

The logo for the journal 'Mirator' is displayed in a stylized, red, cursive font within a light brown rectangular background.

Mirator 2/20 (2021)

eISSN 1457-2362

Glossa ry - Keskiajan tutkimuksen seura / Sällskapet för medeltidsforskning /

Society for Medieval studies in Finland

<https://journal.fi/mirator>

CC BY-NC-ND 4.0



VERTAISARVIOITU
KOLLEGIALT GRANSKAD
PEER-REVIEWED
www.tsv.fi/tunnus

Sean Lawing

Victims of Maiming in Sturlunga saga: Worse off Living than Dead?

Sean Lawing,

Bryn Athyn College

sean.lawing@brynathyn.edu

To cite this article:

Sean Lawing, 'Victims of Maiming in Sturlunga saga: Worse off Living than Dead?', *Mirator* 2/20 (2021), 54–72.

Victims of Maiming in *Sturlunga saga*: Worse off Living than Dead?

SEAN LAWING

Old Norse law books constitute an important source for understanding the medieval Nordic world.¹ As cultural documents they provide valuable insight not only into law and legal process but also into the functioning of society, its values, attitudes, and beliefs. Regulating violence and assigning redress for its effects comprise a significant portion of these texts. In this regard, one area of disjunction is the perspective they offer on disfigurement and disability. While Old Norse laws recognize the debilitating nature of some injuries, they enact no change in formal legal status as a consequence and thus do not mark their possessors in this way as disabled. And yet at the same time, Old Norse laws offer the straightforward assessment that those who sustain particularly grievous disfigurements could be deemed worse off living than dead.

Consider this passage from *Gulapingslög* (DonVar 137 4to., ca. 1250), the Old Norwegian Law of the Gula Assembly, the early compiling of which stems from the eleventh century:²

§179 Concerning maiming. Now, if the hand is hewn from a person or a foot, then that shall be paid for with a half wergeld. But, if it remains hanging, then the half-wergeld hangs with it. And, if an eye is struck from a person's head, that is a half wergeld. But, if a person's hands and feet are both hewn away, then he is worse off living than dead and shall be compensated as if dead.³

Iceland's early laws, written down according to historiographic tradition in the first quarter of the twelfth century and referred to in posterity as *Grágás*,⁴ carry echoes of this view. Article 360

¹ For an overview of medieval Nordic laws, see Gudmund Sandvik & Jón Viðar Sigurðsson, 'Law', in Rory McTurk ed., *A Companion to Old Norse-Icelandic Literature and Culture*, Malden: Blackwell Publishing 2005, 223–44.

² Halldór Hermannsson, *The Ancient Laws of Norway and Iceland* (Islandica 4), Ithaca: Cornell University Library 1911, 17; Magnus Rindal & Finn Hødnebo eds., *Den eldre Gulatingsloven*, Oslo: Selskapet til utgivelse av gamle norske håndskrifter 1995, 21–31.

³ '§179 Um afhögg. Nu ef hond er hoggvin af manne. æða fotr. þa scal giallda holfum giolldum. En ef við hanger. þa hanger holfum giolldum. En ef auga er lostet or hofde manne. þar ero holf giolld. En ef allt er af einum mann hoggvit hond oc fotr. þa er sa verri livande en dauðr. scal giallda sem dauðr se', Rudolph Keyser & Peter Andreas Munch eds., *Norges Gamle Love indtil 1387*, Vol. 1, Christiania: Grøndahl & Sons Bogtrykkeri 1846, 66. Citations of individual legal paragraphs in Old Norwegian laws are to this edition. Translations are my own unless otherwise noted.

⁴ Recounted in Ari Þorgilsson's *Íslendingabók* (ca. 1122–33), this event is dated to 1117–18; see Jakob Benediktsson ed., *Íslendingabók, Landnámabók* (Íslenzk fornrit 1), Hið íslenzka fornritafélag: Reykjavík 1968, 23–24. For an overview of *Grágás* and its manuscripts, see Peter Foote ed., *Laws of Early Iceland Grágás I: The Codex Regius of Grágás I with Material from Other Manuscripts*, Peter Foote, Richard Perkins & Andrew Dennis transl., University of Manitoba Press: Winnipeg 1980, 13–16; Gudmund Sandvik & Jón Viðar Sigurðsson 2005, 224–29.

of the *Staðarhólsbók* manuscript of *Grágás* (AM 334 fol., ca. 1270) deals with various maritime breaches. Midway through, however, we find a mutilation clause paralleling *Gulapingslög*'s among a macabre list of instances where men, a predominant focus of these laws, are left to die:

That is assessed as if a person had been killed. If he is conveyed to an islet or skerry or uninhabited island surrounded by deep water or if he is hanged or strangled or set into a grave or tied up on a fell or at the flood-mark [or if] his eyes have been poked from his head or his hands or feet hewn away or if he is castrated. If men set him out on a skerry, that person is called a skerry-corpse. If a man is set into a grave, he is called a grave-corpse. If a person is taken to a fell or into a cave, he is called a fell-corpse. If a man is hanged, he is called a gallows-corpse. And these men shall all be paid a wergeld as if they had been killed even though they have their lives.⁵

The list of maimings inserted into the article might seem out of place at first.⁶ Leaving someone to die on an uninhabited island or skerry (*sker-nár*), burying him alive (*graf-nár*) or hanging him (*galg-nár*), leaving someone tied-up on a mountain (*fall-nár*) or at the flood-mark are all scenarios in which the victims were intended to meet their deaths, perhaps in a ritually prescribed manner.⁷ Maimed individuals, by contrast, were meant to survive even if they succumbed to their injuries as a consequence. The implied logic in *Staðarhólsbók* is that victims whose hands or feet have been cut off, or whose eyes have been poked out, or who have been castrated belong to or are at least closely related to this category of corpse-men. Indeed, we find confirmation of this in a fragment of the Norwegian 'Law of the Frosta Assembly' (*Frostupingslög*) from ca. 1260.⁸ Article 32, entitled 'if a man is dragged out for maiming',⁹ concerns itself with individuals who have been forcibly taken from their homes to have their hands and feet hacked away, the precise scenario of *Gulapingslög*

⁵ §360. 'Þat metz sem maðR se vegiN. ef hann er færðr i hólma eða isker eða i eyja obygdar þar er diúpt vatn er um huerfis eða se hann hengdr. eða kyrçðr igravf settr eða heptr afialli eða ifløðar mále. eða se stungin avgo or havfðe honom eða havgnar af honom hendr eða fötr eða se hann gelldr. Ef menn setia i vt sker sa maðr heitir scer nár. Ef maðr er settr igrof; oc heitir sa graf nar. Ef maðr er förðr afiall eða i hella; sa heitir fiall nár. Ef maðr er hengðr. oc heitir sá galg nar. Oc ÞeSa menn scal alla giallda niðgiolldum þoat þeir hafe líf sitt sva sem þeir se vegnir', Vilhjálmur Finsen ed., *Grágás II: Grágás efter det Arnamagnæanske Haandskrift Nr. 334 fol., Staðarhólsbók*, Copenhagen: Gyldendalske Boghandel 1879, 380.

⁶ *Staðarhólsbók* contains information treated in two separate passages in the *Konungsbók* manuscript of *Grágás* (GKS 1157 fol., ca.1250). There, the prescription regarding corpse-men is found in the *wergeld* ring-list 'Baugatal' rather than among homicide and personal injury laws, 'Vígslóði'; Vilhjálmur Finsen ed., *Ia and Ib: Grágás: Islændernes Lovbog i Fristatens Tid udgivet efter det kongelige Bibliotheks Haandskrift 2 vols.*, Brødrene Berlings Bogtrykkeri: Copenhagen 1852, I: 144–50, 202. Citations of individual legal paragraphs in *Grágás* are to Finsen's editions.

⁷ Stephen Mitchell, for instance, discusses this *Grágás* passage in the context of Óðinn's necromancy with particular reference to his ability to wake the 'noose-corpse' (*virgil-nár*), a synonym for *galg-nár*; Stephen A. Mitchell, 'Óðinn, Charms, and Necromancy: Hávamál 157 in its Nordic and European Contexts', in Pernille Hermann, Stephen A. Mitchell & Jens Peter Schjødt eds., *Old Norse Mythology – Comparative Perspectives*, Millman Parry Collection of Oral Literature: Cambridge 2017, 289–321, at 295–96.

⁸ Halldór Hermannsson 1911, 10; Laurence M. Larson, *The Earliest Norwegian Laws being the Gulathing Law and the Frostathing Law*, Columbia University Press: New York 1935, 29.

⁹ 'Ef maðr er dræginn til afhogs', Rudolph Keyser & Peter Andreas Munch eds., *Norges Game Love indtil 1387*, Vol 2. Grøndahl & Sons Bogtrykkeri: Christiania 1848, 506.

and *Grágás*. Such an individual is classed as a *heim-nár*, literally a ‘home-corpse,’ the selfsame nomenclature employed in *Grágás* (locus of mistreatment + *nár*) and is, as in *Gulapingslög* and *Grágás*, to be compensated as *if dead even though alive*.

With regard to the victims designated as grave-corpses, fell-corpses, skerry-corpses, or gallows-corpses, the demand for full compensation seems to derive from the fact that they have survived torturous attempts to kill them.¹⁰ They have come back from the dead, so to speak. Full compensation for victims of disfigurement, on the other hand, could in part be attributed to underlying economic considerations, as a form of disability payment.¹¹ Norwegian laws in particular take pains to ensure the future solvency of victims. A man whose eye is put out, according to *Frostupingslög*, is to be furnished by the perpetrators with a complete farm (twelve cows, two horses, three slaves); they must replace any losses to the outfit an additional two times before the compensation is considered complete.¹²

Another consideration appears to be that victims of maiming, like the various corpse-men of *Grágás*, have been handled in an insulting and degrading manner. This particular article in *Staðarhólsbók* is, after all, situated among articles dealing with murderous plots and actions committed in order ‘to disgrace’ (*til háðungar*) another by actions such as throwing urine or feces, pushing, pulling, throttling, cutting off hair, ripping off clothes, biting, or taking persons more than an arrowshot against their will (§361–§363).¹³ The principal mutilating attacks described in Old Norse laws – cutting-out the tongue, poking out the eyes, breaking-of the teeth, cutting-off the nose, hands or feet, or castration – likewise share in this element of disgrace.¹⁴ Indeed, the Old Norse word for ‘shame’ (*skömm*) can be used to indicate grievous injuries as it does in fact in Norway’s *Frostupingslög*: ‘receive death or other grievous injuries’.¹⁵ Particular stress is laid on permanent injuries that are ‘visible afterwards’ (*verðr ásynt*),¹⁶ especially if ‘covered neither by hair

¹⁰ On the *graf-nár* or *sker-nár* in *Grágás* in relation to analogues in Old Swedish laws, see Magnús Már Lárusson, ‘Að gjalda torfulögin’, *Skírnir* 134 (1960), 12–18.

¹¹ In *Grágás*, full personal compensation is 48 ounces of silver (K §113) or 6 marks, a sum comparable in Norway. This applies to injuries and insults and is distinct from the wergeld (*mann- or nið-gjöld*) required in killing cases, which could be considerably higher, 16 marks according to *Grágás*’s ‘Baugatal’; see Lúðvík Ingvarsson, *Refsingar á Íslandi á Þjóðveldistímanum*, Bókaútgáfa Menningarsjóðs: Reykjavík 1970, 209.

¹² IV § 44. Rudolph Keyser & Peter Andreas Munch eds., *Norges Game Love indtil 1387*, Vol 1. Grøndahl & Sons Bogtrykkeri: Christiania 1846, 171. Christine Ekholst discusses fines levied in Old Swedish laws to offset impairments, functional or visible, in her contribution to this special issue.

¹³ §361–§363, Finsen 1879, 380–83.

¹⁴ See further: *Frþl.* IV §43–45; *Gþl.* §179, §242; K §86, St. §360

¹⁵ ‘...fá bana eðr aðrar skammir’, Keyser & Munch 1846, 122.

¹⁶ K §86, Finsen 1852, I: 149; St. §273. Finsen 1879, 301–02.

nor clothes'.¹⁷

Further, at stake seems to be a quality-of-life issue. The phrase in *Gulapingslög*, 'worse off living than dead', is a value statement situated along a continuum of dismemberment and choice. The implication is that, in the balance, missing either both hands or both feet is still better than being dead. But, following this line of thinking, when faced with prospect of life as a quadruple amputee, death is preferable.

Is this an accurate image of the sensibilities held in Old Norse society? The Icelandic and Norwegian law books cited here were in force until the last quarter of the thirteenth century when successor codes replaced them during the reign of Magnús 'Law Mender' (*lagabætir*) and after Iceland entered into a union with Norway in 1262/4. As normative texts, their purpose is to condition behavior into modes acceptable for maintaining order in society. And, although their impersonal, casuistic *if...then*-style appeals to precedent and conveys a convincing sense of realism, they equally engage at times in legal theorizing, propounding scenarios that may never have happened.¹⁸ Thus, to more fully evaluate the perspectives on disfigurement afforded by law texts requires recourse to additional material.

This article examines the lives of the intentionally disfigured as recorded in the Icelandic saga compilation known as *Sturlunga saga*. Sagas have proven effective in evaluating Old Norse laws and vice versa. The work of William Ian Miller stands out in this regard. Not only are law and legal process central themes in Icelandic sagas, but they also narrate and comment upon many of the actions proscribed in law texts, thus providing valuable context. And, although sagas may treat their subject matter in a literary manner or – like laws – idealize, they nonetheless equally contain conventional perspectives. Synthesizing the two perspectives, sagas and laws, allows us to draw conclusions regarding Old Norse society, particularly about thirteenth century Iceland when many of the sagas were written. Indeed, Miller argues that when both sagas and laws are used as sources of medieval Icelandic legal process, the saga view should supersede the other where they diverge.¹⁹ In this regard, *Sturlunga saga* lays special claim to relevance. In contrast to other types of sagas, which may narrate earlier and more remote times, *Sturlunga saga* is of and primarily about the thirteenth century. In the present study, I specifically analyze the lives of two individuals in detail: Skæringr Hróaldsson and Sturla Bárðarson beginning with the point they sustain maimings and

¹⁷ 'eigi hyll hare eða klæðom', *Frpl.* IV §45, Keyser & Munch 1846, 171–72. Sørensen ties sexual defamation to disfiguring attacks based on the interpretation that they are intended to humiliate their victims by emasculating them; see Preben Meulengracht Sørensen, *Norrønt nid: Forestillingen om den umandige mand i de islandske sagaer*, Odense: Odense Universitetsforlag, 1980, 101. William Ian Miller posits aesthetic value and impact on utility as principles commonly employed in determining value in dismemberment price lists in William Ian Miller, *Eye for an Eye*, Cambridge University Press: New York 2006, 118. See also Irina Metzler, 'Reflections on Disability in Medieval Legal Texts: Exclusion – Protection – Compensation', in Cory James Rushton ed., *Disability in Medieval Law: History, Literature, Society*, Cambridge Scholars Publishing: Newcastle upon Tyne 2013, 19–53; and Lisi Oliver, *The Body Legal in Barbarian Law*, Toronto: University of Toronto Press 2011, 142, 165. Metzler and Oliver discuss visible injuries in Barbarian Codes and early English laws in this context and also in relation to embarrassment and dishonor; see Metzler 2013 27, 34–35, 41n62.

¹⁸ William Ian Miller, *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland*, University of Chicago Press: Chicago 1990, 230–31; Andreas Heusler, *Das Strafrecht der Isländersagas*, Duncker & Humblot: Leipzig 1911, 224.

¹⁹ Miller 1990, 231.

then as they deal with the after-effects of their injuries. Of importance is determining what, if any, status change is affected upon them by their injuries. Simply stated, were these individuals considered disabled?

In considering disability, I employ Irina Metzler's approach.²⁰ Metzler investigates disability in the medieval period and analyzes its existence in a variety of discourses – religious, cultural, medical, and legal. She differentiates between 'impairments' and 'disabilities.' Whereas the former describes a physical or mental limitation, the latter is a limitation on social functioning placed upon individuals by society. In terms of impairments, Metzler concentrates on permanent 'somatic and sensory' categories: deformity, deafness, blindness, missing or crippled limbs and digits, paralysis, and shortness of stature with old age as an exception to the list of otherwise congenital or acquired impairments. If *impairments* are viewed by society in a way that causes their possessors to be marginalized or excluded from society, this is understood as a *disability* and those who possess them, *disabled*. Thus, a *disability* is culturally rather than biologically coded.

The present study is interested in exploring a specific subset of injuries and impairments, those resulting from intentional maiming, with which Metzler's terminology overlaps but is an imperfect match. As Metzler notes, not all impairments constitute disabilities.²¹ To fill this terminological gap, I prefer instead *disfigurement*, a term borrowed from Lois Bragg, who, in analyzing disfigurements in *Sturlunga saga* as literary motifs, employs it as a blanket term to indicate perceived bodily defects, dysfunctions, and deformities whether as a result of injury, illness, or are present at birth.²² Bragg's term requires further definitional clarity but is, nonetheless, a better fit in exploring the phenomenon of maiming. Certainly, many types of *disfigurements* – whether congenital or acquired – constitute *impairments*. Yet not all do. A scarred face, to provide an example, is not necessarily accompanied by a loss of function to eyesight, speech, or hearing, yet nonetheless it is *disfigured*. In this regard Valentin Groebner's notion of *ungestalt*, with explicit reference to facial mutilations, *defacement*, expresses the horror at injuries that render their bearers unrecognizable and therefore inhuman in the eyes of others. This comes closer to the meaning I am trying to get at with *disfigurement*.²³ For the purposes of this study, a *disfigurement* is an external or otherwise evident mark, malformation, stigma on the body that sets it apart, potentially as an aberration or as deviating from normative expectations for how the human body should look, function, or be constituted. The focus here is on permanent injuries which disrupt bodily wholeness or integrity and result from acts of intentional maiming.²⁴

²⁰ Irina Metzler, *Disability in Medieval Europe: Thinking about Physical Impairment during the High Middle Ages, c. 1100–1400*, Routledge: New York 2006, 3–7; see also Metzler 2013, 36.

²¹ Metzler 2006, 5–7.

²² Lois Bragg, 'Disfigurement, Disability, and Dis-integration in *Sturlunga saga*', *alvissmál* 4 (1994), 15–32. In Old Norse-Icelandic studies, the efforts of Ármann Jakobsson and Hanna Björg Sigurjónsdóttir have fostered recent interest in disability studies, see Ármann Jakobsson, Hanna Björg Sigurjónsdóttir & Kristín Björnsdóttir, eds. *Fötlun og menning: Íslandssagan í öðru ljósi*, Félagsvísindastofnun Háskóla Íslands og Rannsóknarsetur í fötlunarfræðum: Reykjavík 2013.

²³ Valentin Groebner, *Defaced: The Visual Culture of Violence in the Late Middle Ages*, Pamela Selwyn transl., Zone Books: New York 2004, 151.

²⁴ This terminological usage draws on my doctoral thesis, which concerns itself entirely with disfigurement in medieval Iceland; Sean Lawing, *Perspectives on Disfigurement in Medieval Iceland: A Cultural Study based on Old Norse Laws and Icelandic Sagas*, PhD Thesis, University of Iceland: Iceland 2016.

‘Eigi þykkir mér þat betra en dauði’

Sturlunga saga is a compilation of sagas that, as its name suggests, centers on the fortunes and failures of the Sturlung family between the years 1117 to 1262/4 as they vie amongst themselves and with other powerful chieftains to dominate Iceland.²⁵ The pinnacle of the family’s influence in Iceland occurs during the years 1220–1262/4, the so-called ‘Age of the Sturlungs’ (*Sturlungaöld*). Sturla Þórðarson (d. 1284), prominent Sturlung chieftain, lawman, historian, and royal biographer, wrote the centerpiece and longest of the compilation’s sagas, *Íslendinga saga*, and participated in or had first-hand knowledge of many of the events it describes. Thus, much of what happens in *Sturlunga saga* occurred nearly contemporaneously to its recording; for this reason, the sagas in the compilation are often referred to as *samtíðarsögur*, or ‘Contemporary Sagas’, and are generally regarded as reliable historical sources.²⁶

Sturlunga saga portrays the twelfth and thirteenth centuries as a period of political change, in particular in the way that chieftaincies (*goðorð*) operated.²⁷ By 1220, six families held principal authority in Iceland – the Oddverjar, Haukdælir, Svínfellingar, Vatnsfirðingar, Ásbirningar, and the Sturlungar or Sturlungs.²⁸ Members of these families, so-called ‘magnates’ (*stórhöfðingjar*) controlled and consolidated Iceland’s 39 chieftaincies into what amounted to some 7 regional ‘domains’ (*ríki*). In the conflicts that arose between these magnates, belligerents regularly mustered several hundred armed men per side. Despite these relatively large mobilizations, stand-offs are frequent but pitched battles rare. Engagements, when they do occur, are often typified by surprise attacks, carried out by surrounding an opponent’s farmstead, setting fire to it, and alternately hacking down men as they emerge trying to escape the blaze or forcing unconditional surrender at which time some men are granted ‘quarter’ (*gríð*), some are ‘led out’ (*leiddir út*) and ‘executed’ (*hálshöggvni*), and still others are ‘maimed’ (*meiddir*).

The Icelandic legal institution lacked a central authority and depended on self-help to enforce its laws; it was consequently powerless to halt such excesses. Indeed, *Sturlunga saga* depicts violence at a level sufficient enough to interrupt the functioning of the *Alþingi*, Iceland’s annual, supra-regional legal assembly. Though perhaps not quite a full-blown civil war,²⁹ disorder became great enough that in 1262 Icelanders were willing to accept Norwegian overlordship, ostensibly so

²⁵ *Sturlunga saga* is found in two principal vellum manuscripts, *Króksfjarðarbók* (ca. 1360, AM 122a fol.) and *Reykjarfjarðarbók* (ca. 1375, AM 122b fol.). The sagas of the compilation are: *Sturlu saga*, *Þorgils saga ok Haflíða*, *Guðmundar saga dýra*, *Prestssaga Guðmundar góða*, *Hrafnis saga Sveinbjarnarsonar*, *Íslendinga saga*, *Þórðar saga kakala*, *Þorgils saga skarða*; see Úlfar Bragason, ‘Sagas of Contemporary History (*Sturlunga saga*): Texts and Research’, in Rory McTurk ed., *A Companion to Old Norse-Icelandic Literature and Culture*, Blackwell Publishing: Malden 2005, 427–46, at 428–29.

²⁶ Úlfar Bragason 2005, 440–42.

²⁷ On the issue of chieftaincies during the period, see Jón Viðar Sigurðsson, *Chieftains and Power in the Icelandic Commonwealth*, Jean Lundskaer-Nielsen transl., Odense University Press: Odense 1999, 39–83; Gunnar Karlsson, *Goðamenning: staða og áhrif goðorðsmann í þjóðsveldi íslendinga*, Heimskringla Háskolafólag Máls og menningar: Reykjavík 2004, 63–86.

²⁸ Stephen Norman Tranter, *Sturlunga Saga: The rôle of the Creative Compiler*, Peter Lang: Frankfurt am Main 1987, 23.

²⁹ Jesse Byock, *Medieval Iceland: Society, Sagas, and Power*, University of California Press: Berkeley 1988, 72.

that peace might thereby be restored.³⁰ According to *Sturlunga saga*, this is a violent and tumultuous period.³¹ As such, *Sturlunga saga* offers considerable data for analyzing maiming in Iceland. There are some 31 episodes of maiming in *Sturlunga saga* with several of these episodes containing multiple instances.³²

By far, the predominant use of intentional maiming in *Sturlunga saga* is as a form of reprisal, consisting usually of foot- and hand-hewings. The first mention in *Sturlunga saga* of maiming occurs in this sense. In 1121, the chieftain Þorgils Oddason erroneously believes his men are captured; he fears they will be ‘mistreated, mutilated, or killed’.³³ Intentional maiming is not mentioned thereafter in *Sturlunga saga* until 1198, in *Guðmundar saga dýra*.³⁴ *Íslendinga saga* next records a maiming carried out by Icelanders in 1208 as payback for Þorvaldr Gizurarson’s aggressions with Bishop Guðmundr Arason (1161–1237).³⁵ Men who are singled out for this type of maiming most commonly have been accused of treachery as a consequence of taking part in a plot against another’s life,³⁶ fighting on behalf of or aiding an enemy,³⁷ spying or reporting a spy.³⁸ Even being perceived as a friend of or sympathetic to one of the combatants risks reprisal.³⁹ Moreover, this is a form of violence in which even a bishop is willing to engage: In his conflict with Tumi Sighvatsson, Bishop Guðmundr sanctions Tumi Sighvatsson’s killing as well as the foot-hewing of two other men.

At other times intentional maiming is plainly tit-for-tat vengeance: in 1243, a certain Ingólfr strikes off the leg of one Tósti in a mêlée. Tósti is a follower of Hjalti Magnússon, the bishop’s son, and Hjalti retaliates by striking off the legs of two old men and breaking the legs of two others in Laxárdalr.⁴⁰ In some instances, maiming is used to avenge acts warranting, in the eyes of the aggrieved, something less than death but still requiring blood.⁴¹ In still other instances, victims serve as proxies for the principals in a conflict, assuming group liability as in feuds. In 1222, for example, Sturla Sighvatsson has two of Bishop Guðmundr Arason’s priests seized and castrated though they are apparently uninvolved in hostilities.⁴² Similarly, in 1228 Jón ‘the strong’ (*sterkr*) strikes off the foot of a certain Vándraðr because he is a home-man of Brandr Jónsson’s, the indi-

³⁰ King Hákon IV Hákonarson had been enmeshed for decades in Icelandic affairs, an involvement Icelandic aristocracy courted out of self-interest; see Ármann Jakobsson, ‘Hákon Hákonarson: Friðarkonungur eða fúlmenni?’, *Saga, tímarit Sögufélags* 33 (1995), 167–85.

³¹ Úlfar Bragason 2005, 431–32.

³² See the Appendix at the end of this article for a full directory of the episodes of maiming in *Sturlunga saga*.

³³ ‘klandaðir eða meiddir eða drepnir’, Jón Jóhannesson, Magnús Finnbogason & Kristján Eldjárn eds., *Sturlunga saga*, 2 vols., Sturlunguútgáfan: Reykjavík 1946, I: 44.

³⁴ *Guð.dýr.* Ch. 18. Where reference is made to plot points rather than direct citations or quotes, I hereinafter use chapter numbers and abbreviations for the different sagas in the *Sturlunga saga* compilation. A full list of the abbreviations can be found at the end of the article.

³⁵ *Ísl.* 175, 215.

³⁶ *Þ.skar.* Ch. 29

³⁷ *Ísl.* Ch. 131, 177, 185; *Þ.kak.* Ch. 10, 18, 21

³⁸ *Þ.kak.* Ch. 14, 21, 23; *Þ.skar.* Ch. 32; *Ísl.* Ch. 177

³⁹ *Þ.kak.* Ch. 2; *Þ.skar.* Ch. 74

⁴⁰ *Þ.kak.* Ch. 15

⁴¹ *Guð.dýr.* Ch. 18; *Hrfn.* Ch. 19; *Hrfn.* Ch. 20; *Ísl.* Ch. 90

⁴² *Ísl.* Ch 44

vidual with whom Jón's actual conflict exists.⁴³

Outside of its use as reprisal or in vengeance acts, maiming figures infrequently as a form of punishment, the equivalent of cutting off the hand of a thief. To be clear, outside of the likely theoretical prescription to castrate vagrants and limb-hew slaves outlawed for killing their masters,⁴⁴ there is no lawful use in *Grágás* for maiming or mutilation on par with prescribed mutilations found elsewhere in medieval Europe's royal-sponsored laws.⁴⁵ There are, nonetheless, several instances of extra-judicial punishment in *Sturlunga saga*.⁴⁶ Exact offenses are not always revealed; some we can infer from circumstances that suggest offenses such as theft, cheating, stealing, or fathering an illegitimate child. In the first decade of the 1200s, Skæringr Hroaldsson, whose case is recounted below, has a hand hewn off by Norwegian merchants presumably for cheating or stealing from them.⁴⁷ He is later outlawed and beheaded in 1208 for fathering an illegitimate child.⁴⁸ In the same time frame, Bishop Guðmundr Arason is said to have a lawsuit against two chieftains for taking and mutilating a monk.⁴⁹ Given that the case is mentioned in close connection to Skæringr's, one wonders if illicit paternity is the root cause here, too. Further, in 1226, we learn that Þorgils Snorrason (Snorri Sturluson's son) is likewise threatened with foot-hewing if he does not admit to the paternity of a child.⁵⁰ The larger scale conflicts of the thirteenth century see the use of maiming increase steadily over time.⁵¹ So prominently does maiming figure in *Sturlunga saga* that it constitutes an important structural element and contributes to the compilation's overall interpretive framework.⁵² Nonetheless, maiming is not unlimited in scope and a loose set of norms appears to govern its practice. Women, children, the sick or the elderly, for instance, appear to comprise a protected class.⁵³

A surface reading of maiming episodes corroborates the general viewpoint found in laws of a scale at play, something mutilators themselves were aware of and applied. Thus, we encounter among the examples, in *Þórðar saga kakala*, an individual who tries unsuccessfully to have his left rather than right hand struck off,⁵⁴ or, in *Guðmundar saga dýra*, a captive willing to barter a hand

⁴³ Ísl. Ch. 69

⁴⁴ K §254, Finsen 1852, I: 188; K §110, II: 203.

⁴⁵ The royal use of maiming has a distinct tradition and is beyond the scope of the present study. Excellent discussions centered on Old Norse-Icelandic practices can be found in Ármann Jakobsson, *Í leit að konungi: Konungsmynd íslenskra konungasagna*, Háskólaútgáfan: Reykjavík 1997, 98; Annette Lassen *Øjet og blindheden i norrøn litteratur og mytologi*, Museum Tusulanums Forlag: Copenhagen 2003, 43; Kari Ellen Gade, '1236 Órækja meiddr ok heill gorr', *Gripla* 9 (1995), 115–32. See also the related discussion of judicial mutilation in Cnut's English laws in Katherine O'Brien O'Keefe, 'Body and Law in late Anglo-Saxon England', *Anglo-Saxon England* 27 (1998), 209–32.

⁴⁶ Lúðvík Ingvarsson 1970, 413.

⁴⁷ *Guð.dýr.* Ch. 26; see Miller 1990, 2.

⁴⁸ Ísl. Ch. 20

⁴⁹ Ísl. Ch. 20

⁵⁰ Ísl. Ch. 59

⁵¹ Ísl. Chs. 21, 24, 131; *Hrft.* Ch. 19; *Þ.kak.* Chs. 10, 16, 18, 25

⁵² Bragg 1994, 9.

⁵³ Miller 1990, 196–97.

⁵⁴ The victim, Þorsteinn Guðinason, proffers his left hand (*rétti fram höndina vinstr*), trying to preempt any selection of his dominant one, only to be told by his oppressor Björn Dufgusson to 'put out the right hand' (*ina hægri fram rétta*), *Sturlunga saga* II: 33–34; see also Miller 1990, 197.

and foot in exchange for his life – the latter proposition, it should be noted, was rejected by the executioner who did not want to torture his victim.⁵⁵ Still, in yet another case, in *Svínfellinga saga*, the opposite viewpoint holds true: when informed his hand is to be hewn away, this victim thinks it is worse than the death he had thought was coming: ‘That does not seem better than death to me’ are his words.⁵⁶ If our paradigm case in *Gulapingslög* maintains that losing both hands and feet would be worse than dying, here the victim is reluctant to sustain the loss of a single hand for that axiom to be true. To some degree, then, the quality-of-life issue is a matter of a victim’s individual perspective. And, a tormentor’s decision to maim or execute could be based on either empathy or antipathy for a victim.⁵⁷ The one mindset relishes seeing victims suffer while the same thought is contrary to the other.

Sturlunga saga is rich in such illustrative incidents and offers a considerable pool of candidates among which powerful elites also number. To cite two examples: Hafliði Másson, a chief participant in the recording of Iceland’s earliest laws, loses the better part of three fingers to Þorgils Oddason’s axe in 1121;⁵⁸ and, in 1235, the Sturlung chieftain Sturla Sighvatsson attempts to blind and castrate his first cousin Órækja Snorrason.⁵⁹ Nevertheless, *Sturlunga saga* offers limited insight into what life was like *afterwards* for those who were maimed. We are really only given the details of two such cases – those of Skæringr Hróaldsson and Sturla Bárðarson – and then only through carefully splicing together details across sagas. Indeed, the relation of these men to powerful chieftains is perhaps the reason the text even affords the opportunity.

Skæringr Hróaldsson, Acts Ia and Ib

The story of Skæringr Hróaldsson is related at the end of *Guðmundar saga dýra*, taking place sometime around 1200.⁶⁰ Skæringr is a kinsman of the saga’s eponymous chieftain, though apparently not of any great importance. When Guðmundr enters the scene, Norwegian merchants had already deprived Skæringr of a hand for an offense the saga does not report:⁶¹

A man named Skæringr Hróaldson had been injured. He was an ordained deacon and kinsmen of Guðmundr dýri. Norwegians cut off his hand.⁶²

We are told Skæringr is a clergyman of lower orders, a deacon, whom Norwegians are holding at their ship until a settlement is made. Guðmundr demands 30 hundreds for Skæringr’s hand, an

⁵⁵ *Guð.dýr.* Ch. 18

⁵⁶ ‘Eigi þykkir mér þat betra en dauði’, *Sturlunga saga* II: 102.

⁵⁷ Miller 2006, 48–53, 168–73, 198.

⁵⁸ *P.Haf.* Ch. 18

⁵⁹ *Ísl.* Ch. 115. On this case see, Gade 1995; Sean Lawing, ‘Órækja at Surtshellir: Myth, Miracle, or Mistake?’, *The Yale Conference on Baltic and Scandinavian Studies*, Yale University; New Haven, Connecticut (13–15 March, 2014), https://www.academia.edu/13175633/Órækja_at_Surtshellir_Myth_Miracle_or_Mistake

⁶⁰ Miller 1990, 1–12.

⁶¹ Miller 2006, 48–53, 168–73, 198.

⁶² ‘Sá maðr varð enn fyrir áverka, er Skæringr hét. Hann var Hróaldsson, djákn at vígslu ok frændi Guðmundar ins dýra. Ok hjuggu Austmenn hönd af honum’, Jón Jóhannesson et al. 1946, I: 212.

amount which refers to the value of ‘homespun cloth’ (*vaðmál*) as a standardized measure, the *ell* (ca. 49 cm. or 19 inches; from *alin*), converted to ounces of silver, with 6 ells of cloth (length) by 2 ells (breadth) equal to a 1 ounce-unit.⁶³ The Norwegians find the figure shocking but agree to pay it when Guðmundr threatens them with the alternative: He tells them he will cut off the hand of one of their number whom he feels is equal in standing to Skæringr and they can compensate that man however cheaply they want. When faced with having to value one of their own hands, they cough up the money.⁶⁴ Thus, the episode ends with Guðmundr collecting the compensation, securing Skæringr’s release, and departing with him from the ship. As William Ian Miller points out in his analysis of the episode, Skæringr’s chief importance in *Guðmundar saga dýra* is to demonstrate Guðmundr’s authority and the saga has little interest in developing his character beyond that.⁶⁵ And yet, Skæringr’s tale is not over.

Skæringr crops up in *Íslendinga saga*, a few years later, in 1208, serving a similar purpose, as a cat’s-paw in a conflict and to emphasize a chieftain’s authority. At this second meeting, we are informed Skæringr is an acolyte. If Skæringr’s rank is given here accurately, it means he has been demoted from his previous rank as a deacon (*djákn*).⁶⁶ And, as the saga wryly observes, something is amiss with the way Skæringr bears clothes and weapons. The term used is *ósiðvandr*, which indicates impropriety, but its exact meaning in this context is obscure. Miller takes it to mean unskilled in dressing, i.e. clumsy, an interpretation bolstered by what appears to be an exculpatory observation that Skæringr is, after all, one-handed.⁶⁷ We learn Skæringr is in trouble again: He has fathered an illegitimate child:

It so happened that a certain cleric named Skæringr, an ordained acolyte who was improper [?] at carrying arms and dressing – he was one-handed – Norwegians had hand-hewn him at Gásar and Guðmundr dýri prosecuted his case. This man had a child with a woman, and her brothers sought Kolbeinn’s help with the case. The cleric sought the bishop’s help with his case, but Kolbeinn protested and did not want the bishop’s judgment.⁶⁸

⁶³ Foote 1980, 244. And by ‘hundred’ the long-hundred or 120 is meant. The convention is to equate the term ‘hundreds’ used in *Sturlunga saga* as ‘hundred ells’ though unspecified in the text itself. Calculations for estimating settlement values vary significantly. Lúðvík Ingvarsson states conversion of refined silver ounces to *vaðmál* ounces as 7.5 or 8:1; alloyed silver (*lögsilfr*, *fornt* or *bleikt silfr*) at 4:1; see Lúðvík Ingvarsson 1970, 214, 264–65, 350–76.

⁶⁴ *Guð. dýr.* Ch. 26; Miller 1990, 12. Elsewhere Miller refers to this as ‘perfect sympathetic identification’; Miller 2006, 46–57.

⁶⁵ Miller 1990, 12.

⁶⁶ My thanks to Lára Magnúsardóttir for suggesting this.

⁶⁷ Miller 1990, 10. In his review of *Bloodtaking and Peacemaking*, Gunnar Karlsson points out what he views as Miller’s lexical inaccuracy; Gunnar Karlsson, ‘Rezensionen: William Ian Miller. *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland*. Chicago: University of Chicago Press, 1990. 419 pages’, *alvissmál* 4 (1994), 125–28, at 125. Lára Magnúsardóttir suggested to me that *ósiðvandr* could indicate that Skæringr does not dress as he ought and likewise bears weapons against prohibitions given his status as clergy.

⁶⁸ ‘Nú bar svá til, at klerkr einn, sá er Skæringr hét, acoluthus at vígslu ok ósiðvandr at vápnaburði ok klæðnaði, – hann var einhendr –, þenna höfðu Austmenn handhöggvit at Gásam, þá er Guðmundr inn dýri mælti efter hann. Þess maðr gat barn við konu, en bræðr hennar sóttu Kolbein at þessu máli. Klerkrinn sótti biskup at sinu máli, en Kolbeinn kallar efter ok vill eigi biskups dóm’, Jón Jóhannesson et al. 1946, I: 246.

The brothers of the unnamed mother turn to Kolbeinn Tumason, a powerful northern chieftain, to take up their case. Kolbeinn, embroiled in a conflict with Bishop Guðmundr Arason, sees an opportunity for retaliation and obliges. Skæringr, for his part, beseeches the bishop to take up his case. Bishop Guðmundr tries to settle the matter, which Kolbeinn rejects out of hand even though the amount, six hundreds, is, in the bishop's view, twice the legal due.⁶⁹ The outcome is that Kolbeinn declares Skæringr an outlaw and holds a court of confiscation for his property. The bishop sees his own rights violated in this action and excommunicates Kolbeinn, who in return outlaws six of the bishop's home-men for harboring Skæringr. The tit-for-tat aggression continues with the bishop and Kolbeinn eventually squaring off with 300 to 400 men on each side. In the skirmish that follows Kolbeinn is fatally struck by a stone and dies thereafter.

An eleventh hour save occasioned by Kolbeinn's death, however, is not in the cards for Skæringr: Kolbeinn's brother Arnórr Tumason takes up the feud and several months later (in 1209), Arnórr, aided by seven Westfjords chieftains, surrounds Bishop Guðmundr in a church. The upshot of the encounter is that the bishop abandons the field leaving his party to Arnórr's vengeance among whom are Skæringr and two other outlaws. Of these a certain Sveinn Jónsson negotiates his own death, asking to be 'limbed' (*ef þér limið mik*) – that is, feet and hands chopped off – before being beheaded.⁷⁰ This proposition is accepted and Sveinn and the others exit the church:

Sveinn was then limbed and sang the Ave Maria while it happened. Afterwards he stretched forth his neck under the stroke and was praised widely for his bravery.

Skæringr the cleric was also decapitated there along with a third outlawed man.⁷¹

Sveinn's dismemberment is a martyr's death and proceeds memorably.⁷² Skæringr's death is less notable (how could it not but be?). The saga objectively reports his beheading along with a third outlaw's. Thus, a minor character exits the story.

Sturla Bárðarson, Act I

Sturla Bárðarson's case bears similarities to Skæringr's. He, like Skæringr, is a victim of maiming. And, given the suffusion of names and individuals in *Sturlunga saga*, it would be easy to skip over Sturla Bárðarson as another minor actor. However, close scrutiny of his actions across sagas reveals that Sturla plays a pivotal role in some of the central, multi-generational conflicts of *Sturlunga saga*. Indeed, Sturla is crucial in stoking and perpetuating them. Similarities between Skæringr Hróaldsson and Sturla Bárðarson turn out to be largely topical and Sturla's experience is an object

⁶⁹ Jón Jóhannesson et al. 1946, I: 246.

⁷⁰ Jón Jóhannesson et al. 1946, I: 253.

⁷¹ 'Var Sveinn þá limaðr, ok söng meðan Ave Maria. Síðan rétti hann hálsinn undir höggit, ok var allmjök lofuð hans hreysti. Þar var ok hálshöggvin Skæringr klerkr ok inn þriði sekr maðr', Jón Jóhannesson et al. 1946, I: 253.

⁷² Elsewhere *Sturlunga saga* takes pains to connect characters with saints or martyrs, recounting them as having sung prayers during or shortly before their executions or maimings; see Miller 1990, 11–12. On the influence and interactions of hagiography with the Sagas of Icelanders, see Siân E. Grønlie, *The Saint and the Saga Hero: Hagiography and Early Icelandic Literature*, D.S. Brewer: Cambridge 2017.

lesson in how rank and status weigh heavily in determining outcomes.

We first meet Sturla Bárðarson in 1201, in *Prestssaga Guðmundar góða*, in the company of the future bishop, Guðmundr Arason.⁷³ Thus, he not only keeps the same company as Skæringr, but like Skæringr, he is also a deacon. At this point, however, their circumstances diverge. Although Skæringr could claim to be part of a powerful ‘family’ (*ætt*), he appears to be a minor member. Sturla Bárðarson, on the other hand, is powerfully connected to several elite families and a core member of the Sturlungs. His ancestry is recounted in *Ættartala* and *Sturlu saga*.⁷⁴ He is the son of Bárðr ‘the black’ (*svarti*) Snorrason and Þórdís Sturludóttir. On his mother’s side, Sturla is the grandson of Hvamm-Sturla, the progenitor of the Sturlung family.⁷⁵ Sturla Bárðarson is hence nephew to Sighvatr, Þórðr, and Snorri Sturluson as well as first cousin to Sturla Sighvatsson, Órækja Snorrason, and Þórðr kakali Sighvatsson, all major players in the period’s conflicts. This latter affinal relationship, incidentally, he also shares with Sturla Þórðarson, the writer of *Íslendinga saga*.

Sturla Bárðarson appears to have been a poet and lawyer of note. He is listed in the *Kringla* version of *Skáldatal* as a court poet of Duke Skúli Bárðarson (c. 1189–1240), for whom his uncle Snorri Sturluson also composed.⁷⁶ Three of Sturla Bárðarson’s verses are extant in *Íslendinga saga*: Two are recited in 1222 during hostilities with Þorvaldr Vatnsfirðingr and another half stanza is recited in 1228 while staying with his uncle Snorri Sturluson.⁷⁷ There has even been discussion of Sturla Bárðarson having written *Gísla saga Súrssonar* and *Hrafns saga Sveinbjarnarsonar*.⁷⁸

After the brief mentioning in *Prestssaga Guðmundar góða*, Sturla Bárðarson surfaces next in *Hrafns saga Sveinbjarnarsonar*. Troubles leading up to his eventual foot-hewing derive from his support of another first cousin, the chieftain Hrafn Sveinbjarnarson, in the latter’s feud with the Westfjord chieftain, Þorvaldr Vatnsfirðingr that owes its humble origins to rights over a beached whale. Sturla is named as one of Hrafn’s two companions, who parley with Þorvaldr in the early phases of the conflict, before 1208. After tensions escalate and Þorvaldr mounts a failed attempt to burn Hrafn to death in his own house, Sturla Bárðarson is chosen to undertake legal action on Hrafn’s behalf with the result that Þorvaldr is outlawed along with nine other men.⁷⁹

After this judgment, Þorvaldr assembles supporters and makes a second attempt on Hrafn’s life. This fails, as does an arranged reconciliation in the spring of 1212. Þorvaldr makes a third attempt at Hrafn’s life, once more a burning-in, at which Hrafn and company surrender unconditionally:

⁷³ *Pr. Guð.* Ch. 24

⁷⁴ Jón Jóhannesson et al. 1946, I: 52, 76.

⁷⁵ Jón Jóhannesson et al. 1946, I: 52.

⁷⁶ His paternal grandfather, Snorri Bárðarson, was likewise a court poet; see Guðrún Nordal, *Tools of Literacy: The Role of Skaldic Verse in Icelandic Textual Culture of the Twelfth and Thirteenth Centuries*, University of Toronto Press: Toronto 2001, 189–90.

⁷⁷ *Ísl.* Chs. 48, 64

⁷⁸ Aðalgeir Kristjánsson, ‘Var Sturla Bárðarson höfundur Gíslasögu?’, *Skáldskaparmál* 2 (1992), 107–23; Sveinbjörn Beinteinsson, ‘Gíslasaga og höfundur hennar’, *Lesbók Morgunblaðsins* (January 12, 1991), 2; Anne Tjomsland, *The Saga of Hrafn Sveinbjarnarson: The Life of an Icelandic Physician of the Thirteenth Century* (Islandica 35), Cornell University Press: Ithaca 1951, xvi.

⁷⁹ *Hrafn.* Chs. 15–17

When Hrafn came out he was captured and restrained right away. Sturla Bárðarson, the son of the Sturlusons' sister, was also held, and a third man Þórðr Vífilsson ... Þorvaldr had Sturla Bárðarson's foot hewn off and also Þórðr Vífilsson's.⁸⁰

Hrafn, Sturla, and the heretofore unknown Þórðr Vífilsson are singled out for special treatment. Hrafn is to die and after a piously tearful confession and communion, he is beheaded. Concerning the remaining two, we learn that Þorvaldr has them foot-hewn. The text is silent as to why Sturla and Þórðr Vífilsson are consigned to foot-hewing. In Sturla's case, one suspects it is his relation to and support for Hrafn and more immediately for having outlawed Þorvaldr. As Þorvaldr discovers, however, both Hrafn and Sturla are not without avengers.

Here, it is worth dwelling upon how well-connected Sturla is. The writer of *Íslendinga saga* takes pains to accentuate his Sturlung-lineage. First, during Sturla Bárðarson's legal action against Þorvaldr, the narrator notes Sturla's lineage on both sides; he is the 'son of Bárðr, Snorri's son, and Þórdís, Sturla's daughter'.⁸¹ And, next, when Sturla is led out with Hrafn, his status as a Sturlung is made explicit; he is the 'son of the Sturlasons' sister' (*systursonr Sturlusona*).⁸² Indeed, this second citation, draws not only the Sturlung family into the fray, but is directed at the male sons of Hvamm-Sturla, that is Sturla Bárðarson's uncles, the chieftains Sighvatr, Snorri, and Þórðr. What this leads up to in a saga compilation named for the Sturlungs, is that Sturla Bárðarson's maiming is indeed a great happening and the saga's audience can anticipate vengeance on par with his standing.

And follow it does. A month later Sturla Bárðarson's brother Pétur has one of Þorvaldr's 'liegemen' (*þingmenn*) killed. The ensuing legal action falls into Þórðr Sturluson's hands – that is, Sturla Bárðarson's uncle. The upshot is that Þorvaldr is exiled from Iceland for five years (three if he travels to Rome and receives absolution from the Pope) and four of his hatchet-men are exiled permanently. Hrafn's death is to be compensated with a hefty 120 hundreds (*hundrað hundraða*); Sturla Bárðarson's foot, 60 hundreds; and Þórðr Vífilsson's foot, 30 hundreds.⁸³

Þorvaldr keeps this settlement and travels out of Iceland and to Rome. Meanwhile, Pétur Bárðarsson resumes his role as principal avenger – he tracks down two of Þorvaldr's followers who had not paid compensation, executing one and foot-hewing the other.⁸⁴ Though Pétur's vengeance is ostensibly on Hrafn's behalf, one cannot help but see it as symmetrical to Þorvaldr's execution of Hrafn Sveinbjarnarson and the foot-hewing of his own brother Sturla Bárðarson. If Sturla Bárðarson's story ended here, we would be invited to make a final comparison between him and Skæringr Hróaldsson. At this point, however, the trajectory of their lives diverges.

⁸⁰ 'Pá er Hrafn kom út, var hann þegar tekinn ok haldinn. Sturla Bárðarson, systursonr Sturlusona, var ok haldinn, þriðri maðr Þórðr Vífilsson... Þorvaldr lét höggva fót undan Sturlu Bárðarsyni ok svá Þórði Vífilssyni', Jón Jóhannesson et al. 1946, I: 226.

⁸¹ 'sonr Bárðar Snorrasonar ok Þórdís Sturludóttur', Jón Jóhannesson et al. 1946, I: 221.

⁸² Jón Jóhannesson et al. 1946, I: 226.

⁸³ Jón Jóhannesson et al. 1946, I: 226–27.

⁸⁴ *Hrafn*. Ch. 20

Sturla Bárðarson, Act II

When we next meet Sturla Bárðarson in *Íslendinga saga*, in 1222, some nine years have passed since his maiming. The chapter opens updating readers on Þorvaldr Vatnsfirðingr. Þorvaldr's outlawry after Hrafn's slaying had lasted three years; its results are tangible. Although he is considered reconciled with all men, including the sons of Hrafn Sveinbjarnarson, he is no longer as popular or powerful.⁸⁵ Sturla Bárðarson is now staying with Snorri Sturluson at Reykjaholt. To Sturla Bárðarson, Þorvaldr's presence in Iceland and his own missing limb must have been a bitter pill.⁸⁶ Indeed, his enmity with Þorvaldr appears to have festered greatly:

With Snorri then was Sturla Bárðarson, whom Þorvaldr had foot-hewn at Eyrr. He was a great enemy of Þorvaldr's and complained of it often to Snorri.⁸⁷

Sturla is described as a 'great enemy' (*mikill óvinr*) of Þorvaldr's and the saga reminds us of the reason. His animus towards Þorvaldr, moreover, is one he is vocal about, persistently complaining to his uncle Snorri. If Sturla Bárðarson was waiting for an opportunity for action, that comes with news that Þorvaldr Vatnsfirðingr's brother, Bárðr, has fathered a child with the wife of a favored kinsman of Snorri, Bergþórr Jónsson, whose two brothers live near Snorri. The three Jónsson brothers seek Snorri's help, but Snorri replies that there is little hope of getting their rights given Þorvaldr's authority in that district.⁸⁸

Snorri's warning is not really meant to discourage the Jónssons. He reminds them in the same breath that their kinship and accomplishments make them worthy to vie with most men. Thus, he subtly refocuses their hostility onto Þorvaldr, his rival chieftain in the Westfjords:

And when they heard such words, they were filled with enmity towards Þorvaldr and Sturla Bárðarson was the main cause of this.⁸⁹

The Jónssons are duly whetted by Snorri's words and decide on vengeance against Þorvaldr. We also learn that Sturla Bárðarson's egging equally, if not more so, lies at the root of their hatred. And, we might well attribute some of Snorri's animosity, too, to Sturla Bárðarson's prodding.

The Jónssons are quick to act and assault Þorvaldr in his home. Notably, Sturla Bárðarson is among the party of 13 that set out to kill Þorvaldr. Sturla is likely using a prosthesis – perhaps 'a wooden leg' (*tréfótr*) – or another kind of assistive technology and is presumably just as capable as the others. Indeed, the sagas attest that acquired disfigurements such as Sturla's could reflect

⁸⁵ Jón Jóhannesson et al. 1946, I: 294.

⁸⁶ On the memorializing potential of wounds, see Miller 2006, 128.

⁸⁷ 'Þá var með Snorra Sturla Bárðarson, er Þorvaldr lét fóthöggva á Eyri. Var hann mikill óvinr Þorvalds ok kærði þat oft fyrir Snorra', Jón Jóhannesson et al. 1946, I: 294.

⁸⁸ Jón Jóhannesson et al. 1946, I: 294.

⁸⁹ 'En er þeir heyrðu þvílík orð, fylltust þeir af fjandskap við Þorvald, ok var mest undirrot Sturla Bárðarson', Jón Jóhannesson et al. 1946, I: 294.

positively on their possessors as is the case with Önundur tréfótr in *Grettis saga*.⁹⁰ Although Þorvaldr escapes, the seeds of enmity are sown which eventually lead to his death. The Jónssons are able to recruit many of the notables in the district including the sons of Hrafn Sveinbjarnarson. But, things do not go according to plan and a second attempt on Þorvaldr ends in failure. The Jónssons and their party are forced to flee and their rout is the subject of a scurrilous verse which Sturla Bárðarson answers with two of his own.

Despite a promising opening from Sturla Bárðarson's perspective, hostilities die down.⁹¹ Snorri Sturluson reconciles with Þorvaldr, culminating in Þorvaldr's marriage to Snorri's daughter Þórdís (in 1224).⁹² To Sturla Bárðarson his vengeance must have now seemed distant. The enmity of Sturla's proxies, however, the Hrafnssons and the Jónssons still festers. In 1228, Snorri warns his son-in-law to avoid traveling on their account.⁹³ Þorvaldr brushes off the advice and the Hrafnssons burn Þorvaldr in at Gillastaðr.⁹⁴ Although he is not mentioned, one can easily imagine Sturla Bárðarson among the company of burners.

Shortly before Snorri gave his fateful advice to Þorvaldr, several men sat in Snorri's pool one evening. The discussion centered on Snorri, how there was no chieftain like him, nor any who would dare vie with him because of his married kin. With Gizurr Þorvaldsson, Kolbeinn 'the young' (*ungi*), and Þorvaldr Vatnsfirðingr among them, Snorri could rightly boast that his sons-in-law 'were no small men' (*væri eigi smámenni*).⁹⁵ We are told Sturla Bárðarson is standing watch over the pool at the time and Snorri's statement must have stung him in remembrance of his past injury. Indeed, as he leads Snorri back to the house, he takes the opportunity to take Snorri to task, interjecting a warning in verse about betrayal, drawing a parallel between Snorri and the legendary Danish king Hrólfr kraki: 'You have similar in-laws / as had aforesaid / – injustice always proves / ill – the clever king of Hleiðr'.⁹⁶

This is the last direct report we receive of Sturla Bárðarson in *Sturlunga saga*. It is plainly meant to foreshadow the dissolution of Snorri's daughters' marriages and Snorri's own assassination in 1241.⁹⁷ Yet, given his earlier disposition to bend his uncle's ear about his grievance with Þorvaldr Vatnsfirðingr, one suspects Sturla Bárðarson had a more personal motive and a particular son-in-law in mind. In the end, however, Sturla Bárðarson does not need Snorri's help. With Þorvaldr Vatnsfirðingr's fiery death, Sturla can claim revenge even if indirect and although it took some time

⁹⁰ On by-names as physical descriptors of impairments and markers of difference, but not by definition indicative of disability, see Bragg 1994, 24–25; John P. Sexton, 'Difference and Disability: On the Logic of Naming in the Icelandic Sagas', in Joshua R. Eyler ed., *Disability in the Middle Ages: Reconsiderations and Reverberations*, Ashgate: Burlington 2010, 149–63. Of particular relevance, Sexton discusses Önundur tréfótr in *Grettis saga*. Miller reads Önundur's prosthesis in terms of threat projection since he is incapable from running from a fight and hence is always ready to make a last stand; Miller 2006, 128.

⁹¹ *Ísl.* Ch. 48

⁹² *Ísl.* Ch. 51

⁹³ *Ísl.* Ch. 65

⁹⁴ *Ísl.* Ch. 67

⁹⁵ Jón Jóhannesson et al. 1946, I: 319.

⁹⁶ 'Eiguð áþekkt mægi / Orðvitr sem gat forðum / – ójafnaðr gefsk jafnan / illa – , Hleiðrar stillir', Jón Jóhannesson et al. 1946, I: 320; Kevin J. Wanner, *Snorri Sturluson and the Edda: The Conversion of Cultural Capital in Medieval Scandinavia*, University of Toronto Press: Toronto 2008, 48.

⁹⁷ Wanner 2008, 47–48.

to achieve. That year is 1228 and 15 years have passed since Þorvaldr ordered Sturla Bárðarson's foot hewn off. We are left wondering what direction Sturla Bárðarson's life takes after his uncle and protector is assassinated, but with his narrative arc complete, Sturla Bárðarson is out of the saga. It bears mentioning, though, that the cycle of violence Sturla helped perpetuate continues on.⁹⁸

Conclusion

Returning to the question posed at the outset of this article, did sensibilities in medieval Nordic society accord it better to die than to be maimed? To be sure, *Sturlunga saga* does not present us with victims who survive the grievous maimings described in *Gulapínglög's* paradigm case of having had both hands and feet hewn away. Still the sentiment expressed in 'worse off living than dead' applies even if in an attenuated form. For victims, however, the question may well be academic; they are seldom given a choice in the moment. Rather, their fates are decided for them by their tormentors. Quality of life statements, then, relate to those living afterwards with the effects of being maimed. And finding value, it seems, depends not only upon personal perspective but also upon the rank and status of the victim.

The majority of victims of maiming in *Sturlunga saga* are anonymous. Though the saga may assign them names, they appear only briefly and then only to have their limbs lopped off. Their chief importance is as victims in conflicts between those who hold the strings of power. Two exceptions are Skæringr Hróaldsson and Sturla Bárðarson and it is likely owing to their kinship with powerful chieftains that we have details about their lives. Judging from these, we can say that Skæringr Hróaldsson and Sturla Bárðarson are able to continue their lives more or less along the lines they had prior to the attacks on them. Neither does the text stigmatize their missing limbs nor are they barred entrance to or is their mobility limited within Icelandic society. Skæringr, recall, has enough property for a court of confiscation and he is clearly able to attract sexual partners. Indeed, the only hint that Skæringr's missing limb is viewed as a disability is the saga's obscure reference to his impropriety in dressing and bearing arms. Admittedly, it would be precipitous to stress results founded on two case studies. To be sure, elsewhere in Icelandic sagas and Old Norse laws, disfigurement and dishonor are closely linked. Honor, in such a schema, is not a purely conceptual and intangible construct of one's self-image projected into social space but is, rather, coalesced in one's physical form and hence gotten at through controlled expressions of violence to it.⁹⁹ The observations made here do, however, accord well with Lois Bragg's findings that in *Sturlunga saga* disfigurement is not necessarily equated with disability.¹⁰⁰ Indeed, *Sturlunga saga* provides us with examples of prominent chieftains and landholders with descriptive by-names such as Þorgils

⁹⁸ The sons of Þorvaldr Vatnsfirðingr seek revenge the next year for their father's death by going after Sturla Sighvatsson in the infamous Sauðafell raid. Sturla Sighvatsson, in turn, retaliates in 1232 against the Þorvaldssons, taking them captive and executing them.

⁹⁹ William Ian Miller, *Humiliation and Other Essays on Honor, Social Discomfort, and Violence*, Cornell University Press: Ithaca 1993, 83; Sørensen 1980, 84–86.

¹⁰⁰ Such a categorical stigma is absent, too, in Patricia Skinner's examination of early medieval chronicles and legal texts where class, status, and circumstance appear determinative in how acquired disfigurements are read; see Patricia Skinner, *Living with Disfigurement in Early Medieval Europe*, Palgrave MacMillan: New York 2017, 121–23.

skarði, Þórðr *kakali*, Skeggi *skammhöndungr*, or Halldórr *slakkafótr* who are unimpeded socially by cleft-palates, speech-impairments, withered-hands, or slack-feet.¹⁰¹

At 30 hundreds and 60 hundreds respectively, Skæringr and Sturla are able to command compensation amounts well in excess of what is prescribed in *Grágás*. Their compensation amounts, nevertheless, are in line with those reported elsewhere in *Sturlunga saga*. Though, here, too, we are faced with a dearth of information. Only six instances of maiming are reported in *Sturlunga saga* as having been compensated. While the lower end of the scale is at 10 hundreds, Sturla Bárðarson's foot at 60 hundreds is the second highest compensation amount for an injury recorded in *Sturlunga saga* – only Hafliði Másson's famous case, 240 hundreds for 3 fingers, is greater.¹⁰²

The distinction between Sturla Bárðarson and Skæringr Hróaldsson grows greater in light of their respective abilities to avenge their wrongs. Guðmundr dýri's patronage of Skæringr is a one-off event. When his troubles develop with Kolbeinn Tumason, no further kinsmen come to his aid. And, even though Skæringr's status as clergy obliges a powerful bishop to support him, when his usefulness as a proxy ends, so does Skæringr's luck. He is executed as an outlaw. His manipulation at the hands of his social betters, however, owes nothing to his disfigurement and follows, rather, the pattern in sagas where social elites routinely exploit members of lower classes as fodder in feuds.

Sturla Bárðarson, on the other hand, is more accomplished, has deeper resources, and more plentiful avengers: First his brother Pétr, and then, years later, his uncle Snorri Sturluson. Sturla takes part in forays against the enemy and does not appear to reflect on himself in any sense as disabled nor is he treated as such. Eventually, his efforts pay off and Þorvaldr is burned to death in part due to Sturla's machinations. Perhaps it is fitting that Sturla Bárðarson's last words in *Sturlunga saga* are in verse; there is an element of poetic justice. To Sturla Bárðarson, even a scaled-down form of the sentiment expressed in *Gulapingslög*, 'worse off living than dead', was a non-starter. It applied, perhaps, to those unwilling or unable to take revenge for the wrongs done to them. And such a constraint, missing foot or not, certainly did not apply to him. If anything Sturla, as a poet, may have found a greater affinity with a piece of Óðinnic wisdom found in the Eddic poem *Hávamál*, or 'Sayings of the High One': 'The [halt] man rides a horse, the handless man drives herds, / the deaf man fights and succeeds, / to be blind is better than to be burnt, / a corpse is of no use to anyone'.¹⁰³

¹⁰¹ See Bragg 1994, 24–32.

¹⁰² Comprehensive data on compensation in *Sturlunga saga* is given in Lúðvík Ingvarsson 1970, 367–70.

¹⁰³ Carolyn Larrington transl. *The Poetic Edda*, Oxford University Press: Oxford 1996, 23. 'Haltr ríðr hrossi / hjörð rekr handarvanr / daufr veqr ok dugir; / blindr er betri / en brenndr sé / nýtr manngi nás', David A. H. Evans, ed. *Hávamál* (Viking Society for Northern Research Text Series 7), Viking Society for Northern Research: London 1986, 53.

ABBREVIATIONS

Frþl.	Frostuþingslög
Gþl.	Gulaþingslög
Guð.dýr.	Guðmundar saga dýra
Hrfn.	Hrafns saga Sveinbjarnarsonar
Hkr.	Hákonar saga Hákonarsonar
Ísl.	Íslendinga saga
K	Konungsbók (Grágás)
Pr.Guð.	Prestssaga Guðmundar góða
Sk.	Skálholtsbók
St.	Staðarhólsbók (Grágás)
Stur.	Sturlu saga
Svín.	Svínfellinga saga
Þ.Haf.	Þorgils saga ok Hafliða
Þ.kak.	Þórðar saga kakali
Þ.skar.	Þórðar saga skarða

APPENDIX: Maiming in *Sturlunga saga*

	Year	Saga	Type	# of Victims
1	1117	Þ.Haf. Ch 6	Backside	1
2	1121	Þ.Haf. Ch. 26*	General	0 (Concerned had happened)
3	1182	Stur. Ch. 31	Eye	0 (1 failed attempt)
4	1198	Guð.dýr. Ch. 18*	Hand & Foot	0 (1 requested)
5	1200	Guð.dýr. Ch. 26*	Hand	1
6	1206	Ísl. Ch. 20*	Undisclosed	1
7	1208	Ísl. Ch. 21*	Undisclosed limbs	Undisclosed
8	1209	Ísl. Ch. 24*	Hands and Feet	1
9	1211	Hrfn. Ch. 19*	Foot	2
10	1214	Hrfn. Ch. 20*	Foot	1
11	1222	Ísl. Ch. 42*	Feet	2
12	1222	Ísl. Ch 44*	Castration	2
13	1226	Ísl. Ch. 59*	Foot	0 (1 threatened)
14	1228	Ísl. Ch. 69*	Foot	1
15	1228	Ísl. Ch. 69	Hand	1
16	1229	Ísl. Ch. 71	Breasts	1
17	1232	Ísl. Ch. 76	Fingers	1 (victim deceased)
18	1232	Ísl. Ch. 85*	Foot	1
19	1233	Ísl. Ch. 90*	Foot	1
20	1233	Ísl. Ch. 94	Backside	1
21	1234	Ísl. Ch. 99	Foot	1
22	1236	Ísl. Ch. 115*	Castration & Eye	1 (blinding attempt failed)
23	1238	Ísl. Ch. 131*	Foot	1
24	1242	Þ.kak. Ch. 2*	Foot	0 (1 threatened)
25	1242	Þ.kak. Ch. 10*	Hands	2
26	1243	Þ.kak. Ch. 14*	Hands	2
27	1243	Þ.kak. Ch. 15*	Feet	2
28	1243	Þ.kak. Ch. 16*	Hand	1
29	1243	Þ.kak. Ch. 18*	Hand	1
30	1243	Þ.kak. Ch. 21*	Hand	1
31	1244	Þ.kak. Ch. 23	Hand	1
32	1244	Þ.kak. Ch. 25*	Foot	1
33	1252	Svín. Ch. 11 & 12*	Hand	1
34	1252	Þ.skar. Ch. 29*	Hand	1
35	1253	Þ.skar. Ch. 32*	Foot	1
36	1254	Ísl. Ch. 177*	Hand	1
37	1254	Ísl. Ch. 177*	Eyes or Castration	0 (1 threatened)
38	1254	Ísl. Ch. 185*	Hand	1
39	1258	Þ.skar. Ch. 74*	Hand	1

*Indicates intentional (as opposed to incidental) maiming, threatened or carried out.