p. 122):

"It's reprehensible to refuse to sell to Gunnar. There is no hope for others there if people like Gunnar can't obtain anything."

"Why do you need to talk so much about it?" said Bergþóra. "It would be more manly to share food and hay with him since you are short on neither."

Njál said, "That's absolutely right; I shall provide him with something." He went up to Þórólfsfell with his sons. There they loaded fifteen horses with hay and five with food. Njál arrived at Hlíðarendi and called Gunnar out. Gunnar welcomed him well. Njál said, "Here is hay and food which I want to give to you. I don't want you ever to seek out anyone other than me if you are in need."

"Your gifts are good," said Gunnar, "but the friendship of you and your sons matters even more." After that Njál went home.

If Gunnar had a friend nearby with full stores, why did he choose instead to turn to a stranger? One reason can be fairly deduced from the saga. At this time the wives of Gunnar and Njál were embroiled in a bitter feud; they had been exchanging the killing of slaves, servants, and other household members over the course of the previous decade.⁶⁵ The strong friendship between the husbands managed to keep the dispute within compensable limits, but there were still unsettled scores, and dealings between the households, even between Gunnar and Njál, needed to be handled with delicate circumspection. Gunnar did not wish to upset this balance by asking for a gift; nor was Njál ready to offer a gift, unasked for, without the consent of his wife, who had nothing but hatred for Gunnar's household. Only in an Icelandic family saga, where terseness is a way of life as well as a matter of prose style, could Njál be accused of talking too much after such a brief indulgence in sententiousness. But his wistful lament, by design I think, gets Bergþóra's consent to a gift he wishes to make by annoying her into suggesting it herself.

Both Njál and Bergþóra invoke norms of proper behavior in this discussion. Njál condemns Otkel ("it is reprehensible to refuse to sell"); Bergþóra

⁶⁴ See above, n. 52. Melkólf is a reflex of what has become Malcolm (Ir. Maelcoluim): *Njáls saga* p. 121, n. 1. On Viking raids in Ireland see Peter H. Sawyer, *Kings and Vikings: Scandinavia and Europe AD 700-1100* (London, 1982), pp. 81-85.

⁶⁵ For a fuller account of this long and complicated feud see Miller, "Justifying Skarpheðinn."

exhorts Njál ("it is manly to share"). One is not merely the obverse of the other. Njál's statement refers to selling; it implies that Otkel was under no obligation to give, but that he was under some moral constraint to sell to someone to whom he was not otherwise obligated.⁶⁶ Bergþóra's statement, addressed to a friend of Gunnar, speaks of gifts, not sales. The sociable thing to do with food and hay in famine when a friend is in need is to give, provided "you are short on neither," and when solicited by members of the general community to honor requests to purchase.⁶⁷

2. Blund-Ketil v. Hen-Þórir: The Politics of *Rán*

The second case is from *Hænsa-Þóris saga*. Blund-Ketil is a wealthy and popular farmer. One summer when the hay yield is very poor, he has his tenants pay their rent in hay and then advises how many animals they should slaughter in order to get their remaining stock through the winter. But the tenants do not kill as many animals as they were instructed to and by mid-winter they are in desperate need. Three of them ask Blund-Ketil for hay; he shares out some and slaughters forty horses of his own to make more available (1, p. 5; 4, pp. 11–13).⁶⁸ When still more tenants ask for hay Blund-Ketil refuses. He suggests instead that they see Hen-Þórir, who is rumored to have hay to sell. The tenants ask Blund-Ketil to accompany them because they anticipate that Þórir will not sell to them unless Blund-Ketil acts as their surety (5, p. 13).⁶⁹

Hen-Þórir is wealthy and unpopular. He acquired his wealth by "selling in one district what he bought in another." His having peddled hens on one occasion earned him his nickname as well as a profit. He bought land near Blund-Ketil and continued to make money by lending to the farmers of the

⁶⁶ This point is developed further below in the text and notes at nn. 87–94.

⁶⁷ Cf. Raymond Firth's account of people's reactions to severe famine in *Social Change in Tikopia* (New York, 1959). The Tikopia maintained the social framework of their exchange system in spite of famine. If food was transferred it was by gift, not by sale; there was no profit taking (p. 75). Good manners remained. Still thieving increased, and there was a contraction of peripheral social relations, although people still continued to voice the norms of sharing and against thieving (p. 82). "The Tikopia avoided where possible their general responsibility or undefined responsibility for kin during the famine, but showed no disposition to reject responsibility which had been specifically defined by undertaking." But households where food was not desperately short would "link ovens" and pool supplies (p. 84). Food only stopped being shared with non-household members when the situation was desperate (pp. 82–83). The general food shortage described in *Njáls saga* does not appear to have reached anywhere near these proportions. The famine seems to have been short and localized.

⁶⁸ The saga makes no negative judgment about Blund-Ketil taking rents in hay. If we give it a benign gloss, it seems to be no more than a sort of pooling arrangement, undertaken in distressing times to better handle shortages of small producing units. On pooling see Sahlins, *Stone Age Economics*, pp. 188–89.

⁶⁹ The tenants may already be indebted to Þórir, a likely state of affairs since "he had loaned money at interest to just about everyone" (1, p. 6).

district. He also undertook to foster Helgi, the son of Arngrím goði, and assigned the boy half his property in return for Arngrím's support. This meant debts owed to Þórir got paid, and "he became the richest of men" (1–2, pp. 6–7). The following takes up at the point Blund-Ketil has entered Þórir's house after Þórir would not come out in response to Blund-Ketil's request.

"We're here because we want to buy hay from you, Þórir," said Blund-Ketil.

Þórir answered, "Your money is no better than mine."

Blund-Ketil said, "That depends on your point of view."

Þórir asked, "Why are you short on hay, rich man?"

Blund-Ketil said, "Actually, I'm not short on hay, but I am asking to buy it for my tenants who need some help. I would gladly get some for them if there is any."

"You are entitled to give your things to others, but not my things."

Blund-Ketil replied, "We are not asking for gifts; let Odd and Arngrím determine the price on your behalf and I will give you gifts on top of that."

Þórir said he did not have hay to sell and "anyway, I don't want to sell."

[Blund-Ketil and his men went out and took inventory of Þórir's livestock and hay reserves and determined there was a five-stack surplus.] They went back in and Blund-Ketil said, "About your hay situation: it seems to me that you will have a good amount left over though all your animals were fed inside until the Althing, and I want to buy that amount."

Þórir said, "What shall I have next winter if there's another one like this one, or worse?"

Blund-Ketil answered, "I make these terms: to provide you with the same amount of hay in the summer no worse in quality and to transport it to your enclosure."

"If you do not have hay now," said Þórir, "what do you expect to have in the summer? But I know that there is such a difference of power between us that you will take the hay from me if you want."

Blund-Ketil said, "That is not the way to go about it. You know that silver pays any debt in this land and I will give you that for the hay."

"I don't want your silver," said Þórir.

"Then take such wares⁷⁰ as Odd and Arngrím determine on your behalf."

"There are few workmen here," said Þórir, "nor am I inclined to travel and I don't want to be bothered with such things. . . ."

[Blund-Ketil conceded all of Þórir's objections regarding transporting the payment, place of payment, wrapping the wares, and where they would be housed, all to no avail.]

Blund-Ketil said, "Things will get worse then; we will have the hay all the same, though you say no, but we will leave the price in its place and take advantage of the fact that we outnumber you."

Then Þórir was silent, and he was not in a good mood. Blund-Ketil had rope fetched and the hay bound up; they packed it on the horses and took it away . . . (5, pp. 14–16).⁷¹

⁷⁰ Payment in "wares" meant *vaðmál*: see Cleasby-Vigfusson, s.v. *vara*.

⁷¹ "Svá er varit," sagði Blund-Ketill, 'at vér viljum kaupa hey at þér, Þórir.' Þórir svarar: 'Eigi

Blund-Ketil's patience, his refusal to take offense, and Þórir's mean-spirited hostility approach the allegorical.⁷² They represent extremes in character delineation in the sagas. Yet this exemplum of patience, in contrast to hagiographic material, does not deal with the temptation of the spirit or the suffering of the flesh but with the painfulness of trying to conclude a bargain with a reluctant seller. Unlike Gunnar, who abandoned his attempt to purchase in the face of a refusal to sell, Blund-Ketil perseveres, conceding any point Þórir puts forth as an obstacle to an agreement. There is no question here of treating the refusal to sell as an invitation to ask for a gift. Instead it is Blund-Ketil who offers gifts as an inducement to Þórir to accept Blund-Ketil's generous offer to have the price determined by Þórir's patron, Arngrím, and Blund-Ketil's enemy, Odd. But Þórir wants Blund-Ketil's gifts no more than his money. In fact, Þórir, hardly a stranger to trade and haggling, does not use the famine as an occasion to exact exorbitant prices. Although a hoarder, Þórir is singularly unconcerned about price. Money is not an impersonal commodity to him; he prefers his own to Blund-Ketil's: "your money is no better than mine."⁷³ Nor is he able to conceive that a transfer of possession by sale extinguishes his rights and person in the goods: "you are entitled to give your things to others but not my things."

These responses do not suggest the sensibility of the marketplace, or much interest in profit either.⁷⁴ In Þórir's estimation, since what Blund-Ketil would pay him would be the value of the hay and nothing more, why not keep the hay? However mistakenly, Blund-Ketil construes Þórir's initial reticence as a disagreement over price. Price was much constrained by the force of customary equivalences.⁷⁵ And this helps explain the indirection of

er mér þitt fé betra en mitt.' Blund-Ketill mælti, 'Ýmisst veitir þat.' Þórir svarar: 'Hví ertu í heyröti, auðigr maðr?' Blund-Ketill mælti, 'Eigi em ek greiðliga í heyröti, ok fala ek fyrir landseta mína, er þurfa þykkjask órlausna; vilda ek gjarna fá þeim, ef til væri.' Þat muntu eiga allra heimilast, at veita öðrum þitt, en eigi mitt.' Blund-Ketill svarar: 'Eigi skulu vér gjafar at biðja; láttu Odd ok Arngrím gera verð fyrir þína hönd, en þar á ofan vil ek gefa þér gjafar.' Þórir kvazk eigi hey hafa til at selja, — 'enda vil ek eigi selja. . . .'

⁷² See the sensitive reading of the saga in Theodore M. Andersson, *The Icelandic Family Saga: An Analytic Reading* (Cambridge, Mass., 1967), pp. 115–21.

⁷³ In this passage "money" translates Old Icelandic *fé*. *Fé* was used to refer to money substances and generally to property, but it also meant sheep or livestock and is so used later in the passage quoted in n. 71 above; see Cleasby-Vigfusson, s.v. *fé*. To translate "money" here may be slightly tendentious; "property" is perhaps better. Yet it is clear that what is meant is whatever would be given as a payment for the hay. The means of payment was, as the passage shows later, open to negotiation. It could be in money substances like silver or *vaðmál*, or an exact exchange of hay for hay.

⁷⁴ In this regard consider that one of Blund-Ketil's offers of payment is to transfer a like quantity and quality of hay the next summer. In Gregory's model (see above, n. 29) such payment is one of the markers of a gift since no consideration would be given for the delay in repayment. But Blund-Ketil is unambivalently talking about payment for a purchase of hay that "I want to buy (*kaupa*)."⁷⁵ See also King Harald's first offer to buy Auðun's bear in n. 52 above.

⁷⁵ Prices were also subject to annual determination at the *things*. See Jóhannesson, *History*, pp. 320–22; Gelsinger, *Icelandic Enterprise*, pp. 36–44.

Blund-Ketil's offer to pay more: that is, to let the issue of price be submitted to the arbitration of two *goðar* partial to Þórir and to add gifts on top of that. There are two things to note about this offer, both of which indicate that it is an attempt to shift the transaction to familiar and more regularized structures: (1) *Goðar* claimed the power to set prices on imports; referring the matter to them would be an easy analogical extension of this *goði* prerogative to include local goods.⁷⁶ (2) For face-to-face dealing, the stuff of trade, the offer substitutes a model of dispute resolution, the stuff of law and feud, an especially attractive model because it was not only familiar, but more appropriate to station than haggle. The issue of price, as we shall see, could be dealt with directly by bargaining, but it is remarkable how quickly the issue is euphemized or mooted by shifting to the structures and idiom of gift exchange, or how it is "legalized" by shifting to the structures and language of law or arbitration. Blund-Ketil's offer to submit the price to arbitration transforms the wished-for exchange in much the same way his *rán* will: both move the exchange from trade and bargain to courts and feud.⁷⁷

The rapidity with which Þórir rejects Blund-Ketil's offers, coming up with a new excuse each time, makes all Þórir's reasons look contrived. It would be easier to believe his concern about depleting his hay reserves in anticipation of bad yields the next year if this were his only objection, or if it were even feasible to store hay for more than a year and a half in a damp climate without silos. In this regard consider Arngrím's comment to Þórir later: "The hay which he took will have a better end than that which rots with you" (6, p. 17). Yet in spite of their bad faith Þórir's objections are instructive. They show how difficult it could be to negotiate a sale where the means of payment and units of account had to be hashed out (that is, whether it would be in hay, silver, or ells of woolen cloth); where the quality of the means of payment had to be determined;⁷⁸ and where, if payment was to be made in hay or cloth, the place and time of delivery of the payment⁷⁹ and the means of transporting it and of protecting it from damp, mildew, and insects had to be stipulated.⁸⁰ Did these stumbling blocks push the parties to modes of transfer, like gifts and raids, in which possession passed immediately and the difficult details of requital were postponed and left to the discretion of one of the parties or to the judgment of arbitrators?⁸¹

Þórir's refusal to sell is attributed by the saga writer to his character

⁷⁶ See Jóhannesson, *History*, pp. 319–20. Norwegian and Orcadian merchants did not always acquiesce peaceably to *goðar* who attempted to exercise this authority: see, e.g., *Íslendinga saga* 15 and 35, *St.* 1:240 and 270; *Hænsa-Þóris saga* 2, pp. 8–9.

⁷⁷ See above, nn. 44 and 59.

⁷⁸ *Ljósvefninga saga* 5, p. 23 (C version: 13, p. 23).

⁷⁹ *Valla-Ljóts saga* 6, pp. 248–49 (ÍF 9).

⁸⁰ *Hænsa-Þóris saga* 5, p. 16.

⁸¹ This question raises some secondary functional and efficiency considerations to add to the social and political ones that I take to be more central.

defects. Þórir's sensibilities are so calloused that it is unlikely that he took the request to buy as an insult to his newly acquired landowning status. On its surface the saga makes his malignity purely motiveless; he is a true villain. And it may be that this is all there is to it. Yet if he had a motive, perhaps it lies in this: we saw in the preceding case that offers to buy made at the home of the owner were not neutral acts. They carried with them an implied threat, which could be ignored if the parties chose to gloss over the inherent tenseness of the situation with politenesses and courtesies. But if a party wished to engender dispute he need not do much to get one going. The situation was rife with evil possibility. Þórir must have suspected that the outcome of his surly refusals might well be a *rán*, and he proceeded knowing that this was a risk his manner entailed. It was he, in fact, who first raised the possibility of a forceful taking: "But I know there is such a difference of power between us that you will take the hay from me if you want" (5, p. 15). He wished to define a formal hostile relationship with Blund-Ketil for reasons the saga does not give us. Resentment of Blund-Ketil's prestige and wealth is a likely candidate: "Why are you short on hay, *rich man*?" (5, p. 14). And Þórir judged that his position vis-à-vis Blund-Ketil would be improved if Blund-Ketil were provoked into leaving behind a cause of action for full outlawry,⁸² rather than just the purchase price of some hay or nothing at all. The definition of relations was accomplished by simply shifting the mode of exchange from barter and trade to raid.

Rán does not deny reciprocity. This is openly admitted in this case and suggested in the previous one by the willingness to leave behind a consideration.⁸³ Otherwise a forceful taking invited repayment in the form of a lawsuit or reprisal.⁸⁴ Blund-Ketil endured all three: he left behind a price,

⁸² See also *Kristni saga* 8, p. 260, in *Íslendinga sögur*, 1, ed. Guðni Jónsson (Reykjavík, 1953).

⁸³ *Grágás*, 1b:64, section 228, indicates a *rán* of the sort Blund-Ketil committed was punishable by full outlawry. Full outlawry meant a loss of all juridical status and total confiscation of property. The outlaw could be killed without liability by anyone, and the prosecutor was, in fact, obliged to hunt him down. Harboring or assisting an outlaw was itself punishable by a lesser outlawry of three years' exile: see *Grágás*, 1a:122–23, section 73; 2:342–43, sections 304–6; 3:672, s.v. *skóggangr*. On the types of sanction generally see Heusler, *Strafrecht*, pp. 124–90, and Miller, "Avoiding Legal Judgment," pp. 109–10. On the legal issues involved in this particular case see further Konrad Maurer, "Ueber die *Hænsa-Þóris saga*," in *Abhandlungen der philosophisch-philologischen Classe der königlichen bayerischen Akademie der Wissenschaften* 12/2 (1871), 157–216, at pp. 189–95.

⁸⁴ *Rán* arose in different contexts. In the cases treated in this essay it is a direct response to a refusal to sell or give and is geared, initially at least, to the acquisition of specific goods: see the cases cited above, n. 48. *Rán* was also undertaken as a way of provisioning forces assembled for battle. Sometimes compensation was awarded for these expropriations pursuant to a settlement between the principals (*Guðmundar saga dýra* 3, St. 1:165–66), but often farmers had to endure these depredations, even if not so quietly (*Íslendinga saga* 21, St. 1:247; *Hrafn saga Sveinbjarnarson* 12–13, St. 1:213–15; *Guðmundar saga dýra* 19, St. 1:202). Elsewhere, *rán* figures primarily as an act of vengeance or self-help, a tactical maneuver, in a dispute already clearly defined: e.g., *Laxdæla saga* 19, pp. 45–46; *Vápnfirðinga saga* 7, pp. 38–40. In many instances the goal is less the

he was summoned for an outlawry action, and he was burned in his house (8–9, pp. 21–24). Having given value for the expropriated goods did not absolve Blund-Ketil of legal liability for the *rán*; state of mind was not an element of the legal action anyway.⁸⁵ The payment was meant to give concrete representation to his lack of hostile intention and thereby to subvert reprisal by undermining the moral basis of any future claim Þórir might make.⁸⁶ Blund-Ketil almost succeeded. Þórir's patron denied him support, as did Blund-Ketil's enemy Odd, who in fact said he would have done the same as Blund-Ketil. But Þórir is able to purchase the support of Odd's son, Þorvald, and it turns out that this was all he needed (6, p. 18; 7, pp. 20–21).

The justifiability of Blund-Ketil's *rán* is somewhat more problematic than the saga's partisan account would have us believe. Even within the saga contrary normative statements appear. Alongside Arngrím's statement cited above — “The hay which he took will have a better end than that which rots with you” — is Þorvald Oddason's “Each is entitled to control his own” (7, p. 20).⁸⁷ And though it might be reprehensible to refuse to sell to such men as

acquisition of specific goods than the infliction of damage, material or psychological, on one's adversary. These takings invariably end up being paid for in some way, either by reprisal or an arbitrated compensation award (*Sturlu saga* 10 and 21–22, *St.* 1:75–76 and 91–95; *Guðmundar saga dýra* 17, 19, and 22, *St.* 1:196, 201, and 206).

⁸⁵ *Grágás*, 1b:164, section 228.

⁸⁶ Third-party support was crucial to the success of legal and arbitral proceedings, and third parties were influenced by their estimation of the morality and popularity of the action: see, e.g., *Hávarðar saga Ísfrðings* 14, p. 341; and Miller, “Justifying Skarpheðinn,” pp. 318–19, and generally “Avoiding Legal Judgment,” pp. 97–115.

⁸⁷ “Bærr er hverr at ráða sínu.” Þorvald's words are similar to the principle the *bændr* articulated in opposition to a provision in the Norwegian law code — *Jónsbók* — introduced into Iceland in 1281: *Árna saga biskups* 28, p. 349, in *Byskupa sögur*, 1, ed. Guðni Jónsson (Reykjavík, 1953). The new law provided for forced sales of hay at the customary rate on behalf of those who had need from those who had surpluses. If the sale was resisted, the owner was to be fined, the hay was to be taken without payment, and any injuries he received defending were to be uncompensable: *Jónsbók: Kong Magnus Hakonssons Lovbog for Island*, ed. Ólafur Halldórsson (1904; repr. Odense, 1970), 7.12, pp. 139–40. One commentator argues that the provision indicates that the hay-taking episode in *Hænsa-Þórir* was composed after *Jónsbók* was introduced. The saga writer, he suggests, wanted to show that “Blund-Ketil's tragedy was that he was morally correct but legally premature. He was an anachronism. Like the noble heathen, Blund-Ketil's good heart elevated him above the deficiencies of his age . . .”: Alan J. Berger, “Old Law, New Law, and *Hænsa-Þóris saga*,” *Scripta Islandica* 27 (1976), 3–12, at p. 11. The deficiency of the age is apparently represented by the section in *Grágás* which gave Þórir a cause of action for *rán*, giving legal sanction to his “anti-social individualism” (*ibid.*). “His age” refers to the era of the Icelandic republic (930–1262), an age which *Jónsbók* confirmed was over and in the early part of which the family sagas were set. Berger's views are too confidently made on too little evidence. We do not know who the *bændr* were who opposed the provision, but since the bishop was of their company we may suppose it was those who could rely on having stores available, that is, those who had access to tithes: *Árna saga* 28, p. 348; *Laxdæla saga*, introduction, pp. lxxiv–lxxv; also see Jóhannesson, *History*, pp. 171–78, 182–86. In this case the opposition to the *Jónsbók* provision indicates the deficiencies of a particular class, not of an age. Nor do we know enough about how food was transferred during times of shortage to evaluate precisely the

Gunnar and Blund-Ketil, men like them were aware that forceful taking was not any more sociable; they were reluctant raiders if they raided at all.⁸⁸ We also learn later that Blund-Ketil, like Gunnar in the previous case, had a friend close by who was well stocked and would have been more than willing to give hay and pasturage to Blund-Ketil (10, pp. 26–27).⁸⁹ There is no hint of any troubles between the friends' households as there was between Gunnar's and Njál's. Blund-Ketil's less specific reticence about turning to friends when in need adds a new wrinkle to the riskiness of requests to transfer material wealth from one household to another. There are cases which suggest that the existence of prior obligations of mutual aid did not make the situation any less touchy than it was when dealing with so many Otkels and Þórir.⁹⁰ One's affines could also be reluctant suppliers. For example, when Barði Guðmundarson sought out his wife's father for supplies to maintain forces to protect himself against a vengeance expedition, his father-in-law disclaimed the duty.⁹¹ Barði immediately declared himself divorced; he also refused to release his wife's marital property, substituting, in effect, a *rán* of his wife for a gift from her father.⁹² In a similar case with a

significance of the opposition. The cases we are dealing with in this paper suggest that the hostility may have been to forced sales, not only because they were forced but because they were sales. People wished to control their surpluses, not in order to take profits, but to have the wherewithal to make gifts to those who already had claims on them or to those with whom they wished to establish future claims. A forced sale made for no future relations. Nor should we be surprised that there might be competing normative statements of varying levels of generality and applicability, some expressing generosity and animosity toward hoarding, and others expressing concern for the depredations that "guests" might make on one's stores. On the contradiction of proverbs regarding food sharing see Sahlins, *Stone Age Economics*, pp. 125–28, and cf. "Hávamál," sts. 3, 35, 67, in *Edda*, ed. Gustav Neckel, rev. Hans Kuhn (Heidelberg, 1962).

⁸⁸ Cf. Gunnar's "I won't take part in a raid" (above, n. 36) with Blund-Ketil's response to Þórir's suggestion that he had the power to take forcefully: "This is not the way to go about it" (above, n. 71).

⁸⁹ The saga does not mention why Blund-Ketil did not seek out his friend. Blund-Ketil suggests seeing Þórir because he heard that Þórir had hay to sell. Þórir's farm is only two miles away from Blund-Ketil's, while the friend, Þorkel, lives about fourteen miles away. But the difference in distance, by saga standards, is insufficient in itself to determine the course of conduct. Both are near enough to qualify as neighbors. Some significance should attach to the fact that Blund-Ketil is asking for his tenants rather than in his own right; for them, he may not be as willing to exhaust the credits he has established with his friends and relations.

⁹⁰ Conflicts between a household unit and the wider kin network within which it is situated have been well noted in the ethnographic literature: see, e.g., the discussion in Bourdieu, *Theory of Practice*, pp. 30–71; Sahlins, *Stone Age Economics*, pp. 123–30; John L. Comaroff and Simon Roberts, *Rules and Processes: The Cultural Logic of Dispute in an African Context* (Chicago, 1981), pp. 216–31. Inheritance disputes are by necessity intra-kin and not only pit sibs, especially of the half blood, against each other, but also groups bound by affinity (e.g., *Laxdæla saga* 18, pp. 40–43); marital disputes usually extend beyond the conjugal unit to provide sources of conflict between affines (e.g., *Vápnfirðinga saga* 6, pp. 36–38).

⁹¹ *Heiðarvígá saga* 32, p. 311.

⁹² If the husband brought about the divorce, the wife had a right to her dowry and to the

happier ending Steinþór went to his sister's husband to request a gift or sale of provisions.⁹³ The request in the alternative points up the uncertainty as to the least offensive mode to adopt. Steinþór's sister obliged the request with a gift, but her husband objected, claiming the transfer was a *rán*. The wife's sexual ministrations eventually persuaded the husband to reclassify the transaction as a gift. In these instances the shortages were created by a sudden increase in mouths rather than a decrease in yields, and the voluntariness of the shortage may have made these affines more reluctant than usual.⁹⁴ The accompanying saga commentary, nevertheless, unambivalently condemns the lack of generosity.

All our cases show that requests to bear away food were not to be lightly undertaken. Presumably the sensitive seeker of provisions avoided imposing on his friends and affines unless it was absolutely necessary. This meant undertaking expeditions to buy from people not willing to sell. Blund-Ketil and Gunnar thought there was less to be lost by making an enemy of someone who had previously been no friend than to risk destroying a friendship.

3. Þorleik v. Eldgrím: Transfer of Horses and Movement of People

The difficulties encountered in the following case from *Laxdæla saga* owe nothing to famine. At issue are four fine horses. The pattern should by now be familiar, but the case adds further contour to our discussion. The scene is the Althing:

Þorleik was sitting in his booth when a tall man entered alone. He greeted Þorleik, who acknowledged his greeting and asked him his name and where he was from. He said his name was Eldgrím and that he lived at Eldgrímsstead in Borgarfjord. . . .

Þorleik said, "I've heard it said about you that you are no weakling."

Eldgrím said, "What brings me here is that I want to buy those costly studhorses from you that Kotkel gave you last summer."

Þorleik answered, "The horses are not up for sale."

Eldgrím said, "I am offering you the same number of studhorses for them plus certain additional items; many will say that I'm offering twice the value."

property transferred to her by her husband or his kin in consideration of the marriage: *Grágás*, 1b:42–43, section 150. Enforcing the rule was another matter. In addition to this case see *Droplaugarsona saga* 8 and 9, pp. 156 and 158–59; *Vápnfirðinga saga* 6, pp. 36–38; and *Eyrbyggja saga* 17, p. 31. Cf. *Laxdæla saga* 35, p. 96.

⁹³ *Hávarðar saga Ísfirðings* 15–16, pp. 343–45: "I had wondered whether Atli would give or sell me some provisions." "Þat hafða ek ætlat, at Atli skyldi hafa gefit mér eða selt mér fþng nþkkur."

⁹⁴ Compare, for example, the prominence that affines, particularly the husbands of daughters and sisters, play in providing support for vengeance taking when their aid is sought: see the cases listed in Miller, "Choosing the Avenger," p. 166, n. 25, and *Ljósvetninga saga* 14, pp. 76–77.

Þorleik said, "I'm no haggler; and furthermore, you'll never get these horses even though you offer three times their value."

"It's no lie to say that you are proud and self-willed," said Eldgrím, "and I would only wish that you get a less favorable price than I've just offered you and that you'll give up the horses nonetheless."

Þorleik reddened deeply at these words and said, "You will have to get much nearer, Eldgrím, before you scare me out of these horses."

"You do not think it likely that you will be defeated by me," said Eldgrím, "but this summer I will come to look at the horses and then see which of us chances to have them from then on."

Þorleik said, "Do as you promise, but don't offer me a difference in numbers." With that they broke off their conversation. Those who heard them said that their dealings had come to a fitting conclusion (37, pp. 102–3).⁹⁵

Again a willing buyer confronts an unwilling seller. Eldgrím's initial offer to buy is rejected by Þorleik, and firmly too: "The horses are not up for sale." Eldgrím construes the rejection as a bargaining tactic designed to evoke an offer of a higher price. Unlike the would-be buyers in the preceding cases, he faces the issue of price directly by offering to pay double the value of the horses. Þorleik rejects this offer also and in a manner that shows he is irritated at being typed as a "habitual" seller: "I'm no haggler and furthermore you'll never get these horses even though you offer three times their value." This response cuts off Eldgrím's next move in the mercantile mode of exchange by anticipating and rejecting it beforehand. Eldgrím gets the point, but instead of breaking off negotiations completely, he shifts to another mode of exchange. With only slight indirection he offers to take the horses forcefully. In this mode the minds of the parties meet. Þorleik may have been a reluctant seller, but an offer to be raided is a challenge to his manhood that would be dishonorable to refuse. He dares Eldgrím to follow up on his threats, and Eldgrím greets Þorleik's counterchallenge by promising to raid: "This summer I will come to look at the horses and then see which of us chances to have them from then on."

The bargaining and haggling Þorleik found offensive when a sale was being negotiated is acceptable enough when the ground rules of a raid are

⁹⁵ "... Eldgrímr mælti: 'Þat er ørendi mitt hingat, at ek vil kaupa at þér stóðhrossin þau in dýru, er Kotkell gaf þér í fyrra sumar.' Þorleikr svarar: 'Eigi eru fól hrossin.' Eldgrímr mælti: 'Ek býð þér jafnmörg stóðhross við ok meðalauka nokkurn, ok munu margir mæla, at ek bjóða við tvenn verð.' Þorleikr mælti: 'Engi em ek mangsmaðr, því at þessi hross fær þú aldregi, þóttú bjóðir við þrenn verð.' Eldgrímr mælti: 'Eigi mun þat logit, at þú munt vera stórr ok einráðr; mynda ek þat ok vilja, at þú hefðir órífligra verðit en nú hefi ek þér boðit, ok létir þú hrossin eigi at síðr.' Þorleikr roðnaði mjök við þessi orð ok mælti: 'Þurfa muntu, Eldgrímr, at ganga nær, ef þú skalt kúga af mér hrossin.' Eldgrímr mælti: 'Ólíkligt þykki þér þat, at þú munir verða halloki fyrir mér; en þetta sumar mun ek fara at sjá hrossin, hvárr okkar sem þá hlýtr þau at eiga þaðan í frá.' Þorleikr segir: 'Ger, sem þú heitr, ok bjóð mér engan liðsmun.' Síðan skilja þeir talit. Þat mæltu menn, er heyrðu, at hér væri makliga á komit um þeira skipti."

being hashed out. The issues to be settled are the timing of the raid and the size of the raiding party. Þorleik and Eldgrím reach an agreement on both matters: the raid will be that same summer and Eldgrím will not come in force. We learn about the agreement later from Eldgrím when he comes to take the horses and is held to account by Þorleik's uncle Hrút: "I have fulfilled the promise I made [Þorleik] at the *thing* to come for the horses without reinforcements" (37, p. 104). Any dealings between Þorleik and Eldgrím will either be purely mercantile or purely violent. These most unsociable of men are at home in modes of exchange of low sociability. The author, however, takes care to record a notice that the eagerness with which these two agreed to raid was opposed to the community norm. Hence the judgment of the bystanders: "Those who heard them said that their dealings had come to a fitting conclusion."

Raiding was dangerous business. Consider the conclusion of Eldgrím's bargain. Hrút questions whether indeed Eldgrím has lived up to his end of the bargain as he claimed. "It's no act of courage to take the horses when Þorleik is lying asleep in his bed. You'll fulfill your agreement better if you visit him before you ride out of the district with the horses" (37, p. 104). Hrút is needling Eldgrím a bit. He is suggesting that Eldgrím looks more like a thief than a *ránsmaðr*. Thievery, as noted earlier, is a concealed taking.⁹⁶ Generally it was a nocturnal crime, not of necessity but of convenience. Lack of light assisted its secretiveness and anonymity. Eldgrím is cutting a pretty fine line. He shows up when it is light, which may be more to the credit of the summer sun in northern latitudes than to Eldgrím; but it is so early that people of consequence, namely Þorleik, are asleep. There is something else which casts doubt on the classification of Eldgrím's taking. He is alone. Solitariness was always ground for suspicion. Being alone gave one the option of holding one's counsel, and thus the option to be a thief or a murderer.⁹⁷ It was the state to which the outlaw, as well as the kinless and impoverished, was condemned. Only in the rarest of circumstances in the sagas does a man of good character and intention go somewhere alone.⁹⁸

Eldgrím wishes to erase all doubts as to his character and the taking; he tells Hrút to warn Þorleik, accompanying the statement with some martial puffing. Hrút, however, tries to settle matters himself by initiating another exchange. He offers Eldgrím a gift of some of his studhorses, "though not

⁹⁶ See above, nn. 3, 53.

⁹⁷ Murder was a concealed or unannounced killing: *Grágás*, 1a:154, section 88; 2:348–49, section 315.

⁹⁸ Kári's solitary journeys in *Njáls saga* 148 and 152, pp. 424 and 437, are exceptional and obsessive. No provision in *Grágás*, however, makes the legal classification of the type of taking depend on the size of the party, as does, for example, a law of Ine, king of Wessex, in the late seventh century: "We call 'thieves' a group of fewer than seven, from seven to thirty-five is a 'raiding party' (*hloð*), after that it is an 'army' (*here*)": *The Laws of the Earliest English Kings*, ed. F. L. Attenborough (1922; repr. New York, 1963), 13.1, p. 40 (my trans.).

quite as good" (37, p. 104), if Eldgrím will give up the others. Yet this founders also. The offer of the gift is too late. The fact that it is conditioned upon release of the horses Eldgrím already has in hand makes it impossible for Eldgrím to accept without losing face by losing an advantage already realized. Although Hrút couches the offer in the language of gift exchange, the classification of the transfer is in Eldgrím's view suspect. If it is a gift, it is a gift to the absent Þorleik, not to him.⁹⁹ Moreover, the offer was prefaced with a declaration of purpose unambivalently confrontational: "I will not let Þorleik be raided" (37, p. 104). To Eldgrím, the offer is no more than a threat and a *mútugjef*, a word whose semantic range extends from bribe to barter.¹⁰⁰ Eldgrím's refusal to accept the substitute horses has the unfortunate consequence of attracting Hrút's battle-ax to his back.¹⁰¹

There is one last matter about these studhorses. The preceding chapter of *Laxdæla saga* provides a detailed description of their prior transfer to Þorleik. They were owned by Kotkel, a troublemaker and recent Hebridean immigrant who came to Þorleik in urgent need of protection (36, p. 101). When Þorleik saw the horses he asked to buy them. Kotkel conditioned their transfer on Þorleik's providing him patronage and a dwelling in the neighborhood as Þorleik's tenant. Þorleik thought this dear, but some flattering words and skillful argumentation by Kotkel, not to mention Þorleik's desire for the animals, ended up with a bargain being struck.

The transfer was accomplished without offense or threat. There are some significant contrasts with the previous examples which suggest why this was the case. For one, Kotkel was a foreigner, someone with whom nonsociable modes of exchange, like buying and selling, were usual and to be expected. For another, Þorleik did not seek out Kotkel in order to buy the horses; Kotkel sought him out. The change of locus changed the meaning of Þorleik's request to buy. Because the meeting was not forced on the owner it was no great threat to him. Moreover, merely because Þorleik got in his offer to buy before Kotkel made his request for protection, the identity of the "reluctant seller" is not altered; it was not going to be Kotkel, but Þorleik. Because Kotkel came to Þorleik, the transaction would only incidentally be about the price of horses; the negotiations were first and foremost about the creation of bonds of dependence, the procurement of patronage. And it may

⁹⁹ The gift, it turns out, was as unwelcome to Þorleik as it was to Eldgrím. Relations had never been good between Þorleik and his uncle, and the unsolicited favor so greatly angered Þorleik that he sought out Kotkel and his family to use witchcraft against Hrút (see below, n. 104). Þorleik's reaction shows that gift giving was not to be entered into unilaterally without some prior indication that the intended recipient would welcome the gift and be willing to incur the obligation to requite it. In *Egils saga* 78, p. 272, for example, Egil's initial reaction to an unsolicited gift is to try to kill the giver.

¹⁰⁰ See Cleasby-Vigfusson, s.v. *mútugjef*.

¹⁰¹ See *Hrafn saga Sveinbjarnarson* 13, St. 1:216, where a failed attempt to buy a horse leads to a similar conclusion.

have been that Þorleik's initial attempt to define the transaction as a purchase of horses was undertaken with the hope of frustrating what he anticipated Kotkel's purpose in coming was.¹⁰² But the return Kotkel demanded for his horses — protection and a lease of land — made it impossible to keep the transaction in the mercantile mode that Þorleik tried to put it in.

It is not very helpful to see this exchange as a bartering of a nonmoney good against a service, with each party playing the dual roles of buyer and seller. The economic aspect of the transaction is subordinated to the social one. The dealings do not fit the model of idealized market exchange where people transfer goods and services and go their separate ways.¹⁰³ Here two people come together and stay together. The possession of the horses is transferred, but with them comes the prior possessor and his family. The horses are never quite dissociated from Kotkel; they were the first prestation in a bargained-for relation of continuing exchanges.¹⁰⁴ A year later Eldgrím still identifies them as "the horses that Kotkel gave you." This need not mean that the horses were a gift; "give" would apply equally well if Kotkel had paid the horses to Þorleik. But it does show that in the opinion of a stranger the horses were not bought or sold.

Our cases show no offer to buy goods leading to a transfer of them by sale. Apparently everyone knew there was more likelihood of transfer in another mode of exchange, and they negotiated with this in mind. There was thus little time spent bargaining over price, the hasty abandonment of which marked the rejection of the mercantile mode. Resistance to selling led to requests for gifts, to offers of gifts from second and third parties, and to open and secretive expropriations.

The cases give a strong sense that buying and selling was hostile; it was something one did with those from a distance, either spatial distance, as with Norwegians, or social distance, as with peddlers and hawkers of marginal social status like Hen-Þórir.¹⁰⁵ In any event it was not something a *bóndi* went

¹⁰² Þorleik expresses reluctance to take in Kotkel because of his reputation for being quarrelsome (36, p. 101).

¹⁰³ See Gregory, "Gifts to Men," pp. 641–44.

¹⁰⁴ Kotkel and his family put their talents at sorcery at Þorleik's disposal and are eventually killed for the services they provide Þorleik (37–38, pp. 105–9).

¹⁰⁵ The fine dividing line between intergroup trade and war has long been noted in ethnographic accounts. See variously Richard Thurnwald, *Economics in Primitive Communities* (London, 1932), p. 164; Claude Lévi-Strauss, "Guerre et commerce chez les Indiens de l'Amérique du Sud," *Renaissance* 1 (1943), 122–39; Sahlins, *Stone Age Economics*, pp. 302–3. On the origins of the peace arrangements made for marketplaces see Karl Lehmann, "Kauffriede und Friedenschild," *Germanistische Abhandlungen zum 70. Geburtstag Konrad von Maurers*, ed. Oscar Brenner (Göttingen, 1893), pp. 49–64; and the discussion in George Dalton, "Karl Polanyi's Analysis of Long-Distance Trade and His Wider Paradigm," in *Ancient Civilization and Trade*, ed. Jeremy A. Sabloff and C. C. Lamberg-Karlovsky (Albuquerque, 1975), pp. 63–132, at pp. 101–9.

to another *bóndi*'s house to do. Attempts to trade with equals within the community often produced the disturbing results of the preceding cases. This is not to deny that *bændr* bought and sold from each other without incident. Yet these transfers were often accompanied by hints of intimidation and duress, with one party clearly cashing in, so to speak, on his greater power.¹⁰⁶ The bonds of friendship and neighborhood could tolerate an occasional purchase, but the sagas do not show *bændr* involved in continual trading activities at home.¹⁰⁷ Such arrangements were regular for trading expeditions abroad,¹⁰⁸ but that is a different issue entirely. Gift exchange and the structured hostility of the feud, with transfers of compensation and lawsuits, were the preferred means of exchange. It was bad form to seek openly to bear away goods without some attendant mystification. The course of these cases makes this point vividly.

These general statements pertain to only a narrow range of transactions because our case evidence represents a very specific type of transaction: the request to purchase provisions or prestige goods. What the party who initiated the transaction was seeking was crucial to the level of tension and the likelihood of a conflict-free conclusion to the meeting. The sagas, for instance, are filled with descriptions of people coming to another's farm or booth at the *thing* seeking marriages or fostering arrangements and support for lawsuits, arbitrations, and vengeance expeditions. To be sure, these transactions could also lead to insult and bitterness, but the impression is

¹⁰⁶ The sources do not record many instances of uneventful sales of goods between *bændr*. One fairly detailed account of a successful barter of oxen for horses between two householders is preserved in *Reykðæla saga* 11, p. 177, but in this case the negotiations take place at a neutral site, in the convivial circumstances of a wedding feast to which both parties had been invited. See also *Bjarnar saga Hítudlakappa* 19, pp. 164–65. The sources are probably more likely to record sales that proved to be sources of conflict; yet this should not be pushed too far, since frictionless transfers by gift or inheritance are regularly mentioned. Sales of land are noted on several occasions without further comment: see, e.g., *Droplaugarsona saga* 2, 3, and 4, pp. 140, 144, and 147; *Laxdæla saga* 32, p. 86; *Njáls saga* 90, p. 225. But elsewhere the evidence of land sales suggests that it may be the brevity of the account rather than the smoothness of the sale that makes for the uneventfulness: see, e.g., *Íslendinga saga* 79, *St.* 1:341; *Þorsteins saga hvíta* 1, pp. 1–2; *Hávarðar saga Ísfrðings* 14, p. 337; *Heiðarviga saga* 38 and 41, pp. 320 and 324; *Laxdæla saga* 24 and 47, pp. 67 and 147, and cf. 75, pp. 218–21, and below, pp. 49–50. See also *Njáls saga* 67–68 and 70, pp. 167–69 and 172–73, where the mere attempt to buy back land that earlier had been paid over as part of an arbitrated settlement was construed by the offeree as a breach of the settlement.

¹⁰⁷ *Bandamanna saga* 1, p. 296, indicates that persons owned shares in ferries involved in local carrying of fish, whales, and driftwood. There is no indication of the status of such persons, except that one, Odd, was fifteen at the time and not himself a householder. See also above, nn. 11, 15–16.

¹⁰⁸ Cf. the amicable partnership of Kálf and Kjartan in *Laxdæla saga* 40 and 44, pp. 114 and 134, with the troublesome one of Þorstein and Einar in *Þorsteins saga hvíta* 3–4, pp. 8–9. *Grágás*, 1b:67–69, has procedures providing for buy-out in the event of disagreement between partners in an ocean-going vessel as to when or whether to sail. See also Gelsing, *Icelandic Enterprise*, pp. 29–32.

that they were distinctly less troublesome, less anxiety-provoking, because they were more familiar and regular than requests for goods.

The comfort of the familiar was obtained when goods moved as an incident to the establishment and maintenance of social relations. Kotkel's horses moved into Þorleik's possession because Þorleik promised Kotkel protection.¹⁰⁹ Hen-Þórir undertook the fostering of Arngrím goði's son and transferred property to him in exchange for Arngrím's support.¹¹⁰ Njál gave Gunnar gifts of food and hay because that is what friendship meant.¹¹¹ The familiar meant dealing directly in humans and about social ties, and only secondarily in the products of human labor. Social relations meant that human bodies moved between groups for various lengths of time. Marriage and fostering¹¹² sent live bodies for relatively long periods to other households. Friendship meant bodies went back and forth regularly between households. Even outright purchases of support, a frequent saga practice,¹¹³ represented the transfer of human capital, albeit briefly, from one household to another. All these relations were characterized by positive or at least neutral sociability.¹¹⁴ Bodies also moved between households in modes of

¹⁰⁹ See above, pp. 45–46.

¹¹⁰ *Hænsa-Þóris saga* 2; p. 7.

¹¹¹ See above, pp. 34–35.

¹¹² Fostering usually involved the transfer of a child to an independent household of someone of lesser status, although a party of equal or higher status could undertake to foster another's child as an act of deference: see, e.g., *Laxdæla saga* 16 and 27, pp. 37 and 75; *Sturlu saga* 34, *St.* 1:113; and Miller, "Justifying Skarpheðinn," pp. 325–26. The arrangement necessarily involved an increase in the food resources of the child-giving unit and a corresponding decrease for the child-receiving unit, at least until the child's labor could be productive. But the remaining terms of a particular fostering were negotiable. The child givers were sometimes able to exact additional transfers from the fosterer in the form of gifts to the child and outright payments for the protection of the child giver: *Laxdæla saga* 16, p. 37; *Hænsa-Þóris saga* 2, p. 7. To what extent the child was a hostage to secure the performance of the child giver is unclear and better left to fuller treatment elsewhere, but I am unaware of any case in which a foster parent threatens harm to his charge or the natural parents are moved to act for fear of what a foster parent might do to the child. The notion of fosterage, it should be noted, also described other arrangements within a household between the child of the householder and a household servant, male or female.

¹¹³ See, e.g., *Ljósvetninga saga* 15, pp. 83–84; *Njáls saga* 134, pp. 349–53; *Vápnfirðinga saga* 7, p. 38. See further Miller, "Avoiding Legal Judgment," p. 104, n. 35.

¹¹⁴ In fact, purchases of protection and support were often socialized positively by being formalized as "friendships" or *vináttur*: see, e.g., *Hænsa-Þóris saga* 2, p. 7; *Njáls saga* 138, pp. 367–68: "I wish to give you this ring, Eyjólf, for your friendship and support. . . ." In *Eyrbyggja saga* 17, pp. 32–33, Illugi offered Snorri money for the support Snorri had given him in a lawsuit, but Snorri refused payment. "Illugi then invited him to his home and Snorri accepted that and he received good gifts once there. Snorri and Illugi were friends then for a time. . . ." Also see *Víga-Glúms saga* 11, p. 38, and above, n. 57. In these contexts support usually meant providing force or the threat of it to ensure the successful conclusion of a lawsuit; more particularly, it involved the acquisition of pleading skills. See further Miller, "Avoiding Legal Judgment," pp. 107–8.

low sociability, but they were maimed or lifeless. In feud the exchange was in injuries and corpses. But all movements of bodies, living or dead, between households were accompanied by exchanges of goods: by gift and hospitality at the sociable end, by wergeld, compensation, and *rán* at the other end.

The mercantile mode inverted the relation between goods and bodies. Bodies moved as an incident to the transfer of goods. Buyers and sellers came together only to exchange, preferably at a neutral place designated as a market, after which each returned to his producing unit. The goods, not the buyer and seller, were to be related to each other, and the relationship was openly expressed as price.¹¹⁵ This is, of course, an idealized representation. The mercantile exchanges of two *bændr* could never be those of the faceless market. People already knew about each other, as Þorleik had already heard tell of Eldgrím, and they were likely to see each other again. Still, to seek to exchange by purchase and sale carried with it a message of low sociability¹¹⁶ that sought to deny accountability by refusing to establish the social relations that held people to account. Perhaps nothing confirms the strangeness of mercantile exchange with its inversion of the relation of goods to bodies more than the fact that the one good which flows smoothly in the stream of commerce does so because it mimics the “right” order by sending bodies permanently to other households. Selling a slave was not as irregular as buying hay.

A different set of values accompanied the transfer of land, at least during the period of colonization. Whereas gifts of food and hospitality could be quit with return invitations, and prestige goods like cloaks, weapons, and fine animals could requite hospitality and each other, a gift of land, it was feared by some, might indicate a long-term subordination of the recipient to the giver because nothing but a return gift of land could extinguish the obligation. Instead of disfavoring the mercantile mode, prospective recipients tried to shift the classification of the transfer to purchase and sale, or to expropriatory modes in which the act of taking clearly indicated the taker’s dominance.¹¹⁷ The social distance of purchase was just what Steinuð the Old wanted: “Steinuð the Old, a kinswoman of Ingólf, went to Iceland and stayed with Ingólf the first year. He offered to give her Rosmhvalaness . . . , but she gave a spotted cloak for it and wished to call it a purchase; it seemed to her there would then be less chance of undoing the transfer.”¹¹⁸ Others preferred dueling for land,¹¹⁹ while some thought it better to be beholden to

¹¹⁵ See Gregory, “Analysis of a Non-Capitalist Gift Economy,” pp. 126–28; “Gifts to Man,” pp. 641–44.

¹¹⁶ See the discussion of village marketplaces in Bourdieu, *Theory of Practice*, pp. 185–86.

¹¹⁷ E.g., *Reykðæla saga* 1, p. 151.

¹¹⁸ *Landnámabók*, p. 392: “Steinuðr en gamla, frændkona Ingólfs, fór til Íslands ok var með Ingólfi enn fyrsta vetr. Hann bauð at gefa henni Rosmhvalanes . . . , en hon gaf fyrir heklu flekkótta ok vildi kaup kalla; .henni þótti þat óhættara við ríptingum.”

¹¹⁹ See above, n. 59.

no one: "Hallstein Þórólfsson thought it cowardly to accept land from his father and he went west over Breiðafjörð and took land there."¹²⁰ But with land as with movables, what the sources show is concern not about price or discussions of it, but about the classification of the transfer, the mode of exchange.

There is a lesson in Hallstein's sensitivity. It reveals that no exchange was just a two-party affair. The community passed moral and social judgment on a transaction, allocating in the process honor and prestige between the parties. And if no third parties were there to pass judgment, the principals would hypothesize the judgment anyway. A person risked some part of his reputation in every social interaction, even in exchanges, as we gather from Hallstein, between father and son. All knew that in the process of defining social relations between the parties there would necessarily be an adjustment in the standing of the two relative to each other. And because this adjustment was figured in units of prestige and honor, its effects would also determine the quality of one's relations with others. The skillful participant in exchange was the one who knew how to manipulate the multitude of signs that attended the classification of a transaction to the increase of his honor, not his net worth.¹²¹ The adept players in this game, that is, the honorable men and women, were those who knew whether and when to pay and to pay back, to give and to receive, or to take a thing and leave behind what they thought it was worth. Our cases suggest that they were more likely to exchange goods and services in the forums of dispute processing and in the festive hall, by compensation payment or gift, than in a marketplace or the countryside, by sale and purchase. And whether the exchange was to be by feud or feast was what they bargained over.

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¹²⁰ *Eyrbyggja saga* 6, p. 11: "Hallsteini Þórólfssyni þótti lítillmannligt at þiggja land at föður sínum, ok fór hann vestr yfir Breiðafjörð ok nam þar land. . . ."

¹²¹ Consider, for example, this case from *Þorgils saga ok Hafliða* 15, St. 1:32. The scene is the Althing, and Þorgils and Hafliði are embroiled in a dispute. Hafliði makes this offer: "Hafliði said, 'I will give Þorgils the value of eight cows for the sake of his honor and reputation; but I call it a gift and not at all a payment.' And they could not agree on that because to one it seemed as if there was nothing to pay for and to the other it seemed better to have a little payment for the cause of action than to have to repay a gift. Each thought his honor depended on how it was to be designated and that issue stood in the way so that no settlement was made. With that they parted, each thinking worse of the other one than before." See also the excellent discussion in Bourdieu, *Theory of Practice*, pp. 171–83, of the perfect, but "misrecognized" interconvertibility between "economic and symbolic capital," wealth and honor.