'WHY IS YOUR AXE BLOODY?'

A READING OF *NJÁLS SAGA*

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'Sárt ertú leikinn, Sámr fóstri, ok búð svá sé til ætlat at skammt skuli
okkar í meðal.'

knowledge in the mutable world of politics and human affairs? We satisfice; we make judgment-calls.

If the author wanted us to understand Njal's prescience as some seamless uncanny ability to see the future, he would have given us less mundane examples of its range and accuracy. The author must want us to subject Njal's prescience to the same kind of inquiries a wise person like Njal would make about a dream, a prophecy, or a prediction that was told to him. He would evaluate its source, what the source stood to gain or lose by speaking thus. He would classify it. Was it a prediction, a prophecy, a curse, a hope, or mere wishful thinking? If it had all the marks of a prophecy from a serious source he would then subject it to interpretation, and apply some discount as to whether it was a true or false prophecy. Mostly, it seems, the author means to create interpretative puzzles for us about Njal's motives: what role, if any, did Njal's prescience play in placing the cloak and boots on top of the pile of silver, a cloak that seemed to provoke Flosi into refusing the settlement he had previously agreed to (ch. 123), or in counseling his sons to defend against Flosi from inside the farmhouse, which ensured the death of himself and his family (ch. 128)? If the author did not mean to generate such puzzles, he nonetheless succeeded in doing so, because he made sure to suggest that Njal's prescience also had to be subjected to a discount rate. His prescience is not foolproof, nor does it operate in all domains with equal perspicuity, nor is it constant over time. One part of Njal's story is to suggest that his remarkable astuteness grows less certain as he ages, as it moves from legal and bargaining situations to more martial ones, where he has not much competence at all.

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Bergthora vs. Hallgerd, Part I. The Theory: Chapters 35–45

These chapters are among the most important in all the sagas. Surely they are some of the most stunningly crafted. The fast-paced action advances masterfully almost entirely by dialogue, with the dialogue skillfully attuned to conveying a rich variety of intentional and emotional states. At the micro-level of face-to-face interaction, they reward close explication. At the level of plot, they are crucial to understanding why the Sigfusson–Bergthorsknoll feud is not going to be easily suppressed and why its various eruptions will in fact become the plot of the saga. Perhaps the most important violent death in the saga other than that of Hoskuld Hvitanesspriest is that of Thord Freedmansson, which is presented merely as one of the repeat plays in this women's tiff.[1] Or if we want to push that death back one step earlier: no tactical decision in the saga is more consequential than Bergthora's callous (it was not thoughtless) decision to involve Thord in the assassination cycle that she and Hallgerd were engaged in.[2]

At the macro-level these chapters present a model of the feud that deeply informs the native ideology of justice and revenge. The author then subjects the model to a substantial critique, showing that in many ways the model is incoherent.[3] That the author means to present the native model is part of the reason the events in these chapters are so structured and predictable, so

1. Maxwell, 30: 'It is the killing of Thord that divides the sons of Sigfus and of Njal. . . This is the essential connexion between Parts I and II.'
2. See further for the equally important, but critically underestimated, killing of Hoskuld Njalsson by Lyting (chs. 98–9).
3. For a fuller discussion of some of these themes, see Miller 2006; I treat the balanced-exchange model in *BP*, ch. 6, but the account I give here modifies and clarifies it in some key respects. Certain scholars have mistaken my explication of this *model* of the feud as if it were a *description* of the actual Icelandic feud. *BP*, after presenting the model, then undertakes to show the reality; see e.g. the otherwise interesting piece by Firth, 140–1.

stylized.[4] The author of *Njála* needs to be taken seriously as a political and social theorist, for he is one of consummate ability. His saga does not make sense unless we see that the very legal and political culture of the saga is as important to his story as are Njal, Gunnar, Flosi, Hallgerd, Mord, and Skarphedin.[5]

Once I set forth the model I will go small and show how subtly the author handles certain aspects of this dispute, how complexly he deals with the psychology of the actors, how nuanced the dialogue and action is. The model of the feud that the author will critique is one that, in a moment of utter failure of inspiration, I called 'the balanced-exchange model'. It was an attempt to account for the 'getting even' aspect of feud ideology that required (ideally) that each hostile move that resulted in wounds or death, or an actionable insult, or even an attempt, be paid back with an equivalent return. The feud not only balanced corpse against corpse or wound against wound, insulting poetic verses against insulting poetic verses,[6] but money or deportation against all these. Just what was held to balance against what was itself often a source of dispute, but 'balancing', 'evening', was what people understood the process was. This is hardly unique to Iceland, as the balance-beam scales in the hand of iconic Lady Justice indicate.

The theory of balanced exchange was given real-world application in the awards arbitrators announced. It was not mere ideology. Thus, arbitrated settlements took the form of balancing the wound on X against the wound on Y, the corpse of a Skarphedin against the corpse of a Hoskuld Hvitanesspriest. These awards assigned values in order to justify putting an equals-sign between them so as to create an emblem of closure, a symbol of fair requital. They called these balancing acts 'man-evening', *mannjafnaðr*. So rich a concept was 'man-evening' that the same word—*mannjafnaðr*—was applied not only to the equivalences declared by arbitrators when they balanced one dead man against another, but also to a party game that could end up leading to corpses needing to be balanced, a game in which the goal was not equivalence, but rather precedence. The game was to compare the men of the district and determine who was in first place, who was the better man; or two men themselves could argue why the one should be deemed

4. Cf. Andersson (2006: 191–2), who has a very different view of the 'elaborate and symmetrical detail', finding it 'parodic'.
5. By 'political' I mean the competition for power and dominance.
6. *Bjarnar saga Hítdœlakappa*, ch. 29, similar to Aristophanes, *The Frogs*.

greater than the other.[7] The very term *mannjafnaðr* captures exactly a necessary equivocation in the balanced-exchange model in which the quest for precedence and the demand for equivalence were conceptually and practically part of the same problem of pricing, of measuring, of ranking, of evaluating: man-evening required man-comparing. And this tension is only one of several that will permeate the model with contradictions.

That goes to the 'balance' of balanced exchange; 'exchange' accounts for the predominance of the metaphors of gift exchange, repayment, and debt that inform feud, revenge, and justice. The author gives Bergthora the honor of stating the governing principle (ch. 44): 'Gifts have been given to you, father and sons alike; and you would scarcely be men if you did not repay them.' The feud is about one 'good' turn deserving another, of paying back what you owe, of giving as good as you get. The chief attribute of a gift, as Odin insists, is the repayment obligation that comes with it. Bergthora also borrows from Odin the idea that gifts have positive and negative value: you would not be a man if you did not make return to someone who made a gift to you of a horse or a shield, nor would you be a man if you did not make a proper return to someone who lamed your horse, or killed your father, gifts of negative value. It is the basic principle of any theory of justice worthy the name: 'Repay a gift with a gift, a falsehood with a lie'—

Gjalda gjöf við gjöf. . . lausung við lygi.
(*Hávamál*, st. 42)[8]

The Balanced-Exchange Model and its Contradictions

Let the following table serve as the briefest of plot summaries, with each man killing the man one lower in the numbering; thus Kol kills Svart, Atli kills Kol, and so on. Each killing except that of 6 by 7 takes place annually while the husbands and sons of Bergthora and Hallgerd are at the Althing.

7. See Miller 2006: 174–6; *BP* 301–2; also *Magnússona saga*, ch. 21.
8. See also *Hávamál*, st. 45.

Bergthora	Hallgerd	Price
1. Svart (slave)	2. Kol (slave)	12 oz.
3. Atli (freedman?)	4. Brynjolf (free kin of Hallgerd)	100 oz.
5. Thord Freedmansson	6. Sigmund (free kin of Gunnar)	200 oz.
7. Skarphedin kills Sigmund but not technically in revenge for Thord, but for Sigmund's verses.		

p77 "good men" give victims a chance

"bad men" sneak attacks outnumber victims

We have 12-ounce, 100-ounce, and 200-ounce corpses. Each row pays homage to the balancing principle: 12 ounces requites 12 ounces, a man named Kol ('black') kills and is balanced against a man named Svart ('black'); 100 ounces balances against the same; and so on. It is all very simple, except some disconcerting problems appear right on its face. Why are there three rows rather than just one? Isn't everything back to equal when Kol and Svart are balanced off? Why do things continue? That they do is the first substantive critique the author levels against the balanced-exchange model. Whatever balanced exchange is supposed to mean, supposed to do, it does not necessarily wrap things up.

These chapters also show that the model contains within it, or cannot keep out of it, a principle of escalation. We thus move from 12- to 100- to 200-ounce men. With the escalation in price comes an escalation in each victim's juridical and social status, which is what one would expect, the price of a person bearing an inevitable relation to his status. In the Bergthora column we move from slave, to the ambiguous Atli (who at least in death is manumitted to a free man worth 100 ounces), to Thord, a freedman's son. In the Hallgerd column we move from slave, to her free kinsman, to her husband's first cousin. Forcing balance into a pas-de-deux with escalation is a contradiction so fundamental as to incline one to shrug and say, oh well, it must be that one man's balance is another man's imbalance; that is surely what Bergthora and Hallgerd think each time their husbands strike a balance. This is the identical contradiction present in the double sense that 'getting even' bears in our folk theory of corrective justice. 'I will get even with you' hardly means climbing back to the same level with you, but rather being able to stand over you and glory in your defeat.

Not only is there escalation, there is also an imbalance by which the author reveals his partiality to the Bergthora party. In each row a balance is struck by declaring a Hallgerd-column person of higher formal status to be equal to a lower-status person in the Bergthora column. Svart, a servant (*húskarl*), thus balances against Kol, an overseer (*verkstjóri*).[9] Brynjolf, a free kinsman of Hallgerd, balances against Atli, a posthumously-manumitted slave; and Sigmund, Gunnar's cousin once removed, a man of some accomplishment, having returned from a successful venture abroad, is balanced against a manumitted slave's son, Thord. Hallgerd cannot be pleased that her husband (and the author) are willing to allow the moral quality of Njal's servants to make up for their lack of social or juridical standing. Svart was well liked, while Kol was a scoundrel. Atli, a real man, no matter what misfortunes may have placed him so low, thus balances against the cowardly Brynjolf, a free man, who axes him in the back. So too the decent freedman's son Thord, loved by his foster-sons, equals the price of the enterprising poet Sigmund, who turned out to be unwise in his choice of people to calumniate. The good men who die in the left column, Bergthora's people, always give their victims a fighting chance; those on Hallgerd's side sneak up from behind or take advantage of numbers.

Putting a price on men takes into account more than social and juridical rank; moral quality figures too. But how is that priced, there being no fixed schedule? Bergthora might not mind that her lower-status men equal Hallgerd's higher-status men, but Hallgerd scarcely thinks that the balance has been restored when 100 ounces is paid for Atli or 200 for Thord.

The ideology, the model, requires balance, but it does not, or rather it *cannot*, specify what is to be balanced against what. There are at least two sides that have very different views of what it means to get even. That is why third parties, arbitrators, often have to set the price and hope that both parties can accept not only the exchange-rate they articulate when they issue the terms of the settlement, but also the kinds of specie they put in

9. Though Svart and Kol are priced as slaves in death, it is not clear that they were in fact slaves. Svart is thus called *húskarl* ('housecarl') by the narrator, and a *heimamaðr* ('homeman') by Njal; they are compensated for with 'thrall payment' (*þrælsgjöld*) perhaps because Gunnar and Njal are trying to play the matter down by pricing them below their true value. Skarphedin refers to them generally as slaves, though he too could merely be making light of the killings. They may be debt slaves; we might read Hallgerd's remark to Kol about 'all the things [she has] done for [him]', for which the Icelandic has a term that implies pursuing legal claims (*mæla eptir*), that Kol is working off some debts Hallgerd has paid for him: *þar sem ek hefi mælt hvern hlut eptir þér.*

the scales to get the pans of the balance back to even. Will it be the moral quality of the corpse, its age, its rank, its sex; will it be land or animals, will it be exile?

The author also makes clear that the last row is not a strictly accurate statement of what the 200 ounces paid over for Sigmund is accounting for. Skarphedin promised his father not to break the settlement that Njal made in his and his brothers' absence for the corpse of Thord Freedmansson, but warned that 'if something else happens' they would remember the prior wrong. Sigmund immediately gives independent grounds for getting killed: the insulting verses. As a legal matter, the 200 ounces are not the same 200 that paid for Thord; the money paid for Sigmund has a different lineage. Skarphedin, unlike his mother and Hallgerd, breaks no settlement when he kills Sigmund. When he cuts off Sigmund's head and hands it to Hallgerd's terrorized shepherd-boy he orders him to ask Hallgerd 'whether it was the head that had *made the lampoons*' (ch. 45). He is not avenging Thord, but the lampoons. The model, in other words, achieves balance in its third row, by fiat, because the killing of Sigmund does not quite belong in the matrix.

There is still another twist. As we know, it is not easy to get a fix on what our own motives are. What we think moved us in the heat of the moment will not always be what, upon reflection later that evening, we decide truly motivated us earlier—to say nothing of what some therapist will suggest many years later. Many chapters (and years) later, when the Njalssons and Kari are heading out to kill Thrain, who was present at the killing of Thord Freedmansson and also in the room when Sigmund composed those lampoons, Kari asks the meaning of a little in-joke that Skarphedin and Njal made back then about looking for sheep, a joke that father and son have just repeated. Asks Kari:

> 'When was the other time you said that?'
> 'When I killed Sigmund the White, Gunnar's kinsman,' replied Skarphedin.
> 'What for?' asked Kari.
> 'He had killed Thord Freedmansson, my foster-father.' (ch. 92)

Add now to these contradictions of the model this: even if an agreed balance is struck in the present, it could be reconceived over time. What you believed to have been your motive for killing the poet who insulted you when you killed him, would not be what you believed your motive was when asked about it fifteen years later. Both beliefs are held in good faith.

Both are true, though one is more durable and deeper than the other. The very moment Skarphedin chops off Sigmund's head and hands it over to the shepherd, he is thinking about the verses and of his having avenged them. His invoking the insulting verses as the grounds for killing Sigmund is not a sham; it is the reason he kills him. Skarphedin honored his father's settlement over Thord Freedmansson in letter, and somewhat in spirit too, the letter being the spirit.

But time passes and understandings undergo revision. Skarphedin now completes the idealized model on its own proper terms. Fifteen years later he sees the 200 ounces paid for Sigmund as the same that they had accepted for Thord Freedmansson. With Gunnar long since dead, they have no worry now that the reformulation of motive means that they violated the settlement that Njal and Gunnar negotiated, for they did not violate it. Such is the implicit legalism that governs everyone's view of the matter.

The author understands how self-destructing the balanced-exchange model is. The core commitment to balance is subverted by a competing structural principle of escalation that is incorrigibly part of the model, because each side has a different narrative of the events, a different view of what it means to get even. Add to that the problems of pricing and determining exchange-rates across an array of qualities from economic to juridical and to quality of character. Throw in how to price years of exile, or a marriage, in units of cloth, in units of corpses, in units of silver or cows, and you end up having to doff your hat to the arbitrators who at times do indeed convince the opposing parties that an acceptable balance has been struck, everyone in the interests of peace accepting that a certain Thorgrim equals a random Bjorn who happened to fall on the other side.

Compensation and its Contradictions

But the cleverest and most devastating critique the author makes is one that reveals the conflicting incentives generated by paying compensation, rather than taking blood revenge instead. He severely undermines the idea that a feud can be settled with money or property rather than blood. He shows that compensation, unless the specie is blood or exile, is at its core self-contradicting. This knowledge is available to the smarter characters.

Skarphedin and Njal are even willing to joke about it, eliciting in the process Skarphedin's first grin:

> One day Njal produced a purse of money.
> 'What money is that, father?' asked Skarphedin.
> 'This is the money that Gunnar paid me last summer for our servant,' said Njal.
> 'That will come in handy,' said Skarphedin, and grinned.

Then, at the Althing, Gunnar prices his dead servant the same as Njal had priced his the year before.

> 'I put an equal price on the two men, Svart and Kol: you are to pay me 12 ounces of silver.'
> Njal took the purse and handed it to Gunnar, who recognized it as being the money that he himself had given Njal. (chs. 36–7)

Compensation, a money or property transfer, paid by the wrongdoer to the victim or his representatives, is meant to settle the victim's claim by buying from him his right to take revenge in blood.[10] An untenable, but still not-quite-dead, view claimed by certain legal theorists, and silently subscribed to by literary critics, and some historians who should know better, holds that humanity evolved from a pure blood-revenge system to a system in which blood revenge could be substituted for by compensation payments. Some of the earliest laws thus contain price schedules for injuries, death, and other losses, as in Hammurabi, Exodus, the Hittite laws, and the laws of King Æthelberht of Kent. But compensation was unthinkable unless revenge in blood remained something more than a remote possibility. What would be the inducement to pay silver or sheep, were not the avenger's axe poised to crease your skull if you did not, unless we supply, by cost-free magic, state enforcement institutions which would have to exist before revenge could 'give way' to compensation?[11]

10. This statement simplifies a more complicated reality. Sometimes the compensation comes from third parties who are not kin of the wrongdoer. Mostly this did not seem to matter to the victim; as long as he got paid he did not care where the money came from. At other times it mattered greatly; in this saga Grim and Helgi cared that Thrain pay them; they were not going to excuse him by having already been compensated by Eirik Hakonarson (ch. 89); see *BP* 370 n. 32.
11. Getting paid for dead kin also created an incentive to set them up and then collect. The Gulathing Law in Norway thus declared that a person who made a habit of taking compensation for slain kin was presumed to have been improperly motivated: 'No one, either man or woman, has a right to claim atonement more than three times, unless he has taken revenge in the meantime'; *NGL* 1: 68, §186 (tr. Larson, 140). These Norwegians were clearly aware of the incentive to set up and sell out kin that compensation generated; see also Ch. 12, n. 4.

Look closely at this transaction and observe the knowledge that informs Skarphedin's grin. Kol kills Svart. Gunnar pays the price for Svart that he had granted Njal the right to determine in order to settle the matter. Njal self-judges a 'slave-payment' of 12 ounces and Gunnar hands over a purse with the sum. End of the matter? Not according to Bergthora. Moreover, it will cost her nothing to break her husband's settlement, for Gunnar has already financed the breach of the very peace he bought. That is the incentive problem that paying compensation generates. Compensation gives the recipient the financing to violate the settlement, if not quite for free then not from his own hoard. The 12 ounces is kept fully segregated from the family's other property.

Njal and Skarphedin are both here making an in-the-know joke, registering their knowledge of the paradox of buying peace. That is part of the reason why the culture works so hard to shame and blame those who break settlements: because the temptation to violate comes so attractively priced. Violators are thus cursed with the name *griðníðingr*, an opprobrious term, one Kolskegg is not willing to endure (ch. 75); and he tries to convince his brother Gunnar not to let himself be branded one either in that most famous of saga scenes where Gunnar refuses to leave Iceland as he was obliged to do. Not even Mord is willing to take on being called a *griðníðingr* or advise someone else to risk being labeled one (ch. 67).

Reconsider the purse. What is it doing as it sits for a year, from one Althing to the next? It is not invested, it is not earning interest. It simply stands in the place of the dead Svart; it is his replacement. One could go buy another slave with it. In the Hittite laws the killer was required in fact to hand over a replacement slave.[12] That the purse is meant as a replacement or substitution is more than borne out later in this saga, and in other sagas, when a person pays himself over to replace the person lost in the victim's household. Thus *Thorstein the Staffstruck*, in which one man, said to be worth three men, replaces the three servants he killed; or *Thorstein the White's saga*, in which a man replaces another's son whom his brothers killed.[13] In our saga Flosi substitutes for Helgi Njalsson, whom he killed, in jarl Sigurd's band of retainers (ch. 153). We might even see the final marriage of this saga, Kari married to Hildigunn, as Kari substituting for the man he helped kill, Hoskuld Hvitanesspriest.

12. Roth, 217 §§1, 3.
13. *Þorsteins saga hvíta*, ch. 7; also *Vápnfirðinga saga*, ch. 18. See Miller 2006: 32.

Or you could use the 12 ounces to buy Kol's life. A dead Kol replaces a dead Svart as you exchange the 12 ounces in silver for the blood of another 12-ounce man. The 12 ounces, in other words, just buys time, but time is often worth buying. A modern economist would call this irrational. Why waste the 12 ounces by buying a dead slave with it? What is the incentive to buy a dead one when you could more rationally substitute a live one, paying for him with the 12 ounces? But there was no active slave market in Iceland, and no one wanted to accept Kol into their household to replace Svart. So the silver stays in the purse because Bergthora will make the spending decision; as far as she is concerned the family will be out no silver at all, it being good for nothing else than buying corpses. So much for silver being an impersonal medium of exchange in purely market transactions.

The author is not just making literary jokes here. In higher-stakes situations much of what Njal does as Gunnar's *consigliere* is to be his banker and investment counselor as much as his lawyer. The substantial sum paid to Gunnar for the abortive attack on him, unlike the purse of 12 ounces, the smallish sum not being worth it, is indeed invested (and also kept out of Gunnar's estate should he be outlawed, legal title to it residing in Njal).

> 'The compensation for this conspiracy against your life shall be no less, since so many of them are involved, than it would be for the killing of either of the Thorgeirs, if that ever happens. I shall look after the money for you and make sure that it is available to you when needed.' (ch. 69)

And then later:

> Gunnar gave no sign that he was dissatisfied with this settlement. He asked Njal for the money he had entrusted to him: Njal had accumulated interest on it, and now paid over the entire sum. It turned out to be the exact amount that Gunnar was to pay as compensation. (ch. 74)

What of the coincidence that the money Njal has accumulated on Gunnar's previous compensation award, principle and interest, turns out to be the exact amount that Gunnar had been adjudged to owe for the corpses he piled up? The stuff of saga magic, a sign of the literariness of the account, continental influences? Hardly. Any lawyer today knows that a case will tend to settle for the defendant's insurance limits, and that might very well be what is happening here. The arbitrators put the award at exactly what they knew Gunnar had insured against. The reason why

this writer is such a literary genius is that he understands the economic and tactical aspects of his world cold.[14] That he masks the hard and the real so it can 'pass' as mere literary commonplace shows how skillful he is at his craft; he is indeed crafty. Moreover, he does not hide the deck in this instance. There is no joking; no grins accompany the transactions. The money is specifically invested to pay for future corpses.

Return to the 12-ounce purse to see how the theme raised there about compensation financing the next round—thereby accounting for how the model integrates the principle of escalation with the principle of balance—describes a reality borne out in the rest of the saga. It shows that the smarter actors in their world understood the opposing forces at work in their way of buying peace. Do not think that all people are locked inside their 'episteme', unable to get a purchase on their own social models and metaphors, that they cannot joke about them, and play with them. Some can; some can't. Njal and Skarphedin can, and surely this author can.

By one account of balance, things are balanced when Njal accepts the slave-payment from Gunnar. That is supposed to end it. But to Bergthora's mind, a view strongly held in the culture, getting paid in sheep, wool, cloth, silver, though acceptable and often forced upon the victim or the victim's group, is a second-rate form of compensation. Bergthora is among those who prefer not to 'carry their kin in their purse', as the sneering expression employed on occasion suggests. Some kinds of money are worth more than others, some kinds are cleaner than others, and, though not impossible, it is very difficult to set exchange-rates among or between them. In a time when it was hard to be sure of the purity or quality of the silver you were accepting, or the quality of the sheep or the measure of the cloth you were paid, you could be sure if a Kol, a Brynjolf, or a Sigmund was dead. And by killing him you were declaring and accepting the equivalence between the blood of victim and expiator.

Blood was thus itself a kind of money, a form of compensation, but more honorable, so the incentive to get paid in it worked against making peace via the receipt of conventional money substances. When the argument was over blood or money, it was an argument over the means of payment, not over payment itself. One way or another, in the terms of the model, you

14. See also ch. 80, where the compensation adjudged against Mord is fixed to the amount adjudged for the victims of Skarphedin's and Hogni's revenge for Gunnar. The same Norse idiom is used in both cases—*á endum standask*—for which see Miller 2008: 26, 43.

were going to have to pay, and it is the payment metaphor, the gift metaphor, hence the exchange part of the balanced-exchange model, that controlled. Both Bergthora and Hallgerd felt that blood was a more accurate measure of the debts needing requiting than the number of silver ounces their husbands felt settled the matter. One might conceptualize this as a problem of imperfectly calibrated exchange-rates or of the imperfect fungibility of the various money substances. There was also an obvious practical side to taking blood every now and then. It meant people would think harder about harming you and, if they did, you were likely to receive more compensation than you would if no one feared blood revenge from such as you.

The saga shows the same kinds of dispute arising over the types of property paid in conventional compensation. This might explain something of a minor crux in the saga. It goes to the issue of how secure settlements were and what kinds of actions could be seen to be breaches of them. On one occasion it involves a preference for land as against movables. A settlement is reached after the battle at Knafahills in which Gunnar and his two brothers kill fourteen, injure many others, and suffer the loss of their brother Hjort (ch. 63). In this settlement too Njal is Gunnar's banker; he has money and chattels out on loan to Gunnar's enemies, which debts he assigns to Gunnar so that Gunnar can waive them in favor of his victims. Njal bears no loss of status, nor Hrut either (chs. 6–7), for being lenders, regular lenders it appears, which was an important aspect of the relations most substantial farmers would have with others less substantial.[15] Sometime later, after the settlement for the battle at Knafahills, Thorgeir Starkadarson, a party to the settlement, is looking for a way to reopen hostilities. He seeks Mord's advice on the matter. Mord said it would be difficult to do so without being called a *griðníðingr*, but suggests they might be able to show that Gunnar's party had breached the settlement already, entitling them to declare themselves no longer bound by it:

> 'I have heard that Kolskegg is planning to go to law in order to regain the fourth of Moeidarknoll which your father was given as compensation for one of your brothers. Kolskegg is bringing the action on behalf of his mother, but it was Gunnar's idea to pay with movables and not lose the land. We shall wait until they carry out his plan, and then accuse him of breaking the settlement he made with you.' (ch. 67)

15. Thus the Sigfussons have property out on loan, as do Flosi and Hrut; see Orri (2007: 131) re livestock rental.

Problems like this must be quite frequent when there is no money substance working *only* as money. Cows, cloth, sheep, land can be money, but they also have use values independent of being money. Not enough silver was available in Iceland to have it pay all debts; and surely Gunnar does not have access to enough silver to pay for all the corpses he generates. Recourse must be had to other money substances, but since these kinds of currency also have use values this makes for something of a problem of valuing each piece of 'money'. Though all these money substances—land, silver, sheep, assignments of debts, cloth—are in theory exchangeable and fungible, in practice there is a lot of friction. For a stunning example, consult the law I have relegated to this footnote.[16]

In the case at issue in chapter 67 it seems that Gunnar and Kolskegg paid over some of their mother's land, and now, apparently, Gunnar has obtained other assets, probably on loan, to redeem the land, and substitute cows, sheep, or cloth to repay the loan of land he obtained from his mother. The land apparently means something special to Rannveig, his mother, and she wants to redeem it for an equivalent in a different specie. The compensation awarded to Thorgeir's father would still be paid in full. Mord is playing on the idea that the settlement meant designating specific assets as payment, that by being so designated are no longer deemed fungible or exchangeable. The kind of claim he is making is much more likely to fly in an economy in which no single ready means of payment exists, and the

16. *Njála* shows silver passing hands in considerable amounts for bodies and not much else. The laws and apparently the author shared the belief that silver at the time the saga was set was plentiful. Says *Grágás* Ib 192, 'at the time when Christianity came here to Iceland, silver was the currency in all major debts'. But the later world reflected in the laws is one in which silver does not figure as a frequent means of payment. Thus the laws purport to set exchange-rates or price-lists for commodities any of which could also fill various money functions, as measures of value, means of payment, sometimes as units of account and as stores of value (Ia 192–5). I quote one small section to provide an idea of the pressure on transaction costs that could accompany the simplest purchases or loan repayments: 'a standard value of an ounce-unit' equals 'six ells of valid homespun, new and unused. . .' The following are all declared to be worth one ounce-unit: two skins of old tomcats, three skins from cats one summer old, six fox skins. A cow between three and ten years old is a standard value: 'she is a valid form of payment.' Surely a cow ten years old would have to be depreciated to account for her expected useful life. Anyway, a three-year-old ox equals a cow, two two-year-old oxen equals a cow. A four-year-old ox, castrated or not, equals a cow, a seven-year-old ox is worth two cows and so too 'any ox older than that. An old plough-ox in the spring has a value subject to assessment.' It would seem that the problem of assessment would not be limited to the last old plow-ox in the spring but exist for every item listed. And so it does, for another provision requires 'lawful viewers' (*lögsjándi*, sg.) to assay the quality of the means of payment (Ib 141).

various money substances are only imperfectly working as money. One wonders if all these problems in valuation do not work as an incentive to prefer blood. One can imagine someone like Bergthora, saying: 'To hell with pricing all these means of payment, let's just kill one of them.' But that only postpones the pricing problem, which would eventually have to be faced, unless the quality of corpses balanced out perfectly on each side. And what went into determining that was hardly set in stone.

Part of the joke Njal and Skarphedin share must be the anticipation of the look on Gunnar's face when he is paid back with his own purse with the same silver still in it, the joke being at his expense in more than one way. Except the purse is not quite the same purse. When it was first handed over it was a mummy of Svart, now it is one of Kol. Skarphedin's first grin detaches itself and seems to hover above the action, finding grimly comical the paradox that both he and his father understand to be at the heart of the peaceful resolution of killing.

The Model's Simplifications

The model clearly raises these issues, the author and his brighter characters are totally aware of them. Three other aspects of the ideology of balanced exchange, which reveal even more inadequacies and contradictions, the author develops later. One: in the Bergthora–Hallgerd feud only the person who killed the previous year gets killed the following year. The model simplifies reality greatly, as models must do to remain models. But in actual feuding practice one need not go after the killer. The model avoids the issue of the more expansive rules of liability that we will see can be used to justify killing Thrain or, in other sagas, the wrongdoer's nephews, brothers who were non-complicit, even out of the country when the events occurred, as in *Hrafnkels saga*. Such unlucky souls can serve as *legitimate* targets of revenge within the norms of the feud, though not always within the rules of the law. Two: the model cannot account for the timing of each turn or, importantly, what counts as a turn. In these chapters each turn is indisputably a turn, and each turn takes place exactly a year apart when the household heads are away at the Althing. Reality is messier. And third—and to which the author devotes the Lyting and Amundi episodes—is that the model simply ignores the crucial issue of who has to be paid; how many people have an

interest in the corpse who need to be bought out? Let Amundi capture the sentiment of those who fall on the wrong side of the line that gets drawn between those getting paid compensation and those not: 'I know that you came to terms with *them*. I am asking what compensation you are prepared to pay *me*' (ch. 106).

In the real feud, timing is subject to much variation and depends sometimes on well-wrought plans (the Burning), at other times on mere convenience (a Hoskuld Njalsson happens to ride by your farm). Timing is something for the person whose turn it is to put to good use, for he can impose the costs of playing defense on his enemies, by forcing them to have to take constant precautions against attack. And as against the fashionable (and idiotic) claim that revenge is just hardwired and an instinctual response programmed into our genes and neuro-structures, actual Icelandic feuding and the model made it preferable for revenge to be served up cold; take your time and *think*. Only the stupid hit back right away, governed by anger; the wise avenger takes his time, as do Bergthora and Hallgerd, each coolly waiting a year.[17]

But what counts as a turn? Turn-taking is an active principle in the feud and is subject to dispute and manipulation. A turn is pretty clear in games like chess and tennis, but not in life or in a lot of other games. Remember your childhood games in which half the time was taken up arguing whether a turn counted (because you weren't ready, because you flubbed it too badly to have it really count). When Njal intercepts a planned attack on Gunnar and the attack is thus aborted (chs. 69–70), does that failed attempt count as a turn, even though a botched one, or as no turn at all, thus warranting a do-over? 'Attempts' are not always clearly turns, but in this case it counted, because Njal sued on it and collected compensation. That meant, though, that Njal and Gunnar had taken their turn, and now it was the Thorgeirs' turn again to move, which they do.

One needs really to acknowledge the sophistication of the author's critique of the culture's dominant model of getting even, or of justice. I have seen few that can match it in any anthropological, social, literary, historical, or legal theoretical writing on revenge.

17. 'Only a slave avenges himself immediately' (*Grettis saga*, ch. 15), i.e. only a stupid person forgoes the opportunity to make his enemy stew in fear, making him wait perhaps several years for the hit to come. For a compelling critique of those medievalists who think revenge just a hardwired response and who therefore cannot account for the delay, coldness, and the politics of so much of it, among a host of other problems, see White 2013.