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Feeling Another's Pain: Sympathy and Psychology Saga Style

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Progress is hardly a given in the humanities or the suspect sciences. In many ways we are not quite as astute as our grandparents, and they not as much as theirs, and so forth in an infinite entropic regress. Would I trade Montaigne or Stendhal's psychological acumen for even the best work that comes from social psychology departments? In this short essay I want to show just how good some medieval people, medieval Icelanders to be exact, were at understanding the mental and emotional states of others, and if of others then presumably, though not necessarily, also of themselves. And I hope to show in some ways they were rather more sophisticated than we are.

We might imagine that medieval people had to be pretty tough-minded; the stakes were higher for them in even fairly routine transactions, as say when dealing with merchants in a harbor, when trying to gather support in order to bring a lawsuit, or when attending a feast or a funeral. Our softer and gentler emotions, our noble sentiments, to put it bluntly, come cheaper in the rich West than theirs did, especially in the Northern latitudes, where intense scarcity was a given for all but a select few. Most people had to count calories, not like our dieters count them, but because you needed to know whether you could afford to raise your new baby before deciding to raise it up, or before sending your eight-year old child off by himself, or before, in a fit of despair, just packing up, leaving Norway or the Western Isles, and heading into the blue to try your luck in a new location, Iceland, for example, which despite being mostly lava and glacier, you judged offered more opportunity than was to be had by staying put.

We today can purchase our emotions or download them for free, if we want to play the internet pirate, using music to supplement the middling writing of a movie script so as to generate tears of fellow feeling; we connect so easily to the pain and suffering of fictional characters, or to real people presented to us as pixels, and even then safely located in the flesh thousands of miles away lest they show up at our door and ask us to back our pity with something more than signing a petition. Incredible, but we even now provide soundtracks to our own lives by sticking earphones in our ears so that we can dredge up what we think love should feel like.

Although some might claim that pain is one of those states we are more likely to understand when another is showing signs of suffering it, in fact we never really feel another's pain, except in a vaguely mirror neuron kind of way.¹ If I see an athlete about to be crunched by another athlete my own body will tense up in a sort of readying sympathetic reflexivity. And though I might imagine quite vividly what it would be like to get hit as hard as the athlete is about to get hit, I manifestly do not feel his pain when he crumbles to the pitch. I can make the rational assessment that I am quite well pleased not to feel his pain, and this understanding of mine is in some sense a form of sympathy of the type captured by the saying 'there but for the Grace of God go I'. I do not have to feel what it is like to be tortured to know I would prefer not to have it happen to me, and even thus prefer not to have it happen to others either. Sympathizing with another's pain, while in most settings morally commendable, comes, as I have already suggested, on the cheap unless it leads to a whole lot more than mere feeling.

If then we cannot quite feel another's pain can we even trust that another hurts as much as I do when he has a migraine or a toothache? We try to solve the problem in rather crude ways. In matters of punishment we might insist on administering the same number of lashes to offenders guilty of the same transgression. We can count the number of lashes; we can measure the damage they do to the skin and flesh, but we cannot measure the pain suffered, even if we employed a measure such as decibel level of screams or quality of groans, for these can be faked or merely be prompted, if not faked, by very different pain thresholds.² More recent technological innovations, fMRI for instance, will not answer the pain question, although they convince pain-free researchers to think that is indeed what they have shown.

Why didn't the kid who pummeled me into submission when I was in high school feel the same way when I was hitting him as hard as I could. I even landed more blows than he did. Was the reason that I became an academic because my hardest punch would cause anyone toward whom I felt a need to direct it about as much pain as if he had been hugged rather too emphatically by a lover? Or was it because I felt more pain than he did, even though his blows were propelled by the same amount of force as mine? Or is my failure not physical at all, but moral? A failure of courage or a failure of that eminently useful virtue or vice we call toughness?

Can you be sure (of course you can't) that when you love someone, they feel the same as you do if they should say they love you too? Can you be sure they feel the same as you when you grieve? Of course not, but we satisfice. We accept certain statements and behavioral signs that we are on the same page with the others, and we do not probe too deeply once they go through the proper motions and say the right things. But now let us repair to a setting where bringing home another's pain, forcing sympathy upon others, is crucial. The problem of verifiability of another's internal states must be overcome, and overcome in such a way that you can trust the other is feeling exactly what you want them to feel.

There are some remarkably clever ways to finesse the problem of verifying another's pain, both as to its quality and quantity. And where else but in an Icelandic saga do we see precisely this issue addressed with great sophistication and wit.³

Do not let the names confuse you. A man named Hrafinkel (Raven-kettle)⁴ killed a young shepherd of his, Einar, for riding a horse he, Hrafinkel, had dedicated to the god

Frey with the vow that the horse would never be ridden unless Hrafnkel permitted it. Hrafnkel is an overbearing man, who considers himself above the law, the proof of which the saga says is that he had killed many people without paying compensation for any of them. To his credit, however, he actually feels significant remorse for killing Einar, apparently on the grounds of the shepherd's age, and because of doubts about the justifiability of the vow, especially since the boy did not ride the horse for thrills or to flout Hrafnkel's vow but because he was conscientiously searching for Hrafnkel's sheep that had strayed. Hrafnkel's remorse motivates an offer of extraordinarily generous recompense to the grieving father, a poor neighbor of Hrafnkel's. Old Thorbjorn, the father, nonetheless rejects the offer; he wants instead that Hrafnkel agree to arbitration and have the arbitrators set the amount of compensation. Hrafnkel refuses, recognizing immediately the old man's motive: 'Then you mean to be my equal and on this basis there can be no settlement.'

Thorbjorn prefers to bring Hrafnkel down a notch, if even only for a day, than reap as much as 20 times what he is likely to get from an arbitration award. Thorbjorn's only option now is to sue, for which he needs considerable help. He seeks the aid of his kin, who think him an utter fool for having turned down such a generous offer, especially since there was no expectation that Hrafnkel would ever have made one. His kin find Thorbjorn not just stupid, but selfish. He has many children all of whom Hrafnkel had promised to set up when it came time for them to marry; and until then Thorbjorn's family would lack for nothing, but have as much as they needed to live comfortably. As Hrafnkel correctly understands, it was old Thorbjorn's poverty that forced Einar to have to accept high-risk low-status employment such as shepherding for Hrafnkel.⁵ Yet surely even modern rationalists can understand Thorbjorn's irrationality, and even sympathize with it: that harming an enemy at some considerable cost to yourself might be felt as morally superior than what we call win/win situations.

Thorbjorn, relying on cutting mockery, convinces his reluctant nephew Sam, a lawyer, to take up the case. The scene shifts to the Althing, where the courts meet for two weeks annually at midsummer. Sam and his uncle find it hard to get support for their claim. People are afraid to go against Hrafnkel; those who have tried have only suffered defeat and humiliation.⁶ Just when old Thorbjorn is about to give up, an adventurer named Thorkel comes forward who offers to help by interceding on their behalf with his powerful brother, a chieftain named Thorgeir. Thorkel, the adventurer, advises Sam that in order to convince Thorgeir to join with their cause they had best stage a little charade, for convincing Thorgeir to join them will not be easy.

Thorgeir the chieftain is laid up in his booth. An infected boil on his foot has been depriving him of sleep and the boil had just burst the night before. He is now finally getting some sleep with his sore foot extended on a board. Thorkel instructs Sam and old Thorbjorn that the old man should go into the booth:

'it seems that his vision is badly failing on account of old age. When you, old man,' said Thorkel, 'come to [Thorgeir's] hammock, rush hastily toward it and smash into the footboard and take the bandaged toe, and yank it toward you, and we will see just how he reacts.'

Sam said, 'I know you mean to give us useful advice, but this does not strike me as advisable.'

'You have two choices: either you do as I tell you, or don't ask me for help.'

One can understand Sam's dismay. Here he is in the practical and unpreachy world of an Icelandic saga and some strange fellow insists on staging a scene out of a different literary genre. Thorkel had just returned to Iceland from Christian Constantinople where he apparently learned how to act out allegories, to play allegorical charades, which was definitely not in the pagan or even in the Christian Icelandic style (and this story is set in pre-Christian times), but mostly Mediterranean, Greek and Hebraic. And that is just what Thorkel means to do: he is about to preach to his brother, to deliver a homily on pain and sympathy and he wants to stage a little play to make his point.

Old Thorbjorn plays his part; he slams into Thorgeir and jerks his sore toe. Thorgeir awakens with a jolt and starts yelling at the old man. Thorkel then steps into the booth and begins:

'Don't fly off the handle at this, brother. There is no harm done. People often do worse than they mean to; they do not always pay as much attention as they should when they have a lot on their mind. Your excuse, brother, is that you have a sore foot that's been hurting you. Only you really know how much. It just might be that an old man is not any less in pain over the death of his son for whom he has received no compensation and has no likelihood of getting it. Only he really knows how much that hurts. A man with that much on his mind can't be expected to pay careful attention to what he does.'

Thorgeir said: 'But I don't think he should blame me. I didn't kill his son; he shouldn't be seeking revenge on me.'

'He does not wish to avenge himself on you,' said Thorkel, 'but he approached you harder than he meant to and that is mostly because of his bad eyesight. But he wants your help...'

Why this stagey moral tale? Because Thorkel knows we do not feel another's pain; it is a very private experience: 'Only you know how much [it hurts]', 'Only he really knows how much that hurts.' Thorkel is no less sophisticated on this score than Adam Smith, and both are a whole lot more sophisticated than anyone today inclined to use the phrase 'I feel your pain', which has become almost a cliché of cultural vapidness and the shallowness of anything passing for fellow feeling in America.⁷ Or, as I indicated earlier, if we actually manage to generate some sympathetic pain by an act of imagination or kinesthesia we surely do not feel it as intensely or as long. Pain to be understood has to be brought home as one's own.

The physical pain of having a sore toe yanked is meant to provide a rough idea of the pain of having an unavenged son. The lesson in sympathy that is being taught is clearly of an ilk with the psychological wisdom embedded in the *lex talionis*: you will begin to feel the pain of the loss of my eye to me when I am holding my knife to yours. Sympathy, not just a sense of moral obligation as Nietzsche would argue, is carved in the flesh. Fellow feeling in this world does not mean sentimental indulgences in pity and self-congratulation for being a person of such refined sentiments; it means helping the weak take revenge, which is just how God positions himself in the Prophets and Psalms, an avenger of those who need help taking it, like old Thorbjorn here, the grieving father of a murdered son.

To bring the point home Thorkel gives his brother a real pain and the pain is all the more frustrating to Thorgeir because he cannot avenge it. Just as the young shepherd Einar was not an appropriate target of revenge for Hrafinkel on grounds of age, social

status, and triviality of the horse-riding offense, neither is old Thorbjorn on account of his age, social status, and the triviality of the offense, someone that Thorgeir can strike back at.⁸ Moreover, says Thorkel, this was an accident. And the accident is excusable not only because it was an accident, but because old Thorbjorn's inattentiveness is so easily explained, so justifiable; his grief is that distracting. Can't you feel his pain brother?

The 'unavengability' of the pain the old man visited on Thorgeir is crucial and it is by virtue of that unavengability that Thorkel cleverly manages the impossible; he is able to commensurate the pain of grieving for a dead son with the pain of a sore toe, psychic sorrow with physical pain, not by measuring them on a pain index, but, brilliantly, by placing them on a frustration index, the frustration of not being able to take revenge for the pains. Frustration unites all humanity in railing against misfortune and injustice; it is a pain everyone trusts everyone else to feel in the same way and with levels of intensity that are predictably and pretty confidently observable, especially when it is the frustration at one's inability to get even. Frustration is like disgust and anger in that regard; it largely solves the intersubjectivity problem, the problem of other minds, the problem of verifying another's true feelings. Thorgeir cannot avenge being bumped into because he can't justifiably lash out at an old man for an 'accident' and old Thorbjorn can't avenge his son because he is old and powerless. Both are in some sense invalids. But now they can each understand the other's pain for they are made to feel the same kind of pain: vengeance stymied.

Thorkel is careful to make the case clearly. It is not that the old man has a dead son that prompts his distraction. It is the frustrating disequilibrium brought about by having a dead son 'for whom he has received no compensation and has no likelihood of getting it.' The misery of mind is of having no prospect of getting even, and getting even, making Hrafinkel have to recognize him as being equal, that is, even, is why old Thorbjorn refused Hrafinkel's offer in the first place. A dead son adequately valued by a quid pro quo in blood or some other specie restores the mind, exchanges grief and confusion for satisfaction and order.

But what is poor Thorgeir to do? Must his toe go unavenged? Embedded in Thorkel's homily is the idea that not all pain is avengeable and not all lashing back is justifiable. Some pains must be endured without amends for there is no one who can justifiably be lashed out at for the harm. Thorgeir thus claims that old Thorbjorn shouldn't take out his misery on him by bumping into his sore foot, while Thorkel reminds his brother that he should not be taking out the pain of his foot on an old man for having bumped into him. Old Thorbjorn is in effect saved by a plea of accident. Such pleas are available in vengeance cultures but mostly only to the old, to children, or to those who do not matter. The obvious irony is that this was no accident. It was a fake accident.

Let me add some brief matter about the Icelandic cultural genius regarding apology for accidents, and its limitations. The Icelanders mistrusted any claim that a harm inflicted was accidental. They knew, as we know, but repress, that there is no sentiment easier to fake than remorse. We are truly sorry when we did not mean to harm someone, as when I accidentally step on your toe. But suppose you and I do not like each other and you accidentally step on my toe. I will impute intentionality to you. Even if I am willing to accept that it may have been an accident I suspect you are not quite displeased with the

fact that it hurt me, because that happened to be the toe that has arthritis. The one on my left foot did not, but no, you managed to step ‘accidentally’ on my bad toe. Yeah, sure, it was an accident. Why should anyone trust your saying you were sorry when your apology, I suspect, is either motivated by cowardice because I might hit you, or not meant at all, a pure lie, for I suspect, indeed I know, that you are taking pleasure in my pain? In fact, how do we teach our children how to apologize? We order them to apologize, and when their performance of the apology is manifestly insincere we, universally, I believe, tell the child: ‘say it like you mean it’. Insincerity all the way down. But sincerity is not always desired, just the humiliation of being constrained to have to say something you do not want to say works rather nicely to compensate the wronged person, when he sees just how much it pains you to go through the motions of uttering your unfeeling apology.

The Icelanders, brilliant psychologists as they were, insisted that to sell the sincerity of an apology, to make another believe in your remorse, you had to pay up, you had to inflict some real misery on yourself. Hence Hrafnkel offers a king’s ransom to old Thorbjorn to prove he is remorseful about killing his son. Words are cheap, so make them dear by paying over a lot of money.

Notice that even among us, we impute intention to harms done us that could not be intended except in an enchanted world we have long ago congratulated ourselves on having overcome with science and reason. Do you not curse the toy left on the stairs you trip over? Do you not damn your computer to hell several times a week? Have you not punched a wall, kicked an object for daring to get in your way? What are these curses and kicks but acts of revenge, of making the harming object pay, because you impute at some deep level intentionality to the doll, to the computer?

Back to Thorkel trying to convince his brother Thorgeir to help old Thorbjorn. His point is starkly and coldly this: brother, you cannot avenge yourself on this old man, but the real cause of your pain, of his accidentally hurting you is Hrafnkel, the murderer of his son. There is someone we can take all these pains out on and it will gain us nothing but honor. But, says Thorgeir, all one gets from going up against Hrafnkel is dishonor, because he always wins. Thorkel’s response: then we are no worse off than everyone else, since they have already lost to him. We are treated to another aspect of this grim social and moral economy of honor: you are made better off by everyone else’s pain and discomfiture, the one-eyed man in the land of the blind.⁹

Consider finally the following case, in which we see how cleverly the Icelanders get full compensation for a victim of a wrong, and they are able to do so again because of how well they understand the workings and limits of sympathetic imagination.

An Icelander named Skæring gets into a dispute with some Norwegian merchants who had put into port in Iceland, c. 1200.¹⁰ They chop off his hand (merchants in those days were tough guys and were often themselves indistinguishable from Vikings). Skæring runs to his kinsman Gudmund, who is the local big man, and asks for help. Gudmund, with a group of men, rides to the Norwegian ship and demands that they compensate Skæring at a price he, Gudmund, shall name. The Norwegians agree and Gudmund hits them with a very stiff price, almost as much as they would have been expected to pay had they taken Skæring’s life. They balk at paying the price named, despite having agreed

beforehand to pay whatever Gudmund adjudged to be appropriate; they argue that the hand of an undistinguished guy like Skæring should not carry such a high value and that Gudmund was simply gouging them, not adhering to certain norms of reasonableness. Gudmund says: 'Okay, forget it. I will myself pay Skæring the exact amount I adjudged you to pay, 'but I shall choose one man from amongst you who seems to me of equivalent standing with Skæring and chop off his hand. You can then compensate that man's hand as miserably as you wish.' The Norwegians pay up.

Thus, the lesson of sympathy is learned. The Norwegians now can feel just how much Skæring valued his hand before he lost it. Indeed, they so feel Skæring's pain that if there were, say, 30 Norwegians in the group Gudmund threatened, not an unlikely number, and each thus had only a 1 in 30 chance of being selected to lose his hand, they were not about to take the gamble. That means that damages we are likely to have to pay in our law, surely in Anglo-American law, are about 30 times too low, that is instead of getting what we would accept to have our hand chopped off up front, we are given a much lower value, the difference in our value one-handed as opposed to two.

Compare though how much improved Skæring's bargaining position is in a talionic regime, a hand for a hand. The talion structures the bargaining we have just seen Gudmund undertake with the Norwegian merchants to simulate the hypothetical bargain that would have been struck had Skæring gotten to name his price for his hand *before* the Norwegians took it. It does this by a neat trick of substitution. Instead of receiving a price for the taking of my hand, I get to demand the price you will be willing to pay to *keep* yours. It is not so much that I think your hand substitutable for mine. It is that you do. You will in fact play the role of me valuing my hand before it was taken out, and the talion assumes you will value yours as I would have valued mine. The talion works some quick magic: as soon as you take my hand, in that instant your hand becomes mine; I now possess the entitlement to it. And I get to set its price and you will have to accede to my terms to keep me from chopping it off.

The bargaining game I envisaged here is a powerful allegory of perfect sympathetic identification, sympathy unsentimentalized. Would Gudmund really have taken the hand? What would be the point of that? What, ask prudent and practical and even kindly souls of utilitarian bent, could he do with it? Yet, the Norwegians surely believed he would take it. Such threats were credible threats because presumably they were carried out every now and then.

But the Norwegians were taught how to feel Skæring's pain, not as Skæring's but as their own, when they were about to have to step in fact into Skæring's shoes. It is as if instead of our feeling the reflexive sympathetic pain of the athlete about to be flattened, we were to be suddenly transported to the pitch the instant the crushing collision occurred, unless we paid the price necessary to prevent the transportation.

These are people who understood sympathy and its limits, and understood how to mint a currency that could get around the intersubjectivity problem of feeling another's pain.

Acknowledgment

Parts of this paper were culled from two of my books: *Faking It* (2006), and *Eye for an Eye* (2003), both published by Cambridge University Press.

Notes and References

1. Obviously, having an idea that someone or an animal is in pain is quite different from feeling their pain. I can tell you are in pain because I just saw you get hit by a brick, but that does not require much sympathetic engagement. And the sympathy I do generate will not necessarily be distinguishable from that I would feel were you my child or my mortal enemy. The sympathy would merely be valenced differently.
2. There is an enormous literature on empathy, sympathy, etc, much of it consistently confusing the experiencing of another's supposed inner states with mimicking them, and then with catching them as if by contagion. And then confusing these processes with benevolence or kindness. None of it, or at least as much as I have glanced at before deciding it was mostly a waste of time, matches the consistent nuance and sophistication of Adam Smith's *Theory of Moral Sentiments* (1st edn, 1759). See recently a fairly reasonable example of the genre: L.F. Nordgren, M. McDonnell and G. Loewenstein (2011) What constitutes torture? Psychological impediments to an objective evaluation of enhanced interrogation tactics. *Psychological Science*, **22**, pp. 689–694, finding – guess what? – an empathy gap: we do not feel another's pain like they do. This was knowledge readily available to a Viking thug, but apparently recently lost among the educated classes.
3. J. Jóhannesson (ed.) (1950) *Hrafnkels saga. Íslenzk fornrit*, **11**, pp. 95–133. Convenient translation: H. Pálsson (1971) *Hrafnkel's Saga and Other Stories* (Penguin: Harmondsworth).
4. 'Kel' is a contraction of kettle, Old Norse *ketill*. Like the tripods of Greek epic, the amount of wealth that went into making a kettle made kettle an honorific suitable for a person's name.
5. A little bit of background gives a fuller picture. Old Thorbjorn told his son Einar that he could no longer afford to keep him on, since his younger brothers and sisters could now do the work, and that he would have to look for work. The old Icelandic laws require everyone to be lodged formally and hire on in a household every year for a year, during a four-day period in the spring. Thorbjorn waited until the end of this period to tell Einar and all the better jobs had been taken. The father was not being irresponsible negligently, but because, as is more than hinted in the text, he could not bear to send his favorite child away.
6. 'Support' means finding people to attend the court with you to prevent the other side from overpowering the judges or breaking up the proceedings, which is what Hrafnkel will try to do. Having nobody willing to attend the court with you might bespeak more than your own powerlessness, but also the general popularity or justness of your claim.
7. Which has come to be kind of a 'poster child' statement for faux commiseration, first said, allegedly, by Bill Clinton to an AIDS activist.
8. Notice too how Thorgeir blames old Thorbjorn's 'accident' as an intentional act of revenge taking but on an inappropriate target: 'I didn't kill his son; he shouldn't be seeking revenge on me.'
9. In one Norse story, clearly folkloric, a two-eyed man falsely accused by a one-eyed man of stealing his eye offers to settle the matter by ordeal: each of them is to remove an eye, place them on a scale and if they weigh the same then the accuser makes his proof. Needless to say the one-eyed accuser forgoes the challenge; see *Hróa þátr heimska* in G. Vigfússon, C.R. Unger (eds) (1860-1868) *Flateyjarbók*, 3 vols. **2** (Oslo) pp.73–80.
10. J. Jóhannesson, M. Finnbogason and K. Eldjárn (eds) (1946) *Guðmundar saga dýra. Sturlunga saga* (Reykjavík: Sturlunguútgáfan) **1**, pp. 160–212. Translated by J. McGrew and R.G. Thomas (1970–74) *Sturlunga saga* (New York: Twayne), **2**, pp. 145–206.

About the Author

William Ian Miller is the Thomas G. Long Professor of Law at the University of Michigan. He has written extensively on the blood feud, especially as it is manifested in Icelandic sagas. See his *Bloodtaking and Peacemaking* (1990), *Eye for an Eye* (2006), *Audun and the Polar Bear* (2008). He has also written about emotions, mostly unpleasant ones involving self-assessment, and select vices and virtues. Thus, his books *The Anatomy of Disgust* (1997), *The Mystery of Courage* (2000), *Humiliation* (1993), *Faking It* (2003), and most recently *Losing It* (2011), which is about the loss of mental acuity that comes with age. He is also Honorary Professor of History at the University of St Andrews.