

## MANUMISSION RITUAL IN OLD WEST SCANDINAVIAN LAW

John Lindow

University of California at Berkeley

Among the many purposes for which people use rituals is the marking of changes of status of individuals. Arnold van Gennep called such rituals *rites of passage*, because they mark the passage from one status to another, and he sketched a still useful paradigm of their constituent elements: rites of separation of the initiate, marginal or liminal rites (those marking the individual's intermediate and hence ambiguous location between the former and the new status), and rites of aggregation or reincorporation (van Gennep 1960). Although most work in this area has stressed the life crises accompanying the biological aspects of human life—birth, adulthood, marriage, and death—, van Gennep also applied his analysis to rituals accompanying the passage of time, and the theory, especially as it exposes the dangerous liminal state into and out of which initiates travel in rites of passage, has proved so powerful that it has been fruitfully expanded to many kinds of ritual and also to groups, historical movements, and so forth (Turner 1967, 1968, 1969).

Manumission involves changing an individual's status with respect to the most fundamental structural opposition obtaining throughout medieval Europe, that separating unfree from free (Hastrup 1985: 107-08; but see Kopytoff 1982 for salient remarks on the relativity of these terms). As such it ought to have been marked off with ritual throughout medieval Europe, as indeed it was (Karras 1988: 130). The problem was both real and, later, theoretical: real when there still were slaves whose passages had to be marked, theoretical after slavery had ceased to exist in reality but was still a part of historical consciousness: how could one reconcile the owning of slaves on the part of one's ancestors with a contemporary slaveless society and with Christianity (Bloch 1975, Dockès 1982: 145-49)?

The problem was also complex, for in practice varying degrees of unfreedom and freedom obtained throughout medieval Scandinavia (Kristensen 1988, more generally Palme 1947). Slaves themselves were a varied lot, as the general studies show (e.g., Skyum-Nielsen for Denmark, Williams 1937, Foote 1977, and Wilde-Stockmeyer 1978 for Iceland, Gjessing 1862, Krag 1982, and Iversen 1983, 1985 for Norway, Nevéus 1974 for Sweden, and Eriksen 1861-62, Herdal 1967 and Karras 1988 for Scandinavia taken together), and some had aspects of freedom, while many of the structurally free class had limitations on their freedom shared with the unfree. The oft-cited terminological inconsistency (*frjálsgjafi* as the giver of freedom in Icelandic law and its receiver in Norwegian, and the unclear semantic distinction between *frjálsgjafi* and *leysingi*; see, most recently, Karras 1988: 129-30) may be read as a symptom of the murky status of those in the middle, neither absolutely unfree nor absolutely free. These are the liminal characters, creatures "betwixt and between," puzzling, perhaps even threatening and dangerous. Many people must have lived forever in this dim zone, but the lawmakers apparently saw the need for clarification, or so we might explain the existence of manumission ritual in the laws. Although in practice such ritual actually might just make a freeman out of a freedman and still leave him with obligations toward his former master, on its own terms it reduces the situation to and thus restores theoretically for a moment in time the basic unfree-free dichotomy. At the same time it explores other dichotomies involving group identity, as we shall see.

The Norwegian provisions are as follows.

Ef maðr gefr þræle frælsi

Nu leiðir maðr sinn til kirkiu. æða a kistu setr. oc gefr frælsi. Nu ef hann gefr skattalaust oc skullda. þa þarf sa eigi at gefa frælsis ol sitt. ne engi sa maðr er frials feltr a iorð. þa scal hann raða kaupum sinum oc kvánfongum. þo scal hann vera i þyrmslum við skapdrotten sinn. sva sem hinn er verð reiðir. Nu gefr maðr þræli sinum þeim frælsi er verð reiðir eða ambotto. frials er hverr er frælsi er gevet. ef sa gefr er geva a. Nu ferr þræll frials mannz forom xx vetr. eða xx vetra lengr. oc illir engi maðr farar hans. ne kaup hans. ne kvánfong. hvárt sem hann ferr er frælsi gevet en hann have iii netr hinar helgu. oc fœdr upp síðan skulldlaus. Nu reiðir þræll æða ambott verðaura sina. þa scal þau til kirkiu fœra oc leggja boc a hofud þeim. oc geva frælsi. Nu scal hann þar vinna vii manaðr firi skapdrotne sinum. En ef hanom er sva frælsi gevet at efter stendr halvt verð hans. æða meira. þa þo at hann sœke með hoggum er efter stendr þar a ecki konongr a.

## Um frelsis gíof

Nu vill leysingi raða kaupum sínum. oc kvánfongum. Pa skal hann gera frelsis ól sitt. Priggia salda ól hit minzta. oc bioða scapdrótne hans til með vattom. oc bioða eigi sokunautum hans til. oc sissa hanom i ondvege. oc leggja vi aura i skaler. Hinn fyrsta eftan oc bioða hanom leysings aura. Nu ef hann teck við þa er vel. En ef hann gefr upp. þa er sem golldet se. En ef hann vill eigi till fara. Pa skal hann leiða vatta sína at hann bauð hanom þingat. oc lata liggja tómt ondvege hans. oc leggja vi aura i skaler. oc bioða i sæte hans hinn fysta eptan. Pat heita leysings aurar. En ef hann hefer nocorom manne um boðet við at taca þa er vel. En ef engi maðr tecr við. þa hirði hann til morgens. oc bioðe enn at matmale. En ef þa tecr engi maðr við. þa have hann oc hirði til sa heimtir er hava scal. Pa er frælsisól gort at fullu. [*Eldre Gulathingss-lov*, arts. 62-62; Keyser et al. 1846-95, vol. 1: 32-33]

Now a man leads his slave to the church, or puts him on his trunk, and gives him freedom. Now if he gives it without ransom or obligations of repayment, then that one does not have to carry out his freedom ale, nor any man who is freeborn. Then he shall control his business dealings and marriages. But he shall be under obligations to his former master, like that one who buys himself free. Now a man gives freedom to his slave who buys himself free, or to a slave woman; each one is free, to whom freedom is given if he gives it who has a right to do so. Now a slave travels the journeys of a free man for twenty years or more than twenty years, and no man finds fault with his journeys, nor his business, nor his marriage, whether he travels within the district or outside the district, then he is free, if he wishes to call himself free. That man to whom the king gives freedom shall not carry out his freedom ale, nor that other one who was given freedom before he has lived through three holy nights and was raised free of obligations. Now a slave or slave woman buys his or her freedom. They shall be led to the church and a book placed on their head(s) and given freedom. Now he shall work there for his former master for twelve months. And if he is given freedom in such a way that half of his freedom-payment or more remains unpaid, then even if he collects forcibly that which remains, the crown has no claim to compensation.

Now a freedman wishes to control his own business dealings and marriages. He should then hold his freedom ale, three measures of beer at the least, and invite his former master with witnesses, but not invite those who are litigating with his former master, and seat him in the high seat and put six *aurar* in scales the first evening and offer to him the freeing *aurar*. Now if he accepts it then all is well. And if he gives it back, then it is as if it were paid. But if he [the former master] does not wish to attend, then he [the freedman] shall produce his witnesses, [to the effect] that he invited him thither and allow the high seat to stand empty and place six *aurar* in scales and offer them to his seat the first evening. That is called the freeing *aurar*. And if he has offered it to some one man to receive it, all is well. But if no man accepts it, let him keep it until the next day and offer it again at meal time. But if no man accepts it at that time, then let him have it and hold it until that one claims it who is to have it. Then the freedom ale is fully carried out.

## Um frelsis ól

Ef þræll kemr á iðrð eða býr. Pá scal hann gera frelsis ól sitt hverr maðr ný mæla [alt mála] ól. oc scera á veðr. ætborinn maðr scal höfuð afscera. en scapdróttinn hans scal taca hálslausn af hálse honum. Nú vill scapdróttinn hans leyfa honum at gera frelsis ól sitt. þá scal hann bioða hann með vátta ij at han megi gera frelsis ól sitt. oc bjóða honum með v' mann til óldr's þess er hann gerir frelsis ól sitt. [her synes noget at være udeglemt] þá scal hann þó gera oc láta óndvegi hans oc cono hans kyrt liggja. En ef scapdróttinn hans leitar á hvesso hann fafi gort frelsis ól sitt. þá scal hann leiða fram vátta sína þá er at voro oc þat ól druccu. oc láta bera þat á þingi. Nú bera þeir svá atfullt se at lögum. þá scal þat vera. En uppi á því þá se lyft á hveriom x vetrom. oc nióti hann þeira vitna þegar hann þarf til at taca. oc þó fullt at eigi se lyft á hveriom x vetrum. þegar hinir bera er heyrðu á þingi. [*Eldre Frostathingss-lov* IX, art. 12; Keyser et al. 1846-95, vol. 1: 212]

If a slave holds land or dwells there, then he shall conduct his freedom ale, each man nine measures of beer, and slaughter a wether. A man of good family shall cut the head off it, and the freedman's former lord shall take the neck-redemption from his neck. Now the master wishes to permit him to carry out his freedom ale. Then he shall request of his master with two witnesses that he may carry out his freedom ale, and invite him with four men to that feast when he conducts his freedom ale. Thus shall he do even so and leave his high seat unoccupied for the master and his wife. And if the master seeks to find out how he conducted his freedom ale, then he shall lead forth his witnesses who were there and who drank that beer and let that be brought before the assembly. Now if they testify that it was fully according to the law, then it shall stand. And from then on it shall be publicly declared every ten years, and let him use those witnesses when he needs to do so; and it shall be legal even if it is not publicly declared every ten years when those people testify to it who heard it at the assembly.

The first lines of the provisions from *Ældre Frostapingslov*, up through *taka hálslausn af hálsi honum*, are also repeated in the paper manuscript excerpting *Bjarkö-ret* and called Y by the editors of *Norges gamle love*, who print them as art. 166 (Keyser et al. 1846-95, vol. 1: 334). Additional references to *frelsisöl* are found throughout these laws (gathered in Keyser et al. 1846-95, vol. 5: 206-07).

These provisions are somewhat fantastic, and it is not difficult to doubt that they were ever enacted (Sawyer 1982: 19-20, Karras 1988: 130). The old Scandinavian laws may or may not represent actual social conditions, and as legal provisions they may indicate what was actually done or what the compilers of the law wished to have happen, perhaps even in anticipation of later events or circumstances; they may also be elaborate antiquarian fictions (Sawyer 1982: 19). In the case of the provisions concerning slavery the situation is even more complex, for the dating of the decline and final demise of slavery is—with the possible exception of Sweden—just as tricky (Karras 1988: 134-42) as the philological questions of dating the extant law codices and their hypothetical sources, written and perhaps even oral. When we approach rituals of manumission, therefore, we are probably in no position to determine if these rituals were ever carried out. But carried out, prescribed, or imagined, they were important enough to find a place in the written law codes and therefore were significant in their own right. The numerous references to the *frelsisöl* show that the concept of the ritual was well known, even if the variation in specific details suggests not regional adaptation but rather varying degrees of imagination. And the details themselves must have carried meaning for those portrayed in them: the half-free and free, especially the landowners. "The provincial laws were created for the landowners and they are stamped with the self-centred view of the property-owning class" (Skyum-Nielsen 1978-79: 145). In what follows, I take up first the concept of the *frelsisöl*, then the possible meaning of the details of its performance. Then, since the ritual obviously stresses aggregation, I consider the identity of the group into which manumission incorporates the freed slave.

The noun *frelsisöl* compounds *frelsi* 'freedom' and the common noun *öl* 'ale, beer,' here with extended meaning to cover the coming together of people for drinking the beer and feasting; semantically included, too, is the making of the beer. This extended meaning was common in medieval Scandinavian and has survived in numerous modern Scandinavian compounds (Fritzner s.v. *öl*, Hellquist s.v. *öl*). Nearly all of the latter now refer to celebrations of some sort, often with reference to life crises, although the beer itself may have vanished (e.g., Danish *barsel* 'childbirth' < *barnsøl*). The wide distribution of the term suggests antiquity, which in turn has suggested a religious context to some observers (e.g., Cahen 1921), perhaps relating to beer as an agent of intoxication (cf. the connection with runic *alu*, treated in Polomé 1954). Åke V. Ström presents the activities that would take place at an *öl* as components of pagan ritual, with special emphasis on the drinking (Ström 1964).

Whether or not religious values are made explicit or religious ritual practiced when it is consumed, food encodes deep symbolic meaning. Claude Lévi-Strauss used the categorization of food as a key to an entire theory of culture and human thought (1969, 1973, 1978), and specific foods and their preparation may reflect specific categories in individual societies, such as, for example, newly-harvested dates and sexual division, linked by striking Freudian symbolism in southern Tunisia (Ferchiou 1968). Food has from the start been central to the discussion on sacral kingship, with such influential writers as Frazer and Hocart anchoring theories of social organization on it as the tangible product of fertility or "life" (see

Feeley-Harnik 1985: 288-94). More to the immediate point is the power of meals—food taken in company—to create and maintain social bonds. For example, some New Guinea co-resident cognates gain identity in agnatic groups partly "...through the consumption of food grown on clan land. Food creates substance just as procreation does, and thus it is a mediator between locality and kinship in the natives' conceptual world" (Holy 1976: 116, paraphrasing Strathern 1973; see further the essays gathered in Jones et al. 1981). Alcohol, too, can play a major role in the bonding impact of consumption during ritual activity (see, for example, Brandes 1990 for an example from Mexico). That medieval west Scandinavia recognized the social import of the consumption of food is shown by imaginative literature. Meals can be textual keys in the sagas (Martínez-Pizarro 1986), in which whetting, too, frequently occurs at table. The fellowship of the *einherjar* is displayed as much in their nightly joint feasting as in their daily joint killing. Guðrún took the most terrible revenge in the corpus when she fed to Atli the hearts of his sons mixed with honey (*Atlakviða* 37).

According to the glossary in Keyser et al. 1846-95, vol. 5, the following ceremonies, besides *frelsisöl*, are denoted by compounds with *-öl* as second component: *erfiöl*; *Jónsmessuöl*; *sáluöl*; *samburð aröl*; *samkundaröl*; cf. also *erfiaröldr* and the expression *gera öl eftir* (relating to wakes). These include a human passage rite (the funeral, with reference both to the dead (*sáluöl*) and to the procedure of inheritance (*erfiöl*), a calendar rite (*Jónsmessa*, June 24, i.e., midsummer), and more occasional drinking bouts (*samburðaröl*, *samkundaröl*, the names of which alone express the concern of these ceremonies with social bonds).

Of the several components of the *frelsisöl*, the most important may simply have been the provision of beer. *Ældre Frostapingslov* requires nine *mæltir* and *Ældre Gulapingslov* three *sáld*—twice as much—of beer at least. Since these measures ordinarily refer to grain, we may infer that this is the amount of barley that was to be malted to make the beer. In taking on the preparation and serving of beer, the *frelsingi* assumed the duties of a *bóndi*, and this is surely the salient symbolism of the ritual. Among the prescriptions set forth in the earliest sections of *Ældre Gulapingslov* is that of *ölgerðr* for the *samburð aröl*: each *bóndi* and *húsfreyja* should make one *mæltir*, and three households at least should get together unless the distances involved are very great. Perhaps it is not happenstance that this provision immediately follows stipulations concerning unilateral freeing of slaves within the jurisdiction of the Gulaping or its constituent parts (arts. 4, 5).

According to the older Gulaping law, the *frelsisöl* was undertaken if a *leysingi* wished to control his own business deals and marriages and apparently was not otherwise necessary. The corresponding condition in the Frostaping law was that a thrall come into land or a farmstead. Combined, these two conditions define the fully free man: he owns property and functions economically and socially without necessary recourse to the support or approval of others. (Note the theoretical provisions in the laws that slaves cannot own property, obviously impossible in reality; Skyum-Nielsen 1978-79: 143). That this is so is made explicit by the following provision in the Frostaping law: if someone frees a slave while travelling abroad, he still inherits from the freeman unless the latter has conducted the *frelsisöl*. In other words, the *frelsingi* is freed from slavery but not yet able to pass property through a family line; only the *frelsisöl* creates the family.

The provision of beer and food was also a sign of wealth. Further, this ritual strategy explains one unusual feature of the *frelsisöl*: the initiate himself presides. This is hardly unknown in the annals of ritual—consider, for example, the Swedish doctoral defense—but it may nevertheless offer help with the interpretation of the *frelsisöl*. Given the terminological and ritual similarity with the funeral ritual, it is justifiable to juxtapose the two ritual drinking times, at manumission and after death when property is being passed. The *frelsingi* is like the heir, in that he moves from a position of dependence to one of independence, both in personal terms and in economic terms: he owns land and can make his own decisions. There are of course differences: an heir might already own other land or goods, whereas the *frelsingi* has never been free. An individual might thus preside over inheritance drinking more than once, but *frelsisöl* (whether any were actually held or not) could by definition only occur once during an individual's life. This is so because voluntary slavery does not seem (to have been practiced in the world of the older Norwegian laws nor) to have been marked with any kind of ritual, to judge from the laws at least. In terms of the inheritance ritual, we may speculate that the initiate in the *frelsisöl* plays two roles: that of the heir conducting the ritual by preparing the beer and presumably presiding over its

consumption, and, also, that of the deceased. In other words, his old role as dependent is dead, and he has been, in effect, reborn in his new role as free man. Support for this interpretation can be found in the structure of many initiation rituals, not least within the world of old Scandinavian texts, in which the initiate "dies" into a new existence (e.g., the blood-brotherhood ceremony, as analyzed by de Vries 1928-29).

This supposition leads directly into the standard contemporary reading of the problem of slavery, namely that slaves have no kin. According to Karras, who follows the view currently prevailing among medieval historians (e.g., the survey article of Marmon 1988; also Sawyer 1982: 40 for Scandinavia), one of the fundamental requirements, then, was adoption into some kin group. In other words, the problem was to get a kinless person (slave) into the status of a person with a kin. If a woman married a slave, according to *Upplandslagen*, "then she went backwards out of her family" but a slave-woman became free on marrying a free man (quoted by Skyum-Nielsen 1978-79: 139-40); *Östgötalagen* makes the connection explicitly: "We free him to kith and kin and not to the lot of a slave" (Skyum-Nielsen 1978-79: 132).

The problem of kin may also find expression in the principle that a child follow the status of its mother. Although kinship was essentially bilateral throughout medieval Scandinavia and indeed earlier Germanic societies (Murray 1983), patriliney was privileged in several ways; in Icelandic law, for example, a father inherited before a mother and half-brothers by the same father before half-brothers by the same mother, and agnatic kinsmen paid more wergild than did uterine kinsmen and used different terms for their payments (see Hastrup 1985: 83-88 for the *Grágás* references and for summary tables; also Meinhard 1975). In the mythology, too, a preference for patriliney appears to be expressed in the enmity Loki's offspring, and, at Ragnarök, Loki himself, express toward the *æsir*. Thus when unfree/free status is defined through the mother, the process is anomalous, again suggesting that slavery expressed its own marginal position through kinship. Indeed, the provision introduced ca. 1300 in Sweden, namely that a child take the better side of its free/slave parents, eliminated the association between slaves and matriliney and appears to be the last step toward the abolition of slavery by birth.

The best evidence, however, for the importance of establishing kin for slaves in the West Scandinavian laws is the principle that one may *leiða í ætt* some other person, such as an illegitimate son (into the patrilineal family, as Hastrup stresses). The dynamics of the actors are very similar to those involved in manumission: an established man, with power, wishes to change the status given by birth to one of those dependent on him—make the slave fully free, make the illegitimate son a full member of the family—and indeed the individual provisions in the Norwegian versions show striking similarities. For *attleiðing* these are set forth in *Gulapingslov*, ch. 58, and *Frostapingslov*, IX: 1. Both require three measures of beer, and both require the slaughter of an ox, just as the *Frostapingslov* requires the slaughter of a wether. The head of the wether is used in some unclear but obviously symbolic way (on which more below), involving the removal of obligations from the freedman, and the hide of a leg of the ox is used to prepare a shoe into which the various members of the *attleiðing* step. One need not accept Erler's suggestion (1942) of pagan antecedents involving the sharing of footsteps to see the obvious symbolic nature of this act, which answers to our own proverbial usage: "I wouldn't want to be in your/his/her shoes." More to the point is the symbolic value of shoes as indicating the privileged class *vis-à-vis* slaves (cf. also Wassmann 1968: 91), which here reverses the metaphor: those outside the family are like slaves.

However, there are differences between this leading into the family and final manumission, starting with the passive role of the initiate in the former and his more active role in the second. After *attleiðing* the initiate has a new social status, but he is still in a dependent position with respect to his father. The freedman, however, is now a theoretical equal to his former lord, although he may fall back into dependence through economic failure or other malfeasance of some sort, and his freedom is attenuated in other ways as well. Perhaps the regalia of the two rituals indicate symbolically the differing points of view.

Although the role of kinship informs a good deal of what is going on in manumission, it is not the whole story. The Borgarþing law, in an oft-cited passage (e.g., Skyum-Nielsen 1978-79: 131) tells where the dead are to be buried and makes four distinctions: *hauðdar*, *lendermenn*, freemen, freedmen. Slaves and jetsam-corpses with Norwegian haircuts are to be buried next to the church wall. Thus both freemen and freedmen are to be kept separate from nobles, and actual slaves are identifiable only as humans with

Norwegian form. In Iceland, slaves were often referred to with terms of opprobrium (Foote 1977; Jón Hnefill Aðalsteinsson 1986-88). Slaves could be beaten, freedmen should rather pay fines (but cf. Skyum-Nielsen 1978-79: 135). I wonder whether the distinction might not be expressed not only in terms of kin but also—and perhaps more fundamentally—as an *ethnic* distinction. The “slave-mark” of the Sjølland laws (“possibly a linguistic relic”, Skyum-Nielsen 1978-79: 135), namely to have one’s nostrils slit, made a physical mark setting off slaves from the free, which Skyum-Nielsen (1978-79: 136) associates with the various provisions for maiming of slaves convicted of multiple theft in the Guláping law; these again are inflicted on the head or face: first one ear, then the other, then finally the nose. These visible marks may, I believe, be read as parallel to visible emblems of ethnicity. In this context it is probably also relevant to recall the whipping of slaves, which theoretically at least could involve a complete flaying, that is, a removal of the skin, which so often functions as an ethnic marker. Furthermore, the lack of penalty on an owner or his family for hurting or killing a slave suggests the same lack of in-group sanction against hurting or killing a member of an out-group. *Rígsþula* gives the best indication of an ethnic distinction. The ethnic distinction is also obviously suggested in the names of foreign origin (Celtic, German; see Foote) borne by some slaves, and of course in names like Svarti and the other names in *Rígsþula*; names of this kind are frequent among the giants of Norse mythology, who must be understood as ethnically distinct from the family of the *æsir*. An ethnic distinction is implicit anyway in the system of originally obtaining slaves: through capture in battle or purchase (as opposed to debt-slaves, another matter altogether). Even when bred, these slaves would bear ethnic markers separating them from the owner class, at least in the eyes of the owners.

We should also speak of an ethical distinction, made available to us particularly in the sagas. Slaves are cowards who run from battle or otherwise do not know the rules (“*þræll einn þegar hefnisk, en argr aldri*”). On the rare occasions when one does not, he is likely to be rewarded with his freedom. (Example of such behavior e.g. in Foote 1977 and Wilde-Stockmeyer 1978: 93-148). In other words, ethically correct behavior, in this instance bravery in battle, moves the holder of power (the slave’s master) to reassign the slave into another category, the category of those who behave properly. I cannot see that kin is the major focus of this reclassification.

There are even hints that a human—non-human opposition was at work, namely the provisions equating slaves with farm or domestic animals (Norwegian and Danish; cited in Skyum-Nielsen 1978-79: 142). Also *Östgötalagen*: “Slaves are sold with the same formalities as horses” (Skyum-Nielsen 1978-79: 143). These legal provisions may be supplemented by other materials, such as medieval literature and ballads, that suggest an animal appearance for slaves (Wassmann 1968). Non-human is of course often an equivalent to an ethnic difference; this is best expressed in terms meaning “human” or “the people” as ethnic designations. Wassmann makes the interesting suggestion that the slaughter of a wether at the *frelsisöli* may make symbolic reference to the removal of the thrall from the realm of animals; he reads the horn in the mysterious formula “*gefa þræli frelsi fra horni ok knappi*” as a metonym for a wether. “Horn kunne da hentyde til trælten som vædder, og vi ved, at knappi bruges som ringen i en svinetryne. Når trælten slipper for disse to ting, er han befriet for sin dyriskhed. Han kan ikke længere behandles som en vædder eller orme, men kan gifte sig med hvem, han vil” (Wassmann 1969: 89). Perhaps this begins to get at the symbolism of the wether in the *frelsisöli*. Certainly it is no less useful than drawing attention to the enigmatic god Heimdallr’s connection to rams—although if Georges Dumézil was correct in interpreting Heimdallr as a boundary god (Dumézil 1973), it would be appropriate to slaughter the god’s token or zoomorph at a time when a major social boundary was to be permanently crossed. What we know about Heimdallr, of course, rests on Icelandic sources, and this is a Norwegian law. If we are looking to Iceland, we might simply consider the ethnographic fact of the sheep’s head as the culinary delicacy due the guest of honor at a feast and here perhaps simply accruing to the free-born man who separates it from the ram’s body or offered by him to the newly manumitted slave, now entitled to the tastiest of morsels.

Finally, there is classification as object: “Gold, silver, land, drinking horns, bolsters and slaves were kept separate in the laws of Östergötland. ‘They are called treasures’, says the text” (Skyum-Nielsen 1978-79: 142).

The point of all of this classification is that the more or less final manumission of a slave had to do more than just solve the question of his kin. Kinship was indeed part of the problem, but since

manumission involved crossing a—perhaps the—fundamental social boundary, that between free and unfree, it called up a number of associated issues, expressed for the most part in notions of ethnicity and the other categories we have surveyed. One additional category, not represented in expressive classificatory terms but still doubtless redolent of the entire problem, was that of the household. As a dependent human, each slave was forever a member of some household and had no opportunity to move voluntarily to some other household. Free people, on the other hand, had such opportunity. Furthermore, the slave on becoming free became head of a household, a person with dependents. Thus from the perspective of the household alone one sees the diametrical shift that manumission entailed.

That more than just kin was involved is seen from the situation in Iceland. It is set forth in *Grágás*, *Konungsbók*, art. 112, near the end of the section dealing with homicides.

Eigi verðr hann fyR frials en hann hefiR goldit hælminginn verðz sins eða meira. þa er manne frelse gefit at fullu er hann er ilög leiddr. Hann scal i lög leida Goðe sa er hann er ipinig með. Hann scal taca cross ihönd ser, oc nefna vatta. Jpat vætte. at hann vinnr eið at crossi lög eið. oc segi ec þat Gyðe. at hann mvn hallda lögom sem sa maðr er vél heldr. oc hann vill þa vera ilögom með öðrom monnom. þeim se goþ gramt er því nitu nema fe sino bete. Eigi þarf sa maðr þaN eið at viNa er honom var ungom frelsi gefit. [Finsen, ed., 1852: 192]

A slave does not become free until the other has paid half his price or more. A man is given full freedom when he is led into the law. The chieftain to whose assembly group he belongs is to lead him into the law. He is to take a cross in his hand and name witnesses to witness that he swears an oath on the Cross, a lawful oath, and "I say before God" that he will keep the laws like a man who keeps them well, and it is his wish then to share in the laws with other men. "God be harsh on him who denies him that unless he atones for it with his goods." The man who was given freedom young does not need to swear that oath. [transl. in Dennis et al 1980: 174]

The contrasts with the Norwegian provisions are quite remarkable and obviously center on the legal emphasis of the Icelandic provisions. The initiate is "led in the law," outside of which he must therefore have been conceptually before the ceremony. He declares that he will obey according to the law, and provisions make explicit that others must pay him atonement according to the law, i.e., the atonement due a regular member of society. Divine wrath is called down on those who would deny him such atonement—and therefore his place in the legal system—and the only symbol prescribed is the Christian cross, which is generally used to affirm oaths at the onset of litigation in Icelandic law; in other words, the freeman now participates in a ceremony resembling outwardly the litigation that will soon be open to him as a member of the law. The provision quoted does not indicate the location of the ceremony, but a few lines later, in discussing someone who has been given freedom but has not gone through the ceremony, who is, in other words, freed without status, the text uses the expression *eigi leiddr ilög eða ibrecco* 'not led into the law or brought onto the assembly slope' (transl. Dennis et al., *ibid.*), which suggests that this manumission ritual was to be held at the spring assembly. In further contrast to the Norwegian provisions, here the initiate is a participant in a ceremony conducted by another, namely his *goði*. Thus the group highlighted in this ritual is, again, not kin, but in this instance a legal grouping. It is perhaps worth pointing out here that the system of *goðar* and *þingmenn* in Iceland, by virtue of its elective nature, mitigated against kinship as a primary matrix against which disputes could be resolved. By emphasizing the freedman's participation in this system, the law therefore automatically de-emphasizes the role of a kin group for the newly freed slave. The much-debated provisions about the degree of personal compensation to which the freed man is entitled are unlikely to have been relevant in Iceland in any legal way, but they serve semantically to indicate the still liminal nature of a freedman. Finally, the economic implications of the passage from slave to free—one emphasis of the Norwegian ritual, as we have seen—appears in *Grágás* only in the attenuated form of a prescribed fee that the freedman is to pay over to his former master.

Why was kin not the operative metaphor for manumission in medieval West Scandinavia? The answer surely lies in the numerous other categories exposed above. Should kin have been the operative metaphor? I think not. Discovery of the importance of kin in conceptions of slavery might be traced to Henri Lévy-Bruhl's reading of slaves as those outside the system (Lévy-Bruhl 1934), which has remained

fundamental to sociological readings of the issue (Patterson 1977, 1982). This led in turn to a focus on the process of bringing slaves, particularly those newly acquired, into the system in some comprehensible way. This processual approach (Koptyoff 1982: 221-24) informed much analysis of world slavery, which identified kin group incorporation as a final mode of slavery in many systems and a theoretical possibility or comparative node for others (e.g., the "closed" and "open modes" of slavery identified by James L. Watson 1980). The processual approach, however, applies to those newly enslaved: captured, purchased, or whatever, and despite Snorri's evidence about Erlingr Skjálgrsson's cyclical selling of freedom to his slaves and purchase of new ones (in Snorri's *Ólafs saga helga*, ch. 23, translated and discussed in Karras 1988: 146-47), we may wonder whether most slaves were not, in fact, born to their station and household and likely to die there. If so, their kinship would be a very ambiguous matter, given their sharing of dependence on the *bóndi* with everyone else in the household, and additional semantic categories would be needed to set them off from the free. It is all these semantic categories that the west Scandinavian rituals of manumission address.

## References cited

- Bloch, Marc. 1975. How and why slavery came to an end. *Slavery and serfdom in the Middle Ages*, transl. William R. Beer. Berkeley and Los Angeles: University of California Press. Pp. 1-31.
- Brandes, Stanley. 1990. Ritual eating and drinking in Tzintzuntzan: a contribution to the study of Mexican foodways. *Western Folklore* 49: 163-75.
- Cabén, Maurice. 1921. *Études sur le vocabulaire religieux du vieux-scandinave: la libation*. Société de Linguistique de Paris, Collection linguistique, 9. Paris: É. Champion.
- Dennis, Andrew, Peter Foote, and Richard Perkins. 1980. *Laws of Early Iceland: Grágás: the Codex Regius of Grágás with material from other manuscripts*. University of Manitoba Icelandic Studies, 3. Manitoba: University of Manitoba Press.
- Dockès, Pierre. 1982. *Medieval slavery and liberation*. Transl. Arthur Goldhammer. Chicago: University of Chicago Press.
- Dumézil, Georges. 1973 [1959]. Comparative remarks on the Scandinavian god Heimdall. *Gods of the ancient Northmen*, ed. Einar Haugen. Berkeley and Los Angeles: University of California Press. Pp. 126-40. Transl. Francis Charat.
- Eriksen, A. E. 1861-62. Om trældom hos Skandinaverne. *Nordisk universitets tidsskrift* 7/3: 1-61, 7/4: 83-110.
- Erler, Adalbert. 1944. Das Ritual der nordischen Geschlechtsleite. *Zeitschrift der Savigny-Stiftung für Rechtsforschung*, Germanistische Abteilung 64: 86-111.
- Feeley-Harnik, Gillian. 1985. Issues in divine kingship. *Annual Review of Anthropology* 14: 273-313.
- Ferchiou, Sophie. 1968. Différenciation sexuelle de l'alimentation au Djerid (sud tunisien). *L'Homme* 8: 64-86.
- Foote, Peter. 1977. Þrelabald á Íslandi. *Saga* 15: 41-74.
- Frazer, James. 1913-15. *The golden bough: a study in magic and religion*. 3rd. ed. 12 vols. London: Macmillan.
- Fritzner, Johan. 1973 [1867]. *Ordbog over det gamle norske sprog*. 4 vols. New ed. Oslo, etc.: Universitetsforlag.
- Genep, Arnold van. 1960 [1909]. *The rites of passage*. Transl. Monika B. Vizedom and Gabrielle L. Caffee. Chicago: University of Chicago Press.
- Gjessing, A. 1862. *Trældom i Norge*. *Annaler for nordisk oldkyndighed og historie*, pp. 28-322. Copenhagen:
- Hastrup, Kirsten. 1985. *Culture and history in medieval Iceland: an anthropological assessment of structure and change*. Oxford: Clarendon Press.
- Hellquist, Olof. 1966. *Svensk etymologisk ordbok*. 2 vols. 3rd. ed. new printing. Lund: C. G. K. Gleerup.

- Herdal, Harald. 1967. *Trællene i Norden*. Copenhagen: Hasselbalck.
- Hocart, A. M. 1970 [1936]. *Kings and councillors: an essay in the comparative anatomy of human societies*. Ed. Rodney Needham. Chicago: University of Chicago Press.
- Holy, Ladislav. 1976. Kin groups: structural analysis and the study of behavior. *Annual Review of Anthropology* 5: 107-31.
- Iversen, Tore. 1983. Trelldommens betydning. [*Norsk*] *Historisk tidsskrift* 62: 245-51.
- \_\_\_\_\_. 1985. Den gammelnorske trelldommen og dens avvikling. [*Norsk*] *Historisk tidsskrift* 64: 158-79.
- Jón Hnefill Aðalsteinsson. 1986-88. The position of freed slaves in medieval Iceland. *Saga-Book* 22: 33-49.
- Jones, Michael Owen, B. Giuliano, and R. Krell. 1981. *Foodways and eating habits: directions for research*. Los Angeles: California Folklore Society.
- Karras, Ruth Mazo. *Slavery and society in medieval Iceland*. Yale Historical Publications, Miscellany, 135. New Haven and London: Yale University Press. 1988.
- Keyser, R., P. A. Munch, Gustav Storm, and Ebbe Hertzberg. 1846-95. *Norges gamle love indtil 1387*. 5 vols. Christiania: C. Grøndahl.
- Kopytoff, Igor. 1982. Slavery. *Annual Review of Anthropology* 11: 207-30.
- Krag, Claus. 1982. Treller og trellehold. [*Norsk*] *Historisk tidsskrift* 61: 209-27.
- Kristensen, Anne K. G. 1988. Free peasants in the early Middle Ages: freeholders, freedmen, or what? *Mediaeval Scandinavia* 12: 76-106.
- Lévi-Strauss, Claude. 1969. *The raw and the cooked*. Transl. John and Doreen Weightman. New York: Harper & Row.
- \_\_\_\_\_. 1973. *From honey to ashes*. Transl. John and Doreen Weightman. New York: Harper & Row.
- \_\_\_\_\_. *The origin of table manners*. 1978. Transl. John and Doreen Weightman. New York: Harper & Row.
- Lévy-Bruhl, Henri. 1934. Théorie de l'esclavage. *Quelques problèmes du très ancien droit romain: (essai de solution sociologique)*. Paris: Domat-Montchrestien.
- Lind, Joan Dyste. 1978. The ending of slavery in Sweden: social structure and decision making. *Scandinavian Studies* 50: 57-71.
- Marmon, Shaun. 1988. Slavery, Islamic world. *Dictionary of the Middle Ages* 11: 330-33
- Martínez-Pizarro, Joaquín. 1986. The three meals in *Heiðarvíga saga*: repetition and functional diversity. *Structure and meaning in Old Norse literature: new approaches to textual analysis and literary criticism*, ed. John Lindow, Lars Lönnroth, and Gerd Wolfgang Weber. Viking Series, 3. Pp. 220-34.
- Meinhard, H. H. 1975. The patrilineal principle in early Teutonic kinship. *Studies in social anthropology: essays in memory of E. E. Evans-Pritchard*, ed. J. Beattie and R. G. Lienhardt. Oxford: Clarendon Press.
- Murray, Alexander C. 1983. *Germanic kinship structure: studies in law and society in antiquity and the early Middle Ages*. [Toronto:] Pontifical Institute of Mediaeval Studies.
- Nevéus, Clara. 1974. *Trälarna i landskapstagarnas samhälle, Danmark och Sverige*. Studia historica upsaliensia, 58. Uppsala.
- Patterson, Orlando. 1977. Slavery. *Annual Review of Sociology* 3: 407-49.
- \_\_\_\_\_. 1982. *Slavery and social death: a comparative study*. Cambridge: Harvard University Press.
- Palme, Sven-Ulric. 1947. *Stånd och klasser i forna dagars Sverige*. Stockholm: Bonnier.
- Polomé, Edgar C. 1954. Notes sur le vocabulaire religieux du germanique, I: runique *alt.* *La nouvelle Clio* 6: 40-55.

- Sawyer, Peter. 1982. *Kings and Vikings: Scandinavia and Europe AD 700-1100*. London and New York: Methuen.
- Skyum-Nielsen, Niels. 1971. *Kvinder og slave*. Danmarks historie 1085-1250 uden retouche. Copenhagen.
- \_\_\_\_\_. 1978-79. Nordic slavery in an international setting. *Mediaeval Scandinavia* 11: 126-48.
- Strathern, Andrew. 1973. Kinship, descent and locality: some New Guinea examples. *The character of kingship*, ed. Jack Goody. London: Cambridge University Press. Pp. 21-33
- Ström, Åke V. 1964. Die Hauptriten des wikingerzeitlichen nordischen Opfers. *Festschrift Walter Baetke dargebracht zu seinem 80. Geburtstag am 28. März 1964*, ed. Kurt Rudolf et al. Weimar: H. Böhlau. Pp. 330-42.
- Turner, Victor. 1967. *The forest of symbols: aspects of Ndembu ritual*. Ithaca: Cornell University Press.
- \_\_\_\_\_. 1968. *The drums of affliction: a study of religious processes among the Ndembu of Zambia*. Oxford: Clarendon Press; London: International African Institute.
- \_\_\_\_\_. 1969. *The ritual process: structure and anti-structure*. Chicago: University of Chicago Press.
- Vilhjalmur Finsen 1852. *Grágás: Islændernes lovbog i fristatens tid*. 3 vols. Copenhagen: Berling. Rpt. Odense: Odense University Press, 1974.
- Vries, Jan de. 1928-29. Der altnordische Rasengang. *Acta Philologica Scandinavica* 3: 106-35. Reprint in de Vries, *Kleine Schriften* (1965), 89-112.
- Wassmann, Carl. 1968. Trællenes dyriske ydre. *Danske studier* [63]: 89-94.
- Watson, James L. 1980. Slavery as an institution: open and closed systems. *Asian and African systems of slavery*, ed. James L. Watson. Berkeley and Los Angeles: University of California Press; Oxford: Blackwell. Pp. 1-15.
- Wilde-Stockmeyer, Marlis. 1978. *Sklaverei auf Island: Untersuchungen zur rechtlich-sozialen Situation und literarischen Darstellung der Sklaven im skandinavischen Mittelalter*. Skandinavistische Arbeiten, 5. Heidelberg: C. Winter.
- Williams, Carl O. 1937. *Thralldom in ancient Iceland*. Chicago: University of Chicago Press.