

Some *Þing* To Talk About: Assemblies in the *Íslendingasögur*

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THE legal, political, social and even religious functions of assembly sites in early Scandinavia have recently all been subjects of renewed scholarly attention.¹ In this article, however, I intend to explore the literary function of assemblies in *Íslendingasaga* narratives. While the *Íslendingasögur* may contribute realistic (if not literal) details that can be used to deduce socio-historical information about the kinds of activities that went on in early Iceland,² my primary purpose in this article is to examine the *þing* as a thirteenth-century literary construct. I wish to investigate what happened at the *þing* in the imagination of *Íslendingasaga* audiences and authors, how it functions in terms of plot and structure, and why, in the context of thirteenth-century saga writing, it might have been portrayed in the ways it is.

This article makes three contributions. First, it offers a detailed breakdown, by saga and scene, of common occurrences represented in *Íslendingasaga* scenes based at the Alþing, or at one of the regional *þing*-meetings.³ This information can be found in the Appendix. Table 1 presents the data statistically, so it can be

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1 See, for example, the collected essays in Barnwell and Mostert 2003 and Pantos and Semple 2004; Myrberg 2008; Smith 2009; Semple and Sanmark 2013; two special editions, Sanmark, et al. (eds), of the *Journal of the North Atlantic: Debating the Thing in the North I* (vol. 5, 2013) and *II* (vol. 8, 2015), containing selected papers from workshops organised by The Assembly Project. I am grateful to one of the anonymous reviewers for some of these references, and to both reviewers for most helpful feedback in improving this article.

2 Cf. Bagge 2001, who works on the assumption that the author and audience of *Þingabáttr* 'were familiar with and interested in legal matters and that even if the story itself was largely invented, the author would give a realistic account of contemporary legal procedure' (81).

3 The sagas do not always specify whether they are referring to the Alþing or a local *þing* at any given point, and for that reason I have not differentiated between the two in this analysis, although it is acknowledged that this passes up the opportunity to discern any nuanced portrayals of incidents taking place on the local or the national stage.

seen at a glance how frequently each element is referred to as a component of *þing*-scenes in *Íslendingasaga* narrative. There is not the space to analyse every facet of this data here, but it is hoped that it might aid further research from a number of disciplinary approaches. Second, the article offers an analysis of some of these scenes in terms of their narrative function: what sagas choose to do with *þing*-scenes, and how they advance the plot. I am interested both in trends that can be perceived across the genre, and in individual saga usage. Third, it places these findings within the thirteenth-century context of the composition of the sagas to make some suggestions about what the literary portrayal of the *þing* might be able to tell us about the issues saga authors, patrons and audiences wished to explore.

The importance of the *þing* in the *Íslendingasögur*

In a slightly underwhelming statement, Vésteinn Ólason claims that ‘the Thing is the second most important site in the saga world, if not the most important’.⁴ In fact, he tallies 805 appearances of the word ‘þing’ in its various forms in the saga corpus,⁵ a clear demonstration both of its importance to the structure of saga narrative and of its importance in the conceptual universe of the *Íslendingasögur*. Indeed, it is not difficult to appreciate why the Alþing, or the regional *þing*-meetings, made such attractive literary settings, beyond their necessity as factually-realistic locations for the playing out of certain phases in the conflicts the sagas describe.⁶ For a start, the Alþing had been at the heart of medieval Icelandic literature from the earliest vernacular writing, being a central strand to Ari Þorgilsson’s *Íslendingabók*.⁷ Ari makes the Alþing a pivotal point throughout early Icelandic history: the calendar was agreed at the Alþing, the division into Quarters was decided at the Alþing, the

4 Vésteinn Ólason 2000, 133. Vying for the title of most important site is ‘the Home’.

5 Ibid., 141 n. 12.

6 As is well known, during the period between the settlement of Iceland, ca.870-ca.930, and the country’s acceptance of Norwegian sovereignty in 1262-64, there was no head of state or official governmental infrastructure. A native system of administration was developed, operating around the relationship between a *goði* ‘chieftain’ and his *þingmenn*, householders who gave him their support. As well as the Alþing or General Assembly in which the system culminated, the primary sources (chiefly *Grágás*, particularly the *Þingskapaháttir* section, and *Íslendingabók*) envisage three annual *várþing*, ‘spring assemblies’, in each Quarter (four in the Northern), each of which were held by three *goðar* ‘chieftains’ and which had both administrative and judicial functions. There were also autumn assemblies, called *leið*, with no judicial function but where news from the Alþing was passed on. Regionally-held Quarter assemblies (*fjórðungþing*) seem to have been an early feature but were quickly replaced by their equivalents at the Alþing, the Quarter Courts (*fjórðungsdómar*). See Finsen (ed) 1852, Ia, 38-143; also e.g. Gunnar Karlsson 2005, Byock 2001, 171-83.

7 Jakob Benediktsson (ed) 1986, 1-28.

conversion to Christianity took place at the Alþing, and the Fifth Court was established at the Alþing.

In addition, and probably more importantly to *Íslendingasaga* authors and audiences, the Alþing provided the potential for all the excitement and tension of an annual gathering, lasting two weeks in high summer, where people from all over the country came together – a particularly momentous and significant occasion in Saga-Age Iceland, when the population of a land of almost 40,000 square miles numbered perhaps only 60-70,000 people.⁸ It had the pomp and circumstance of formal ceremony and official business: the lawspeaker recited the laws of the land, and the *Lögretta* ‘Law Council’ met to discuss and ratify new laws. It had the tension and drama of legal cases, when conflicts could be resolved, or antagonisms exacerbated. It had the spectacle and scandal of reputations on the line, when chieftains stood to attain honour, prestige, and power, or suffer loss, humiliation, and defeat. Moreover, on top of all this, away from the official, legal, side of proceedings, it provided an arena to meet old friends and to make new ones, to drink, to play games and tell stories, to display one’s status, to make business transactions, and to cement marriage alliances.

Cultural context and the *samtíðarsögur*

In the thirteenth century, when the composition and (or) writing down of the sagas in this study took place, however, the situation was rather more turbulent. During the years 1262-4 representatives from each of Iceland’s four Quarters agreed to accept the overlordship of the Norwegian ruler: initially Hákon Hákonarson, who had been involved in the country’s affairs since the 1220s, and after his death in 1263, his son Magnús. New laws were conveyed from Norway to Iceland: the unpopular *Járnsíða* was accepted in parts by the Alþing during 1271-3, and replaced by the more enduring *Jónsbók* in 1281. The Alþing itself became a representative body, no longer a general assembly, which functioned as a court and administrative forum. Replacing the old system of *goðar* ‘chieftains’ and *goðorð* ‘chieftaincies’ was a new system of *sýslumenn* ‘sheriffs’ who had governance of fixed *sýslur* ‘districts’.⁹ The highest position was the king’s representative, the *hirðstjóri* or *höfuðsmaðr* (high commissioner), and the old office of lawspeaker was replaced by two *lögmenn* ‘lawmen’, who chaired the *Lögretta*, now a court rather than a legislative body.¹⁰

8 Byock 2001, 55.

9 Exactly when these new positions were introduced is not clear: see Boulhosa 2005, 122-3.

10 See e.g. Jón Viðar Sigurðsson 2009, 65, Helgi Þorláksson 2005, 148-50.

Troubled circumstances in Iceland during the thirteenth century had contributed to the Alþing's acceptance of the Norwegian king as sovereign. The *goðorð* 'chieftaincy' system instituted after the settlement had begun to contract into a system where power was concentrated in the hands of a small number of leading families, each controlling (largely) geographically-fixed *ríki* 'domains'.¹¹ Hostile power struggles between these families were rife, and after 1220 chieftains increasingly looked to the Norwegian king for support, sacrificing the chieftaincies under their control and becoming retainers of the king in return.¹² These political crises are documented in the so-called *samtíðarsögur* 'contemporary sagas', texts often written by people who were witnesses to many of the events they describe. The collection of *samtíðarsögur* known as *Sturlunga saga* was put together ca.1300. Stephen Tranter's study of the motivations of the compiler of *Sturlunga saga* makes some very interesting observations on the role of the Alþing. Not only is the Alþing's power as an institution for the restoration of social harmony shown to diminish throughout the *Sturlunga* compilation, as disputes increasingly fail to be resolved there, but symbolically, its narrative importance and centrality also decrease, in inverse proportion to the growing power of the leading chieftains.¹³ Tranter observes: 'in the opening sections of *Sturlunga saga* [...] the Alþing plays a central part. As the compilation progresses, however, the Alþing gradually retreats into the background' (25). As he notes later, the Alþing is 'absolutely peripheral in the central work [*Íslendinga saga*]' (62). Violence, and the threat of it, are shown to become increasingly dominant as factors affecting the outcome of court cases, until disputes that once would have been played out at the Alþing increasingly come to take place elsewhere, particularly at the homesteads of the protagonists.

In *Sturlunga saga*, therefore, the Alþing's decreasing prominence in the narrative seems consciously to represent its decreasing prominence in Icelandic life. Yet, as Vésteinn Ólason's and my statistics demonstrate, the Alþing remains omnipresent in the *Íslendingasögur*, many of which were composed and (or) written down in broadly the same time frame as the *samtíðarsögur*. Indeed, I would suggest that references to the annual þing can be added to Vésteinn's list of temporal phrases that establish a saga's internal chronological order.¹⁴ The þing is often used to locate other events in time: *mannboð skyldi vera á Oddsstöðum einni nótt síðar, en þat var litlu fyrir vörþing* 'There was to be a feast at Oddastaðir one night later, and that was a

11 Jón Viðar Sigurðsson (2009, 60) believes this process to have started already around ca.1050.

12 Jón Viðar Sigurðsson 1999, 71-83; 2009, 60.

13 Tranter 1987.

14 Vésteinn Ólason 1998, 96.

little before the spring *þing*' (*Droplaugarsona saga* ch. 3);¹⁵ *Á inu þriðja sumri, um alþing, kom skip á Eyrum* 'Three summers later, during the Alþing, a ship came to Eyri' (*Bjarnar saga Hítðelakappa* ch. 18).¹⁶ In neither of these examples, or many others like them, does mention of a *þing* lead up to (or conclude) a scene based there; rather, the phrase is used to locate other events in time. In complete contrast to *Sturlunga saga*, in the *Íslendingasögur* the *þing* structures the rhythm of the narrative, and, it seems, the very rhythm of everyday life.

Although the *Íslendingasögur* as a group cannot be considered as a unified project in the way that *Sturlunga saga* can be seen as a compilation with a conscious agenda, there is clearly a broadly-observable generic difference in the way the Alþing is referred to in the *Íslendingasögur*.¹⁷ This difference might, of course, be partly accounted for in terms of a striving for 'realism' or plausibility, or at least adherence to 'some imaginative version of their [...] past to which the medieval Icelanders collectively subscribed', as Carol Clover puts it.¹⁸ Whatever their own experience of *þing*, the authors and audiences of the *Íslendingasögur* probably understood them to have played a prominent role in the preceding centuries. Yet it is well understood that the *Íslendingasögur* do much more than attempt a faithful recording of historical details. In this essay I will look at how the *Íslendingasögur* use the *þing* to think with.

Þing-scenes

Studies of 'scene' in the sagas have inevitably been tied up with structural and compositional issues, although the structuralist approach has largely fallen out of favour since its heyday in the 1960s and 70s.¹⁹ It is true that attempting to reduce the *Íslendingasögur* to a series of universal constituent parts risks producing a scheme either too generalised and vague to apply to individual sagas,²⁰ or too complex and scientific to be intelligible or recognisable as literary criticism,²¹ and, moreover, can become 'one-sided and [...] boring',²² and 'of little avail in identifying the distinctive artistry of individual sagas'.²³

15 Jón Jóhannesson (ed) 1950, 144. Translations throughout are my own.

16 Sigurður Nordal and Guðni Jónsson (eds) 1938, 156.

17 The way individual *Íslendingasögur* plug into wider concerns in a way that allows them to be discussed productively as a genre is exemplified by e.g. Vésteinn Ólason 2005, 112: 'the *Íslendingasögur* clearly form part of a larger project aimed precisely at creating history for the Icelanders'. Müller 2001 studies the compilation *Möðruvallabók*.

18 Clover 1985, 254.

19 A lucid and helpful overview of the structuralist approach and its history can be found in Lönnroth 2007.

20 E.g. Andersson's groundbreaking but much-criticised *The Icelandic Family Saga* (1967).

21 E.g. Danielsson 1986, discussed in Lönnroth 2007, 71-3.

22 Lönnroth 2007, 63.

23 Vésteinn Ólason 1998, 94.

Nevertheless, when not taken to extremes, the structuralist approach has proven a profitable one in identifying patterns in saga narrative, which can be used both to explore prevailing concerns in the *Íslendingasögur* in general, and as a base from which to study the treatment of these themes in individual sagas. In what follows, therefore, I wish to draw upon certain aspects of this methodology.

There has not been complete consensus on how best to discuss units of saga narrative, which has resulted in some inconsistency in the definition of the term 'scene'. For the purposes of this analysis, I have defined a *þing*-scene as an occurrence in an *Íslendingasaga* narrative of a *þing*-meeting, regardless of its length and complexity. Even if different events occurring at different times are related – for instance, the setting up of booths on the first day, the presentation of a case at court the next, and a marriage proposal on a third, I have telescoped such events into one scene, provided they are not interrupted by action set completely away from the location of the *þing*. I have further drawn on Carol Clover's concept of the 'tripartite scene',²⁴ her definition of which utilises Wayne Booth's distinction between narratorial 'showing' and 'telling'.²⁵ For Clover, then, the scene 'opens with a preface (executed in "telling" narration [...]); moves to the dramatic exchange or encounter ("showing" narration [...]); and ends with a conclusion (again in "telling" narration [...])'.²⁶ She goes on to explain that 'the weight of each scene lies in its center part, which consists of the playing out of a miniature drama'.²⁷ In most studies, the major 'ingredient' of a scene – or at least of its central part, which amounts to the same thing – has been seen as dialogue. Although they have not been given priority in structural analyses, however, scenes without direct speech can still be analysed according to the same schematic pattern;

take, for example, the small but perfectly formed *þing*-scene in *Eyrbyggja saga* (ch. 35):²⁸

24 Clover 1974, *passim*.

25 Booth 1961, 3-20.

26 Clover 1974, 59. Some scenes have more obvious opening and closing markers than others, and as long as there is a clear temporal and locational shift in the narrative to a *þing*-meeting and away from it again at the end, it has been included here. I have, however, excluded segments of narrative with only one element present, and generalisations such as [*Þorvaldr*] *bað Guðrúnar Ósvífrsdóttur á alþingi, þá er hon var fimmtán vetra gomul* 'Þorvaldr asked for the hand of Guðrún Ósvífrsdóttir at the Alþing when she was fifteen years old' (*Laxdæla saga* ch. 34, Einar Ól. Sveinsson (ed) 1934, 93), where the Alþing is used to fill in background information rather than occurring as time and the plot progress.

27 Clover 1974, 61.

28 Einar Ól. Sveinsson and Matthías Þórðarson (eds) 1935, 96-7.

[Preface:] *En um várit eptir bjó Snorri goði til vígsmálit Hauks til Þórsnessþings, en Arnkell bjó frumhlaupit til óhelgi Hauki; ok fjolmenntu mjök hvárirtveggju til þingsins* ‘During the next spring Snorri goði prepared a case for the death of Haukr to take to the Þórsnessþing, but Arnkell prepared the defence that the assault [by Haukr on Arnkell] put him outside the protection of the law; and many people from both sides went to the þing’

[Dramatic Encounter:] *ok gengu með miklu kappi at þessum málum. En þær urðu málalykðir, at Haukr varð óheilagr at frumhlaupinu, ok ónýttusk mál fyrir Snorra goða,* ‘and went at the case with great fervour. And the outcome of the case was that Haukr was declared unprotected by law because of the assault, and Snorri goði’s case was voided,’

[Conclusion:] *ok riðu við þat heim af þinginu* ‘and with that they rode home from the þing’.

As I shall explain further below, it seems to me significant that the author of *Eyrbyggja saga* decided to build this information into a complete scene at all, rather than just presenting the outcome which, in terms of plot, is the essential information. Indeed, I have found that some interesting observations can be made from the differences between þing-scenes with and without direct speech, and so have drawn this distinction for parts of my own analysis. I have termed scenes containing direct speech ‘dramatic’ scenes, and those without ‘descriptive’ scenes.

I have concentrated my study on the *Íslendingasögur* believed to date from before ca.1300,²⁹ namely those composed during or within living memory of the turbulent period leading up to the events of 1262-4, and during or after the subsequent introduction of the Norwegian-influenced laws and administrative systems.³⁰ This time period also allows for a more direct comparison with *Sturlunga saga*, compiled in ca.1300 or the very beginning of the fourteenth century from already extant texts. I have further discounted any sections of the narrative set away from Iceland – *Egils saga*, for example, may seem underrepresented, but many of its þing-scenes are set in Norway – because I wish to explore the way the *Íslendingasögur* contemplate and comment upon their own legal system and its role in their own society. The data to be studied consists of 91 scenes, 60 of which contain direct speech (‘dramatic scenes’) and 31 of which do not (‘descriptive scenes’). The Appendix shows the occurrences of common elements which may be incorporated into these scenes.

29 Dating as established by the Íslenzk fornrit editions, summarized by Vésteinn Ólason 2005, 114-15.

30 I have also excluded *Heiðarviga saga* on account of the problematic extant text of its early part.

Table 1 shows the total number of occurrences of each element, expressed as a percentage of their frequency in the two different types of scene, and by total number of appearances overall. The data has been rearranged in descending order on this basis, so that the most frequently occurring elements, and the least, can be seen at a glance, and the different types of scene can be compared and contrasted with each other. This data will be referred to, by column and row, throughout the rest of this discussion.

Column A: Dramatic scenes (including dialogue)

Row number	Rank	Component element	Subtotals	%
1	1	People ride home	41	68
2	2	People ride to <i>ping</i>	36	60
3	3	External arbitrators/mediators are present/called upon	26	43
4	=	Narrator explains terms/outcome	26	43
5	5	People go to courts/Assembly slope/Law Rock	24	40
6	6	One or both sides has large numbers of followers	23	38
7	7	Time for <i>ping</i> comes round	22	36
8	8	Procedural details mentioned	21	35
9	9	No reference to actual court cases	19	31
10	10	Opportunity for social interaction	15	25
11	11	Protagonists look for support before <i>ping</i>	13	21
12	=	Protagonists look for support at <i>ping</i>	13	21
13	=	Protagonists name witnesses	13	21
14	=	Violence breaks out	13	21
15	15	Characters formally pronounce outcome	12	20
16	=	General statement about case(s) being conducted	12	20
17	=	Case goes straight to settlement	12	20
18	18	Poetry is recited	11	18
19	19	<i>ping</i> is crowded	10	16
20	=	Protagonist challenges a duel	10	16
21	=	People set up booths	10	16
22	=	Statement about distribution of honour	10	16

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23	23	Legal quotation/formulae / reference to actual law	9	15
24	24	Marriage is transacted/'romantic' plotline advanced	7	11
25	=	Case falls through	7	11
26	26	Protagonists refuse to settle/accept terms (at least initially)	6	10
27	=	In court presentation of case/facts by characters	6	10
28	28	In court presentation of case/facts by narrator (only)	4	6
29	29	Games take place	2	3
30	=	<i>Þing</i> is uneventful	2	3

Column B: Descriptive scenes (without dialogue)

Row number	Rank	Component element	Subtotals	%
1	1	Narrator explains terms/outcome	21	68
2	2	Time for <i>þing</i> comes round	14	45
3	3	People ride home	13	42
4	4	One or both sides has large numbers of followers	11	35
5	=	General statement about case(s) being conducted	11	35
6	6	External arbitrators/mediators are present/called upon	8	26
7	7	People ride to <i>þing</i>	7	23
8	8	Violence breaks out	6	19
9	=	No reference to actual court cases	6	19
10	=	Opportunity for social interaction	6	19
11	11	Protagonists refuse to settle/accept terms (at least initially)	5	16
12	12	Statement about distribution of honour	4	13
13	13	Protagonists look for support before <i>þing</i>	3	10
14	=	Procedural details mentioned	3	10
15	15	Legal quotation/formulae / reference to actual law	2	6
16	=	Case goes straight to settlement	2	6
17	=	People set up booths	2	6
18	=	Protagonists look for support at <i>þing</i>	2	6
19	=	Protagonists name witnesses	2	6
20	=	Case falls through	2	6

21	=	Games take place	2	3
22	22	Poetry is recited	1	3
23	=	People go to courts/Assembly slope/Law Rock	1	3
24	=	<i>þing</i> is uneventful	1	3
25	25	In court presentation of case/ facts by narrator (only)	0	0
26	=	<i>þing</i> is crowded	0	0
27	=	Marriage is transacted/'romantic' plotline advanced	0	0
28	=	In court presentation of case/ facts by characters	0	0
29	=	Protagonist challenges a duel	0	0
30	=	Characters formally pronounce outcome	0	0

Column C: Totals (descriptive and dramatic scenes combined)

Row number	Rank	Component element	TOTALS	TOTAL %
1	1	People ride home	62	68
2	2	Narrator explains terms/outcome	44	48
3	3	People ride to <i>þing</i>	43	47
4	4	Time for <i>þing</i> comes round	36	40
5	5	One or both sides has large numbers of followers	34	37
6	=	External arbitrators/mediators are present/called upon	34	37
7	7	No reference to actual court cases	25	27
8	=	People go to courts/Assembly slope/Law Rock	25	27
9	9	Procedural details mentioned	24	26
10	10	General statement about case being conducted	23	25
11	11	Opportunity for social interaction	21	23
12	12	Violence breaks out	19	21
13	13	Protagonists look for support before <i>þing</i>	16	18
14	14	Protagonists look for support at <i>þing</i>	15	16
15	=	Protagonists name witnesses	15	16
16	16	Case goes straight to settlement	14	15
17	=	Statement about distribution of honour	14	15
18	18	Characters formally pronounce outcome	12	13
19	=	Poetry is recited	12	13
20	=	People set up booths	12	13
21	21	Legal quotation/formulae / reference to actual law	11	12

22	=	Protagonists refuse to settle/accept terms (at least initially)	11	12
23	23	<i>Þing</i> is crowded	10	11
24	=	Protagonist challenges a duel	10	11
25	25	Case falls through	9	10
26	26	Marriage is transacted/'romantic' plotline advanced	7	8
27	27	In court presentation of case/facts by characters	6	7
28	28	In court presentation of case/facts by narrator (only)	4	4
29	=	Games take place	4	4
30	30	<i>Þing</i> is uneventful	3	3

Table 1: Common elements in pre-1300 *Íslendingasaga* *þing*-scenes set in Iceland.

The *þing* in *Íslendingasaga* narrative

First, it is notable that the three most frequently occurring elements overall comprises one of each of the elements of the tripartite scene (Column C, rows 1-3). We have, in third place (Column C, row 3), a prefatory statement: the characters riding to the *þing*, indicating a clear spatial and temporal shift in the narrative. (Narratorial mention that the time for the *þing* coming round is also common, being the fourth most frequently occurring element (Column C, row 4); these elements often occur together – see further Appendix). The second most common element (Column C, row 2) is a dramatic encounter: the explanation of the outcome of a case by the narrator. Most frequent of all (Column C, row 1) is a concluding statement: that the characters rode home, once again signalling a change of time and place. This is, of course, to some extent conditioned by the very definition of a scene – something which has a beginning, middle, and end – but my study is not just of whether *þing*-scenes have some sort of prefatory material, some sort of dramatic encounter, and some sort of concluding device (this would be self-evident); I have discerned more specific elements, which could have been expected to affect the distribution of the constituent parts. For example, had there been an even split in prefatory material between either the characters riding to the *þing* or the time for the *þing* coming round, both would have moved down the table of frequency. However, as it is, *þing*-scenes can be seen to be extremely uniform across the sagas in their choice of prefatory and concluding material, and indeed in their most commonly occurring central encounter, which I shall discuss further below.

Opening and closing statements are usually expressed in formulaic phrases which are very close to those used in other kinds of saga scenes, as

noted by Clover:³¹ *Liðr nú fram at þingi* ‘Time moves forward now towards the þing’ (*Valla-Ljóts saga* ch. 8);³² *Liðr nú þar til, er kemr annat þing* ‘Time now passes until the next þing comes round’ (*Njáls saga* ch. 97);³³ *Þorkell reið þá til þings* ‘Þorkell then rode to the þing’ (*Droplaugarsona saga* ch. 13).³⁴ The narrator of *Njáls saga* is particularly careful about ending þing-scenes neatly with the departure of the characters – every one of the saga’s nineteen þing-scenes ends with a variant of *ok síðan ríða menn heim af þingi* ‘And then people ride home from the þing’.³⁵ The narrator may wish to add further elements to the preface and conclusion, though, which are more specific to individual þing-scenes and which aid in creating atmosphere, heightening dramatic tension, or enhancing the narrative weight of the scene. In the prefatory elements, the setting up of booths is an example which has the additional function of symbolising the marking out of territory by the participants. Booths are a way of indicating power and status, perhaps through the richness of the furnishings, and certainly through the size of the camp (e.g. *Egils saga* ch. 84; *Ljósvetninga saga* ch. 26).³⁶ In *Hrafnkels saga*, the relative positioning of Hrafnkell’s camp and Sámur’s reflects the confidence of each in their positions relative to each other in their impending lawsuit (ch. 3):³⁷

Sámur tjalðar búð yfir sínum mönnum, hvergi nær því, sem Austfirðingar eru vanir að tjalda, en nokkuru síðar kom Hrafnkell á þing. Hann tjalðar búð sína, svá sem hann var vanr, ok spurði, at Sámur var á þinginu. Honum þótti þat hlægiligt.

‘Sámur tented a booth for his men, nowhere near where the people from the East Fjords were accustomed to pitch theirs, and a while later Hrafnkell came to the þing. He tented his booth where he was accustomed to, and found out that Sámur was at the þing. He found that laughable.’

By the conclusion of the court case, Sámur’s and Hrafnkell’s positions have been reversed. It is Hrafnkell’s stay that has been temporary: he goes home immediately after his defeat. The Alþing has become Sámur’s territory, despite the peripheral location of his booth: *Sámur var á þingi ok gekk mjök uppstertr* ‘Sámur stayed at the þing and strutted about’ (ch. 10).³⁸ In a reflection of the real

31 Clover 1974, 62-3.

32 Jónas Kristjánsson (ed) 1956, 257.

33 Einar Ól. Sveinsson (ed) 1954, 242.

34 Jón Jóhannesson (ed) 1950, 175. See Appendix for further examples.

35 Einar Ól. Sveinsson (ed) 1954, 28.

36 Cf. Orri Vésteinsson 2013, which suggests that ‘By building a booth, the owners not only asserted that they were the equals, or better, of others who had built booths already, but they also underlined their commitment to the project of having an assembly’ (p. 117).

37 Jón Jóhannesson (ed) 1950, 109.

38 Ibid., 117.

life disintegration of the legal system, Hrafnkell had relied on his status and ability to command supporters and force through victory. But after a desperate search for support to prevent Hrafnkell's party from physically breaking up proceedings, Sámur's legal skill, despite his lower rank as an ordinary *bóndi* 'householder', wins out. The highlighting of Hrafnkell's arrogance at the beginning of the scene sets up the dramatic situation of his downfall and serves to emphasise his reversal of fortune, and Sámur's eloquent legal victory becomes all the more satisfactory.

There can be twists to formulaic concluding devices, too, which provide extra information or anticipate what is to come. Neat and final endings to particular episodes of the narrative, as well as definite changes of pace and setting, can be signalled: *Síðan fóru menn heim af þingi, ok var allt tíðendalaust* 'Then people went home from the þing, and nothing newsworthy occurred' (*Laxdæla saga* ch. 37);³⁹ *Reið Gunnarr heim af þingi [...] Sitr Gunnarr nú heima í sœmð sinni* 'Gunnarr rode home from the þing [...] Gunnarr remained now at home in good honour' (*Njáls saga* ch. 56);⁴⁰ *Nú ríða menn heim af þingi [...] ok er kyrrt allt í heraðinu* 'Now people ride home from the þing [...] and all is quiet in the district' (*Víga-Glúms saga* ch. 25).⁴¹ *Íslendingasaga* examples such as these demonstrate that the Alþing has brought about a successful resolution of a dispute, or at least an end to that particular stage in the feud (again, largely in contrast to *Sturlunga saga*, particularly its later texts). However, with slight variation, such phrases can also be used to hint at the temporary nature of many 'resolutions', and forewarn the audience of trouble still to come: *Fara menn nú heim af þingi, ok var nú kyrrt um hríð* 'People went home from the þing, and it was now quiet for a while' (*Vápnfirðinga saga* ch. 10; my emphasis).⁴² Þing-scenes thus mark definite stages of the narrative, again an indicator of its perceived importance in the functioning of society – though cracks can be seen to appear, as I will return to later on.

On the whole, the key part of any scene is the central encounter:⁴³ this carries the narrative weight and moves the plot along, and is usually less formulaic than openings and closings. As can be seen in Table 1 (Column C, row 2), the most frequently occurring central element is an explanation of the outcome of a case by the narrator, being found in almost half (48%) of all þing-scenes. Conveying the outcome of a case is, unsurprisingly, a typical reason for the utilisation of a þing-scene at all, and 'descriptive' scenes, those without

39 Einar Ól. Sveinsson (ed) 1934, 103.

40 Einar Ól. Sveinsson (ed) 1954, 145-6.

41 Jónas Kristjánsson (ed) 1956, 85. See also e.g. *Droplaugarsona saga* ch. 4, *Eyrbyggja saga* ch. 31, *Njáls saga* ch. 74.

42 Jónas Kristjánsson (ed) 1956, 45.

43 Cf. Clover 1974, 61-2.

'showing' narration and which consequently tend to be more compressed, are particularly appropriate when the narrator wishes to convey the basic facts of a particular stage in a conflict narrative relatively briefly, and move on to the next stage in the action.⁴⁴ It is unsurprising, therefore, that this element occurs in 68% of 'descriptive' scenes (Column B, row 1). What is perhaps more interesting is the fact that information on the outcome of cases is relatively often built up into a full 'scene' at all, as in the example from *Eyrbyggja saga* ch. 35 quoted in the previous section. The same information, particularly when contained in a narratorial summary, could equally have been stated as the result in a descriptive passage at the end of another scene, perhaps a conflict scene. Yet *Íslendingasaga* narrators seem to have felt the need to mark *þing* as definite stages of the narrative and of the conflict they are describing – to shift the location of the narrative to the *þing*, and away from it again – even if they found no need to dwell on the particulars of the meeting by using 'showing' narration. This tendency emphasises the role of the *þing* and heightens its prominence in the saga.

Given this prominence, however, perhaps one of the more surprising findings from my data is how few detailed legal dealings or actual court cases are shown to take place at the *þing*. In 27% of all the *þing*-scenes in my corpus (Column C, row 7) – rising as high as 32%, or essentially a third, of 'dramatic' scenes (Column A, row 9) – there is no reference whatsoever to actual court cases taking place at the *þing* at which the scene is set. One reason for this seems to be that, as I highlighted at the beginning of this essay, the social aspect of *þing*-meetings meant they could be a location for many other interesting events than just the legal. Social interaction away from the legal sphere is featured in almost a quarter of all *þing*-scenes (Column C, row 11), with marriage transactions occurring in a further 8% (Column C, row 27). Interestingly, marriage transactions never take place in 'descriptive' *þing*-scenes (Column B, row 27) but are always considered worth showing in more dramatic detail (Column A, row 24). *Laxdæla saga* draws on the social aspect of the *þing* particularly strikingly. There are eight *þing*-scenes in the saga, and seven of them make no reference at all to court cases. Instead, Óláfr and Þorgerðr get betrothed there (ch. 23), business is transacted there (ch. 37), and while Óláfr does make a grand and eloquent speech at *Lögberg*, it is in order to invite people to a feast at his home (ch. 27). In one of *Laxdæla saga*'s Alþing scenes, an account of a portentous talking (in fact skaldic-versifying) cloak is described in detail, but when the incident it forebodes is carried out, and Þorgils decapitates Auðgísl, the narrator refers the audience who might wish

44 E.g. *Bjarnar saga Hítðlakappa* chs. 16, 17; *Droplaugarsona saga* ch. 5; *Fljótsdæla saga* ch. 2; *Njáls saga* ch. 97.

to know the details of the subsequent legal proceedings to another source: *Sæzk var á víg þessi, sem í sögu Þorgils Höllusonar segir* ‘A settlement was made regarding this killing, as it says in the saga of Þorgils Hölluson’ (ch. 67).⁴⁵ Only the aftermath of the killing of Kjartan, namely the outlawings of the Osvifssons, merits legal action set at a *þing* – but even this is a brief ‘descriptive’ scene, rather than an elaborated ‘dramatic’ one (ch. 51). *Laxdæla saga*’s concerns are rarely with legal matters.⁴⁶ Yet the prominence of the Alþing in the saga suggests the author feels the *þing* is anyway important to a good story, and it is emphasised as a key arena for ‘positive social interaction’.⁴⁷

Even where *þing*-scenes acknowledge the existence of legal matters, however, detail is surprisingly scarce. The presentation of the facts of a case before the court by either the characters or the narrator – and in these categories I have tended to err on the side of overinclusion to any reference to even some of the most basic facts – occurs in only 11% of *þing*-scenes overall (Table 1, Column C, rows 27-28), and I have not found a single instance of a descriptive scene set in a convened court where the facts are presented by the narrator (Column B, row 25).⁴⁸ In only ten scenes of the 91 in my study do we get detailed description of a court case in action. The use of legal jargon occurs in only 12% of *þing*-scenes overall (Column C, row 21). Even reference to procedural details occurs in just over a quarter of all *þing*-scenes (26%; see Column C, row 9). Further, all these statistics are heavily weighted by *Njáls saga*, famous as ‘the legal saga *par excellence*’ on account of its profusion of legal detail, abundant quotation of law, plethora of superlative lawyers,⁴⁹ and the notoriously dense legal jargon, spanning several pages, in the major court scene after the burning of Njáll. Five of the ten scenes that present facts of a case in-court, five of the eleven scenes that quote legal formulae or actual laws, and nine of the twenty-four scenes which refer to procedural processes, are to be found in *Njáls saga*. Interestingly, these are all ‘dramatic’ scenes: the narrator is careful to show how the law plays out in the hands of the characters. Yet, it seems that, however much the author of *Njáls saga* might have liked it to be otherwise, many *Íslendingasaga* audiences were just not particularly interested in courtroom drama.

Instead of dramatisations or detailed descriptions of legal cases, then, some scenes make summary references to cases being conducted, such as in

45 Einar Ól. Sveinsson (ed) 1934, 199.

46 I have discussed *Laxdæla saga*’s apparent aversion to legal detail in Burrows 2009, 47-53.

47 Vésteinn Ólason 2000, 131.

48 If the facts were presented by the characters the scene would become a ‘dramatic’ one, cf. Column A, row 27.

49 Jesch 1992, 68. Vésteinn Ólason 2000, 134 also notes that ‘no saga refers to Things as often as *Njáls saga*’.

Eyrbyggja saga (ch. 27): *Lauk svá þinginu, at þar var sæzk á öll mál* ‘The þing came to a close thus, that there were settlements in all the cases’.⁵⁰ In others, though, the cases go straight to arbitration, taking place outside the courtroom. It is perhaps pertinent in this context to recall Andreas Heusler’s famous statistics on dispute processing, although his data was not restricted to þing-scenes: he counted 520 disputes in the *Íslendingasögur*, 297 of which resulted in blood vengeance, 104 went straight to arbitration, and 119 had recourse to law; of the latter, 60 cases went to out-of-court arbitration and 9 went unresolved, with only 50 actually being settled through law.⁵¹

William Ian Miller notes that *Sturlunga saga* ‘confirms’ these ratios of dispute processing.⁵² The *Íslendingasögur* as a genre thus, in this instance at least, do seem to reflect a situation more akin to the thirteenth century rather than an imagined ‘different’ past, even when accounting for the fact that tales of unresolved conflict undoubtedly make for a better story,⁵³ and have even been seen as the ‘stuff’ of the sagas.⁵⁴ Yet, while the *Íslendingasögur* and *Sturlunga saga* may represent similar processes and preferences of dispute resolution, and even similar proportions of failures of the law and legal process, the presence of þing in the texts is vastly different. In the following section I shall focus on incidents of violent conflict and of resolution to investigate why this might be the case.

Conflict and resolution

My study confirms that unrest and violence are certainly prominent in *Íslendingasaga* þing-scenes. A statement that one or both of the parties had a large number of followers figures highly in the list of most frequently-occurring elements (37% of þing-scenes overall, see Table 1, Column C, row 5).⁵⁵ As is often stated, in practice physical power often seems to have been a more important factor in legal success than knowledge of the law. The aforementioned Sámr Bjarnarson of *Hrafnkels saga*, an ordinary if *lögkænn* ‘able in law’ householder, knows he has a better case and greater skill in law than his opponent Hrafnkell, but knows equally that he cannot proceed without first gaining *liðsinnis ok afla höfðingja* ‘the support and strength of chieftains’

50 Einar Ól. Sveinsson and Matthías Þórðarson (eds) 1935, 70.

51 Heusler 1911, 40-1.

52 Miller 1990, 236.

53 Ibid.

54 Andersson 1967, 4-5.

55 Although detailed pre-Alþing support-gathering segments fall outside the focus of this paper, Miller notes that ‘the saga writers were especially interested in the support gathering process and devoted some of their better performances to descriptions of it’ (Miller 1990, 242).

(ch. 4).⁵⁶ In *Droplaugarsona saga*, it is explicitly stated that Helgi Droplaugarson is able to insist on self-judgement because his opponents *hafði ekki lið til at ónýta mál fyrir þeim* ‘did not have the support to quash his case’ (ch. 5).⁵⁷ Although we may expect that referring to large groups of followers may be a hint from the saga narrator of impending violence (which of course it is in some instances), it is often, as is suggested by its frequency of occurrence, little more than a conventional component of *þing*-scenes, and can be included among the sort of information to which Lönnroth suggests ‘the audience is not supposed to pay any particular attention’.⁵⁸ The very fact that it is a stock, formulaic phrase in *Íslendingasaga* *þing*-scenes – especially when coupled with the parallel absence of court scenes already discussed – is itself a significant indicator that authors and audiences took it for granted that the legal details were often irrelevant; what mattered most was the relative strength or weakness of the opposing sides. The problems inherent in the legal and administrative system are clear to see.

Excluding legal duels, that more than one in five (21%) of all *þing*-scenes include some form of actual physical violence (Table 1, Column C, row 12) may seem alarmingly high, even forewarned by Heusler’s statistics. It should be remembered, though, that such scenes are likely to be disproportionately represented in the sagas. *Þing*-meetings where nothing out-of-the-ordinary happens are unmemorable and do not make for particularly interesting stories, as may be acknowledged within the narration itself: *Um kveldit fóru dómur út, ok er ekki getit, at þar yrði til tíðenda* ‘In the evening the courts went out, but it is not mentioned that anything newsworthy happened’ (*Egils saga* ch. 81).⁵⁹ (It does, however, then become all the more poignant when the narrator of *Njáls saga*, for example, notes for one year that, *Þingit er kyrrt* ‘The *þing* was quiet’ (ch. 48), as if this in itself has become worthy of note.⁶⁰) The threat of violence is in fact more common than the actuality, expressed not only in the gathering of supporters but in the aggressive speech and behaviour of the opposing parties. Just as aggrieved parties in the thirteenth century found recourse to law increasingly futile, a growing frustration with the inadequacy of legal solutions can be seen in *Íslendingasaga* litigants. It has often been remarked upon that despite *Njáls saga*’s fascination for the law, it contains not a single dispute which is satisfactorily resolved by legal means.⁶¹ This is explicitly noted in the saga: *engi kæmi sínu máli fram, þótt til þinga væri stefnt*,

56 Jón Jóhannesson (ed) 1950, 100, 112.

57 Ibid., 150. See also e.g. *Ljósvetninga saga* ch. 4, *Víga-Glúms saga* ch. 24, etc.

58 Lönnroth 1976, 46.

59 Sigurður Nordal (ed) 1933, 286.

60 Einar Ól. Sveinsson (ed) 1954, 122.

61 E.g. Ordower 1991, 51.

- "ok vilju vér heldr," segja þeir, "heimta með oddi ok eggju" 'No-one could move their cases forward, although they were summoned before the þing, "and we wish rather," they said, "to make our claims with point and edge" [i.e. by force]' (ch. 97).⁶² Elsewhere in *Njáls saga*, Skarpheðinn makes the same point by punning grimly on the word 'þing': *vér ætlum ekki at sækja þetta nema á vápnþingi* 'We don't intend to prosecute for this, except in an assembly of weapons' (ch. 91).⁶³

The reason violence is prevented from breaking out more often, then, is the presence at the Alþing of an interested community wishing to maintain peace, and of individuals or groups prepared to make peacekeeping interventions.⁶⁴ The presence of arbitrators is actually the third most popular element in 'dramatic' þing-scenes, occurring in 43% of these (Column B, row 3).⁶⁵ And this factor provides the most marked difference between þing-scenes presented in the *Íslendingasögur* and those in *Sturlunga saga*. In the latter, the cases are often brought exclusively by a small group of the most powerful factions, either on their own behalf or on behalf of their þingmenn. There are, therefore, increasingly only three likely outcomes: first, that one group is so powerful there is no point anyone else contesting anything, and they get all their own way; second, that both groups have such large forces that an impasse is reached and nothing is satisfactorily resolved; and third, that the participants forgo the þing entirely as there has become more advantage in not bringing the cases to court at all in favour of carrying out the feud at a time and place of their own choosing. In the end the Alþing becomes completely devalued because individuals have become too powerful to submit to its judgements. People need not even bother to break up the courts with violence when a legal sentence means nothing without the means to enforce it.⁶⁶

In *Sturlunga saga* Jón Loftsson, who died in 1197, is the last of the men able

62 Einar Ól. Sveinsson (ed) 1954, 242.

63 Ibid., 229. The legal term *vápnþing* could refer to an inspection of weapons, but Skarpheðinn seems to be using the word almost like a battle-kenning; cf. e.g. Egill Skallagrímsson's *lausavísa* 11 (Finnur Jónsson (ed) 1912-15, BI, 45) and similar examples in Meissner 1921, 193-4. Cf. Fritzner 1883-96: *vápnþing*.

64 The *Þingskapaþáttur* 'Assembly Procedures section' of *Grágás* acknowledges the validity of arbitration, in which a delegated person or persons decided a settlement which both parties agreed in advance to adhere to, and makes legal provision for it (Finsen (ed) 1852, Ia 108-11, 174; Ib, 189-92). See also Jón Viðar Sigurðsson 2013, 127. Miller (1990, 261) observes that certain of the limits *Grágás* places on the arbitration process are nowhere apparent in the sagas.

65 Miller (1990, 261-2) notes that 'our knowledge of Icelandic arbitration comes almost entirely from the sagas', though finds 'little reason to distrust' their ratio of more than three arbitrated outcomes to every one adjudicated outcome. Jón Viðar Sigurðsson (2013, 124) describes arbitration as 'effective and significant in the Free State society'.

66 Tranter 1987, 131, 194.

to use their own personal power to maintain some level of peace and stability.⁶⁷ However, many troublesome *Íslendingasaga* lawsuits, even those involving large-scale violence, are resolved through the intervention of *góðgjarnir menn* ‘well-intentioned men’, peacemakers who act not on their own behalf but for the overall good of the community.⁶⁸ Most famous, perhaps, is Hallr of Síða in the battle which destroys the court case after the burning of Njáll – he forgoes his own right to compensation in order to achieve a resolution (ch. 145). In such examples, no individual has great enough power to override the majority desire for peace.

Discussion

It has been suggested that *Njáls saga* in particular exposes the problems of the legal system in order to critique ‘the society [...] that has permitted its judicial system to disintegrate’ and to plead for reform.⁶⁹ Since *Njáls saga* can confidently be dated to ca.1275-85, ‘reform’ was clearly already under way, but the theory that the sagas deliberately highlight the failings of the legal system holds. The lack of legal activity I have found depicted in *Íslendingasaga þing*-scenes, coupled with the portrayal of overbearing chieftains such as Hrafnkell and the looming presence of supporters ready to be pressed into violent action, shows up the impotence of the legal system. This indeed could amount to a somewhat nostalgic ‘bemoaning’ of the loss of a (perceived) earlier state of affairs, a legal dream, in which things could have turned out differently.⁷⁰ It may also reveal a desire to explore and understand the roots of the problems and changes apparent in the thirteenth century: here the cracks were already beginning to show, this is where the precedents were set.

The legal system is not quite synonymous with the Alþing, however, and whatever the failings of the former my study reveals that the *þing* itself is still a central and vital presence in the *Íslendingasögur*, a setting for ‘positive social interaction’.⁷¹ If there were purely a desire to demonstrate the unworkability of the law and the court system by highlighting the failure of the *þing* as an arena for resolution there was, as we have seen, an alternative: to downplay its role, as happens in the later sagas of the *Sturlunga* compilation. Yet *Íslendingasaga*

67 Ibid., 124-5, 157.

68 Cf. Miller 1990, 264-5. Jesch (1992) highlights *Njáls saga*’s idiosyncratic and frequent usage of *góðir menn* ‘good men’, whose participation in settlements is emphasised there as important. Jesch argues that the phrase as used in *Njáls saga* carries specifically Christian connotations of ‘goodness’.

69 Ordower 1991, 52-3.

70 Ibid., 52.

71 Vésteinn Ólason 2000, 131.

authors and patrons faced with the descent into lawlessness of their own society, and the consequences of those problems, did not, like the authors of *Sturlunga saga*, relegate the *þing* to a passive, background role, but brought it to the fore.

On the one hand, the Alþing's role as a social hub may be highlighted, as in *Laxdæla saga*: even if it does not directly place the role of law under a microscope, the saga emphasises that the Alþing had an important role to play in keeping the foundations of society whole. On the other hand, narrators may choose to demonstrate the problems caused when chieftains attempted to throw their weight around at the *þing*, and to detail the threat or actuality of violence; but they also exemplify how such issues could be resolved through a communal desire for peace. *Íslendingasaga* *þing*-scenes contain illustrations of settlement, resolution and reconciliation, and people who see beyond what they can gain for themselves and are prepared to take action on behalf of the community. Rather than being an impotent, redundant relic, the *þing* in the *Íslendingasögur* can be a vibrant, lively, essential part of the fabric of the narrative, and of the society depicted within.

The difficulties of dating the sagas precisely means it is hard to be sure about the developments in the political situation at the time each was composed. Why individual sagas might portray the past in the way they do, and how they are 'useful' to their present, are complex and nuanced questions.⁷² Moreover, to reduce *Íslendingasaga* narratives to the status of extended comments on the contemporary political climate is to ignore much of their complexity, not to mention other factors also influencing their composition.⁷³ It is also important to remember that, as I noted at the start of this article, the *þing* was potentially an attractive literary setting for a variety of reasons. Sometimes it functions in plotlines that have little to do with law or conflict. I do not then, of course, wish to suggest that every representation of the *þing* in the *Íslendingasögur* was somehow directly a comment on contemporary events. Nonetheless, it is possible to observe some trends across the genre with respect to the way the *þing* is portrayed, and there are some interesting speculations to be made on underlying factors that may have influenced these constructs. Aside from, simply, a (perceived) understanding that the law/legal system/*þing* were more important in the past, there are a number of different ways, not necessarily mutually exclusive, in which the prominence of the *þing* in *Íslendingasaga* narrative can be interpreted that relate to the circumstances of the thirteenth century.

1.) In the earlier part of the thirteenth century, between ca.1220-62, there

72 See Whaley 2000.

73 For further discussion see e.g. Vésteinn Ólason 2005 and references therein.

may have been a desire to emphasise the *þing* in its old, more or less workable form as a model to be returned to. Even if settlement through law seems too much of a pipe dream, the *þing* in the *Íslendingasögur* remains an arena for the presence of mediators and arbitrators and for community action. Jón Viðar Sigurðsson has recently shown that although arbitration was rendered 'more or less obsolete' after the introduction of Norwegian administration, it continued to be perceived as an 'effective and beneficial' method of dispute resolution.⁷⁴ The lack of a 'body of good men within the land [prepared] to act as mediators' and the negative consequences of this are seen by Tranter as central to the cautionary message he reads in *Sturlunga saga*.⁷⁵ Arbitrators were generally 'at least as powerful as or more influential than the parties involved',⁷⁶ but eventually the most powerful were more interested in their own gains than keeping the peace. It is this attitude that is criticised in both *Sturlunga saga* and the *Íslendingasögur*. Even when arbitrators no longer had a key legal role in dispute settlement, the principles they represented would have been seen as vital and worth foregrounding.⁷⁷

2.) With the changing of the guard in and after 1262-4 there was perhaps a heightened desire to preserve a cultural memory of the old ways.⁷⁸ It is often argued that the *Íslendingasögur* contribute to a wider interest in the building of an Icelandic identity and 'national' history, perhaps especially in the face of Norwegian intervention.⁷⁹ The Alþing pre-1264 was a uniquely Icelandic institution which would not again have the same form or function. There were things (and *þing*) to be celebrated; missed, perhaps, but above all remembered as part of the country's history.⁸⁰

3.) Highlighting the difference between the present (or very recent past) and the more distant past perhaps also showed up the need for change, and justified it. Things (and *þing*) were once better, and highlighting that, creating 'an awareness of the present as qualitatively and increasingly different from the past' and how big the gap between them had become,⁸¹ could suggest a need for reform. It should not be forgotten that although romantic and nationalistic notions of independence and modern conceptions of statehood might lead to the assumption that the interventions of King Hákon and King Magnús were

74 Jón Viðar Sigurðsson 2013, 133.

75 Tranter 1987, 221.

76 Jón Viðar Sigurðsson 2013, 127.

77 Cf. Helgi Þorláksson 2005, 150.

78 See Glauser 2000.

79 Ibid., Whaley 2000, Vésteinn Ólason 2005, 112.

80 Vésteinn Ólason 2005, 112.

81 Ibid., 111.

unanimously resented, for some it must have been at least double-edged.⁸² The civil unrest in Iceland in the second half of the thirteenth century had reached the point where outside intervention had arguably become necessary.⁸³ And many high-status people – those with the resources to patronise literary activity – had something to gain in the new administration.⁸⁴ Despite initial discontent with or resistance to the new laws from some parties,⁸⁵ with their introduction Iceland returned to a state of having one set of laws which everyone adhered to. The seemingly timeless principle articulated by Njáll, *með lögum skal land vart byggja, en með ólögum eyða* ‘with laws shall our land be built, but with lawlessness laid waste’,⁸⁶ is actually to be found in *Járnsíða*.⁸⁷ Old principles and new could be shown to align, and to once again be something to aspire to. And after all, when Njáll observes *hlýðir þat hvergi at hafa eigi lög í landi* ‘it will never do to have no law in the land’, he is proposing substantial reform in the face of violence taking precedence over law: in that case, the institution of the Fifth Court (*Njáls saga* ch. 97).⁸⁸ Revisions to the legal system could be necessary, and could be positive. Perhaps there was even a desire to restore faith in the Alþing and a hope that, even in its changed new role, it could once again be a positive force in uniting and keeping the peace in Icelandic society. As Tranter points out, ‘a renewal had taken place [...] their Alþing, previously the tool of the great chieftains, disregarded at will, had been re-established as the embodiment of a valid code of Icelandic law’.⁸⁹

Conclusions

There is much to be gained from a detailed investigation of the portrayal of the *þing* in the *Íslendingasögur*. As well as providing a detailed breakdown of

82 Helgi Þorláksson (1993, 615-16), for instance, notes that it is not clear that ‘modern notions of self-determination’ existed in mid-thirteenth-century Iceland, and that some Icelanders may even ‘have found it unnatural not to be subject to a king’. See also Ármann Jakobsson 1995, 179.

83 Jón Viðar Sigurðsson 1999, 71-83.

84 Sturla Þórðarson, for example, is widely accepted as the author of *Íslendinga saga*, the central text of the *Sturlunga* compilation, is the likely author of a version of *Landnámabók* (*Sturlubók*), and is often associated with the production of certain *Íslendingasögur* (Ciklamini 1993, Megaard 2009). However, he also wrote *Hákonar saga Hákonarsonar* (including skaldic praise-poetry for Hákon) as a commission in 1264 or 1265, was involved in the preparation of the Norwegian administration’s new laws for Iceland, and it was he who conveyed the new law-book *Járnsíða* to Iceland, also becoming the country’s first royally-appointed *Lögmaðr* (Ciklamini 1993).

85 See e.g. Tranter 1987, 232, Wærdahl 2011, 123-8.

86 *Njáls saga* ch. 70, Einar Ól. Sveinsson (ed) 1954, 172.

87 Einar Ól. Sveinsson 1954, lxxviii-lxxxi. A very similar phrase is also used in the *Frostatingsloven* of King Hákon, ed. Keyser and Munch 1846, 128.

88 Einar Ól. Sveinsson (ed) 1954, 242.

89 Tranter 1987, 228-9.

þing-scenes in the pre-1300 *Íslendingasögur*, I have shown some of the ways in which they work within the structure of the narratives. This analysis revealed their prominent and multifaceted role in saga narrative. By comparison to the diminished presence of the Alþing in *Sturlunga saga* and by putting the *Íslendingasögur* in the thirteenth-century context of their composition, it is possible to suggest that the *Íslendingasögur* may give such a prominent and positive role to the þing at least partly in order to express a desire for a return to the values around which it was understood to have worked in times past, and, in the aftermath of the events of 1262-4, to negotiate the consequent changes to the legal system.

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Appendix: Common elements in *þing*-scenes in the pre-1300 *Íslendingasögur* (scene-by-scene)

Elements are arranged as far as possible in chronological order of progression through scene; naturally, however, this differs scene-to-scene.

I: Dramatic scenes (continued)

	%
	37
Subtotals	22
<i>Borsteins saga Síðu-Hallssonar</i> ch. 3	✓
<i>Víga-Glúms saga</i> ch. 27	13
<i>Víga-Glúms saga</i> ch. 25-26	22
<i>Víga-Glúms saga</i> ch. 24-25	✓
<i>Víga-Glúms saga</i> ch. 14	36
<i>Víga-Glúms saga</i> ch. 9	60
<i>Vatnsdæla saga</i> ch. 32	10
<i>Vápnfirðinga saga</i> ch. 10	17
<i>Valla-Ljótis saga</i> chs. 8-9	10
<i>Valla-Ljótis saga</i> chs. 4-5	17
<i>Njáls saga</i> chs. 134-145	✓
<i>Njáls saga</i> chs. 116-124	✓
<i>Njáls saga</i> ch. 106	6
<i>Njáls saga</i> chs. 104-105	10
<i>Njáls saga</i> ch. 97	✓
<i>Njáls saga</i> chs. 73-74	✓
<i>Njáls saga</i> ch. 70	3
<i>Njáls saga</i> chs. 64-66	✓
<i>Njáls saga</i> ch. 60	23
<i>Njáls saga</i> chs. 55-56	38
<i>Njáls saga</i> chs. 50-51	✓
<i>Njáls saga</i> ch. 33	13
<i>Njáls saga</i> chs. 23-24	22
<i>Njáls saga</i> ch. 8	✓
<i>Njáls saga</i> ch. 7	✓
<i>Njáls saga</i> ch. 6	✓
<i>Njáls saga</i> ch. 2	✓
Time for <i>þing</i> comes round	2
Protagonists look for support before <i>þing</i>	3
People ride to <i>þing</i>	23
People set up booths	38
<i>Þing</i> is crowded	22
<i>Þing</i> is uneventful	40
One or both sides has large numbers of followers	10
Protagonists look for support at <i>þing</i>	17
People go to courts / Assembly slope / Law Rock	10
General statement about case(s) being conducted	17
In court presentation of case / facts by characters	6
In court presentation of case / facts by narrator (only)	10
Legal quotation / formulae / reference to actual law	10
Procedural details mentioned	6
Protagonists name witnesses	10
Protagonists refuse to settle / accept terms (at least initially)	13
External arbitrators / mediators are present / called upon	21
Case goes straight to settlement	35
Case falls through	22
No reference to actual cases	6
Protagonist challenges a dítel	10
Violence breaks out	19
Characters formally pronounce outcome	32
Narrator explains terms / outcome	10
Statement about distribution of honour	22
Poetry is recited	12
Games take place	7
Marriage is transacted / 'romantic' plotline advanced	12
Opportunity for social interaction	20
People ride home	20
	38
	17
	11
	18
	2
	3
	7
	12
	15
	25
	41
	68

II: Descriptive scenes

	TOTALS %	40	36	45	%
	ALLTOTALS	18	16	10	3
		18	3	10	45
		47	23	7	18
		13	6	2	12
		11	0	0	10
		11	3	1	3
		37	34	11	35
		16	6	2	15
		27	25	1	3
		25	23	11	35
		7	0	0	0
		7	0	0	0
Time for þing comes round					
Protagonists look for support before þing					
People ride to þing					
People set up booths					
Þing is crowded					
Þing is uneventful					
One or both sides has large numbers of followers					
Protagonists look for support at þing					
People go to courts / Assembly slope / Law Rock					
General statement about case(s) being conducted					
In court presentation of case / facts by characters					
In court presentation of case / facts by narrator (only)					
Legal quotation / formulae / reference to actual law					
Procedural details mentioned					
Protagonists name witnesses					
Protagonists refuse to settle / accept terms (at least initially)					
External arbitrators / mediators are present / called upon					
Case goes straight to settlement					
Case falls through					
No reference to actual cases					
Protagonist challenges a dteil					
Violence breaks out					
Characters formally pronounce outcome					
Narrator explains terms / outcome					
Statement about distribution of honour					
Poetry is recited					
Games take place					
Marriage is transacted / 'romantic' plotline advanced					
Opportunity for social interaction					
People ride home					